

MI5 colluded with CIA extraordinary renditions from Britain

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On March 29, Britain's *Independent* newspaper revealed how Britain's intelligence services colluded in the "extraordinary rendition" of terror suspects by the US, whereby captives are flown to secret locations to countries notorious for human rights abuses. It published an account of the fate of one British citizen, one of four men arrested by the US military in November 2002 in Gambia—two of whom were eventually transferred to the military camp at Guantánamo Bay.

On November 2, 2002, Abdullah el Janoudi (a British citizen) was arrested alongside Bisher al-Rawi and Jamil al-Banna (both British residents) at Gatwick airport in London. They had intended to travel to Gambia where they hoped to establish a business venture for a mobile peanut-oil processing factory. The three men were questioned for two days on suspicion of links with terrorist groups, as well as on suspicion of carrying an explosive device, which turned out to be a normal battery charger. They were all released without charge.

On November 8, the three men left the UK for Banjul, the Gambian capital, and were arrested on arrival, together with Bisher's brother, Wahab al-Rawi, who had come to meet them at the airport. After an initial period of questioning by the Gambian National Intelligence Agency (NIA), they were then questioned by US investigators. During this time, the men were held in several undisclosed locations in Banjul. At least one of the men was allegedly threatened by US investigators who told him that unless he cooperated he would be handed over to the Gambian police who would beat and rape him. One of the men sustained injuries from what US investigators later described as a "scuffle with Gambian guards."

Gambia has close ties with Washington. In October 2002 it signed an impunity agreement with the US agreeing not to surrender US nationals accused of genocide, crimes against humanity and war crimes to the International Criminal Court.

On the day of his departure flight from the UK, Wahab also was detained at London's City airport in east London by two men who described themselves as airport security officers. They said they were investigating an alleged terror suspect called Abu Qatada whom Wahab had met four days before his flight. Qatada is now imprisoned in Britain as a terror suspect and the British government are seeking to deport him to Jordan.

Wahab says he met Qatada because he was regarded as an authority on Islamic law and he had needed to know whether it allowed for partners in a firm to be paid wages. Wahab said Qatada told him this was not the case and he had just thanked him for the information and left.

Four days after their arrest in Banjul, the four men were taken to a secret location in the suburbs. Separated from one another, Wahab said he was accused by the US officers of coming to Gambia to start a terrorist training camp. He told the *Independent*, "It was at this point that I withdrew my co-operation because the questioning was getting ridiculous. Once again I demanded to see someone from the [British] High Commission. This was when they said: 'Who do you do think ordered your arrest in the first place? They don't want to talk to you. Where do

you think this information came from, the questions we are asking you?' Now it was clear we had been set up and betrayed by the country we had adopted as our own."

Wahab and El Janoudi were released without charge in December 2002 and returned to the UK. Wahab and Bisher both arrived in Britain from Iraq as teenagers in the 1980s after their father was tortured by Saddam Hussein's Baathist regime. In 1992 Wahab applied for and was granted British nationality, but his brother decided to retain Iraqi citizenship in the hope of reclaiming confiscated family property if Hussein's government ever fell. As neither Bisher nor al-Banna had British citizenship they were flown to Bagram air base in Afghanistan before being transferred to Guantánamo, where they have been held for the past three years.

Intelligence reports made by MI5, which have been submitted to the all-party group on extraordinary rendition, also support Wahab's testimony and indicate the fabricated nature of the case against the four men.

Part of the evidence, which was passed on to US intelligence, includes allegations that Bisher had an interest in "extreme sports" while Wahab was described as playing a lead role in setting up the Gambian factory as a possible front for a terrorist organisation. MI5 also said the men carried copies of the Koran and had possessed an electronic device (which turned out to be a battery charger).

According to High Court documents released March 27, MI5 knew that the three men seized at Gatwick airport were carrying harmless items, yet told the CIA that they were in possession of bomb parts.

In a telegram sent on November 1, 2002, apparently to the CIA, an MI5 officer said an "electronic device" that could be part of an improvised explosive device (IED) had been found on the men. But in a note to the Foreign Office 10 days later, MI5 stated that the men had been released at Gatwick "after it was assessed that this item was a commercially available battery charger that had been modified by Bisher al-Rawi in order to make it more powerful."

The disclosures were followed by a March 28 report from the human rights group, Caged Prisoners, which claims evidence shows that Prime Minister Tony Blair, Foreign Secretary Jack Straw and the leader of the House of Commons, Geoff Hoon, "misled" Parliament "over their knowledge and complicity in illegal acts of rendition."

It also accuses Britain's secret services of involvement in "interrogations of detainees where abuse and torture" were used in countries ranging from Morocco and Pakistan to Afghanistan and at Guantánamo Bay.

The report says the security services passed "misinformation" to countries that was then used to detain and torture people from the UK and that, despite government denials, CIA rendition flights had been cleared to use British airspace and airports.

The documents were prepared for a court challenge to the Blair government's failure to petition for the release from Guantánamo Bay of Bisher, al-Banna, a Jordanian-Palestinian national, and Omar Deghayes, a Libyan refugee allegedly picked up by bounty hunters in Pakistan.

The Caged Prisoners report states that Britain was involved in the rendition or torture of at least 17 of its own citizens or residents—including Bisher and al-Banna—who have been subjected to a “subterranean system of kidnappings, ghosted to black sites, suffering abuse and torture.”

In a statement made at Guantánamo, Bisher said he had been dressed in nappies and hooded and shackled for his transfer, along with al-Banna, from Gambia by a CIA rendition team on December 8, 2002. The account is corroborated by flight logs obtained by the *Guardian* newspaper, which indicate that a Gulfstream V jet, registration N379P, arrived in Banjul from Washington on that day. The plane arrived in the Afghan capital, Kabul, the next day via Cairo.

In Afghanistan, the two were taken to what other inmates have termed “Dark Prison,” a CIA jail where prisoners were held in complete darkness and subjected to non-stop loud music.

The *Washington Post Foreign Service* alleges that British intelligence had contrived to encourage its US counterparts to pursue two men it knew to be innocent so as to turn them into spies. An April 2 article by Craig Whitlock and Julie Tate states, “The primary purpose of this elaborate operation, documents and interviews suggest, was not to neutralize a pair of potential terrorists—authorities have offered no evidence that they were planning attacks—but to turn them into informers.

“US and British efforts to infiltrate Britain’s Islamic underground went into high gear after the Sept. 11, 2001, attacks, the documents show. The two men, acquaintances of the radical cleric Abu Qatada, were singled out by MI5 for threats, cajoling and offers of cash and protection if they would channel information. Although one of them offered some assistance, MI5 wanted more.”

George Brent Mickum IV, a Washington lawyer who represents the men, said that though they were friends of Qatada, neither shared the cleric’s “radical beliefs” nor represented a security risk to the US. As to why British intelligence would engineer their seizure, he added, “Either it was an attempt to put these guys at risk and to use them to find evidence that would implicate Abu Qatada or it was an attempt to bring them within the closer control of MI5.”

According to accounts by al-Rawi family members, the day after the 9/11 attacks, two MI5 agents knocked on the door of the house where Bisher was living with his sister and her husband. The agents asked about Qatada, who he knew from the mosque. “He was completely gobsmacked,” said Nomi Janjua, his brother-in-law. “He said, ‘What? Secret services?’ I started laughing because we couldn’t believe it.”

The British government acknowledged in court that Bisher agreed to become an unpaid informer and intelligence agents regularly visited the family’s home. They telephoned so often that his relatives complained, forcing MI5 to give him a mobile phone and meet him elsewhere.

Sometimes the contacts were unfriendly, family members recalled. Once, when he took his mother to an airport, agents pulled him aside for a long interrogation. MI5 documents show that some agents came to have reservations about whether he was carrying out their orders. He tried to end the relationship in the summer of 2002, angering his handlers.

Al-Banna came to London from Pakistan with his wife in 1994. He had worked in an orphanage in Peshawar, where he met Qatada, a fellow Jordanian. He also received a visit from two intelligence officers following the 9/11 attacks. His wife said one was British and the other American. The agents inquired about Qatada. He resisted pressure to become an informer, she said, but they kept it up.

On October 21, 2002, as al-Banna was packing for his trip to Gambia with the other men, an MI5 agent called at his London home and pressed him again to infiltrate extremist Islamist circles on behalf of British intelligence, either domestically or in a Muslim country.

An unnamed MI5 agent disclosed in a report; “He did not give any hint of willingness to cooperate with us.... I returned to the choice which he could make; he could either continue as at present, with the risks that

entailed, or he could start a new life with a new identity.... It was quite possible that he could find himself swept up in a further round of detentions.”

Amnesty International has also been separately informed that the Gambian authorities, through the Gambian High Commission in London, hindered attempts by relatives of Bisher and al-Banna to ascertain their whereabouts by refusing to authorize power of attorney instructing a lawyer in Banjul to act on their behalf, thereby significantly delaying introduction of the habeas corpus petition and “smoothing” the way for the US military rendition. Amnesty has also speculated, from the information available to the organisation, that it appears that Bisher and al-Banna were under surveillance in the UK, possibly on account of intelligence originally received from US officials.

In accounts made to their attorneys Bisher and al-Banna say that in Afghanistan they were asked by CIA operatives whether they would serve as informants. Al-Banna was reportedly offered increasing sums of money and a US passport to work for the CIA, but refused, his lawyer said.

A few weeks later they were flown to Guantánamo. On March 12, 2003, Bisher wrote a sardonic letter to his family in London. “Dear Mum and family,” it read, “I’m writing to you from the seaside resort of Guantánamo Bay in Cuba. After winning first prize in a competition, I was whisked to this nice resort with all expenses paid (I did not need to spend a penny).... Everyone is very nice, the neighbours are very well mannered, the food is best class, plenty of fun.”

Both detainees have told their attorneys that US and British intelligence operatives have visited them repeatedly at Guantánamo and in Afghanistan, renewing demands that they inform, offering them freedom and money in exchange. Bisher told his lawyer he was visited in Guantánamo at least six times by MI5 officials, including some of the same agents who had served as his handlers in London. They apologised for the turn of events, but asked whether he would still be willing to work for the agency if they could secure his release.

In September 2004, the two inmates were brought before tribunals that would determine whether they could be formally classified as “enemy combatants.” The primary evidence against them was that they knew Abu Qatada and had wired money on his behalf to Jordan.

In testimony during the hearings, the detainees admitted knowing Qatada and helping him transfer the funds, which they said went to a charity. They said MI5 had been aware of all their activities and had encouraged them to interact with Qatada. They also pointed out that British police had them in custody just prior to their trip to Gambia and could have pressed charges if they were suspected of illegal acts.

“We were kidnapped in Gambia, not arrested,” al-Banna said, according to a transcript of his hearing. “I don’t even know what I have done.... If I were a danger to anyone, Britain would have put me in jail.”

The tribunals eventually ruled that both men should be classified as enemy combatants.

With a lawsuit seeking to force the British authorities to intercede on the men’s behalf now pending, at the end of March the government said it would ask for Bisher’s release. Its previous position had consistently been that it could not intercede for a non-British citizen.



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