

Further details released of British Army abuses in Iraq

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The lawyer for nine Iraqi men who claim they were tortured by British soldiers has revealed further allegations of abuse.

Evidence that was not allowed to be presented at the court martial of four soldiers from the 1st Battalion the Royal Regiment of Fusiliers in February in Osnabruck, Germany, has now been released. The soldiers were court-martialed after photographs were shown in the national press of them abusing Iraqi men. Some of the soldiers received prison sentences of up to two years and were thrown out of the army. At the court martial, no victims were allowed to give evidence and the Royal Military Police claimed that attempts to find them had been unsuccessful.

The solicitor for the nine Britons, Phil Shiner, has called for an independent public inquiry and has said that if this is not granted within 14 days, he will go to the High Court.

In reports shown to the *Guardian* newspaper and the *Socialist Worker* containing witness statements relating to incidents at Camp Breadbasket, Basra, the witnesses refute the claims made at the court martial held in February that the victims of abuse were looters who had been stealing aid from the camp.

Camp Breadbasket was a depot for international food aid. The latest witness statements say that seven of the men were employed to help with the United Nations oil-for-food programme and had ID cards proving they were allowed to be at the camp. Another of the statements is from the brother of one of the camp workers, who went to the camp to try to secure the release of his brother. The ninth statement is from a fisherman who worked near the camp and was picked up by British soldiers and taken to Camp Breadbasket.

In his witness statement, camp worker Raa'id Attyar Ali said, "I had been working at the depot known as

Camp Breadbasket for some time. It is my job to go to the depot twice a month in order to collect food rations for distribution to a number of families. I have an identity card to show that I have lawful authority to be at the depot."

Ali said he was surrounded by the British soldiers, and after he had shown them his identity card, they separated him from the rest of his group and tied him to a concrete post. He was kicked on the nose, which broke and started to bleed. His statement says he witnessed other Iraqi civilians stripped and beaten, with at least 10 British soldiers involved in the attack.

Hassan Abdul-Hussein was shown tied to a forklift truck in a photograph taken by soldiers. Describing himself as a fisherman, he says he was at a nearby river when he was taken to the depot by British soldiers. He says his hands and feet were tied and that he was strung up after refusing to sever another Iraqi's finger with a knife.

He claims a female soldier beat one of the detained Iraqis with a military car aerial to make him pull a donkey cart. Another Iraqi says he was kicked so hard in the genitals that he cannot have children. One says a loaded gun was put to his head.

The witness statements also claim that they were beaten by soldiers with iron bars, made to run around a shed holding cement blocks above their heads and put in an iron cage while soldiers threw scrap metal at them.

Shiner says he was told he could not reveal the victims' evidence during the trial, as this would be regarded as contempt of court. He states that the court-martial had been a "put-up-job" and that the evidence from the victims had been "swept under the carpet." He said this information was known before February's court-martial verdict. "Here there is the clearest

evidence that the military are incapable of prosecuting and investigating themselves. If they are allowed to, all we get is a whitewash and a few bad apples thrown to the dogs. Clearly, here something has gone badly wrong, officers were involved and a whole lot of people were abused.”

Both the Ministry of Defence (MOD) and Lord Goldsmith, the attorney general, deny issuing or operating a gagging order. The MOD has said, “There is no evidence of any systematic or repeated abuse by any members of the armed forces. But nevertheless the Army has decided that two senior officers should review the evidence emerging from the court martial relating to incidents of deliberate abuse with a view to learning lessons and making recommendations to the Chief of the General Staff, General Sir Michael Jackson.”

They said four of the cases had already been referred to the prosecuting authorities to decide whether charges should be brought, “There may be more when all the investigations are complete.”

Writing in the *Guardian* on May 6, days before the latest evidence was released, Shiner explained, “One has to question if the will to prosecute the alleged perpetrators of such crimes exists. Remember the photographs of a bound Iraqi suspended from a forklift truck in the British Camp Breadbasket outside Basra? On February 16, I wrote to the attorney general and the army prosecuting authority, advising them that I had just been instructed by three of the victims, including the man on the forklift truck, who wanted to give evidence urgently to the court martial which was then in progress in Osnabruck, Germany. This evidence is compelling and highly relevant. The man in the forklift truck was not ‘being moved out of the sun,’ nor was this a prank that had gone wrong [the explanations offered by the accused soldiers]. He was lawfully at the camp to distribute food under the UN oil-for-food programme. He claims that being strung up was his punishment for refusing an order to sever the finger of a fellow Iraqi. Another man was assaulted so badly in the camp that he is now unable to have sexual intercourse. I expected the court martial to be stopped to enable this new evidence to be tested. How wrong I was. The court martial continued.”

Shiner posed the question, “What do we learn from this? One, that when the prevailing system is

threatened, it reacts by throwing a few rank-and-file members to the dogs. Two, that there is evidence that Britain, like the US, now has a torture policy, and this evidence is ignored. Three, that neither the government, the Ministry of Defence nor the attorney general gives a damn—nobody has been charged for the death of Mousa or for other deaths or torture cases in detention. Four, the system of the military investigating and prosecuting itself is fundamentally flawed and must be immediately replaced with an independent system if the international prohibition against torture and protection of civilians under the Geneva conventions or domestic war crimes legislation are to have any meaning. And five, if we fail to protest, we are all responsible for the torture of Baha Mousa and others.”

Within days of the release of this latest evidence of abuse, British Sunday newspapers revealed that the MOD has passed a report to the Army Prosecuting Authority relating to the death of Mousa. Mousa, a 26-year-old hotel employee, was one of nine men arrested by the Queen’s Lancashire Regiment (QLR) in southern Iraq in September 2003. He died in custody.

An International Committee of the Red Cross (ICRC) report said the men were “made to kneel, face and hands against the ground, as if in a prayer position. The soldiers stamped on the back of the neck of those raising their head. The suspects were taken to Al-Hakimiya, a former office used by the Mukhabarat (the Iraqi secret police) in Basra, and then beaten severely by coalition forces personnel.”

Mousa’s death certificate states the cause of death as “cardio-respiratory arrest-asphyxia.” But it added that an eyewitness spoke of “broken ribs and skin lesions on the face consistent with beatings.” The ICRC report said, “Prior to his death, his co-arrestees heard him screaming and asking for assistance.”



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