

UK opposes release of British detainees at Guantánamo

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Documents obtained by the *Guardian* newspaper show that the Blair government is complicit in the ongoing detention of some 10 former British residents detained without trial in Guantánamo Bay, Cuba. This is despite an admission by the Home Office that “they do not pose a sufficient threat” to justify even keeping them under house arrest.

The men—who are originally from Iraq, Libya, Ethiopia, Saudi Arabia, Jordan, Morocco and Algeria—have been detained without charge for more than four years. Many have alleged torture and ill-treatment during their detention in Pakistan and Cuba.

According to the *Guardian*, Washington offered to return all former UK residents held in Guantánamo in June. But Britain rejected this on the grounds that the conditions attached by the US were “unnecessary and unworkable.”

The documents consist of witness statements submitted to a judicial review from David Richmond, director general of defence and intelligence at the Foreign Office, and William Nye, director of counterterrorism and intelligence at the Home Office. The appeal was brought by nine of the detained men’s representatives and families against the decision made by then Foreign Secretary Jack Straw not to apply for the release of the imprisoned men.

One statement by Richmond explained, “The British embassy in Washington was told in mid-June 2006 that, during an internal meeting between US officials, the possibility had been floated of asking the UK government to consider taking back all the detainees at Guantánamo who had formerly been resident in the UK. Information about what had occurred at this meeting had been fed back informally to the embassy, and the UK government wished to clarify the significance of this idea.”

“The US administration would only be willing to engage with the UK government if it sought the release and return of all the detainees who had formally resided in the UK (i.e., regardless of the quality of their links with the UK), rather than just a subset of the detainees falling in that category.”

In his statement, Nye wrote, “The US administration envisages measures such that the returnees cannot legally leave the UK, engage with known extremists or engage in support, promote, plan or advocate extremist or violent activity, and further have the effect of ensuring that the British authorities would be certain to know immediately of any attempt to engage in any such activity.”

Tellingly, Nye said there was not enough evidence to restrict the men’s movements. Furthermore 24-hour surveillance by MI5 would be too costly and take resources away from dangerous terror suspects. “The use of such resources ... could not be justified and would damage the protection of the UK’s national security,” Nye wrote.

The Guantánamo detainees “do not pose a sufficient threat to justify the devotion of the high level of resources” the US was demanding, he added.

The Foreign Office has said that it only recognizes five of the Guantánamo detainees as having had strong links with Britain, but as foreign nationals it could not give them consular or legal representation.

This is a blatant evasion. Omar Deghayes, a 36-year-old Libyan, came to Britain 20 years ago after his father, a trade unionist, was arrested and executed by the Gadaffi regime. He was granted refugee status and his family are now British citizens. He was arrested in Pakistan shortly after the collapse of the Taliban. Whilst in Guantánamo he has lost the use of one eye when guards suppressed a prisoners’ protest.

Ethiopian-born Benyam Mohammed, 28, was granted indefinite leave to remain in the UK when he arrived with father aged 15. According to the *Guardian*, he “appears to have suffered the most appalling torture” during his imprisonment. In Morocco, where he was taken after his arrest in Afghanistan, he says he was “beaten, doused in hot liquids and subjected to incessant loud noise.” He also “says his penis was repeatedly slashed with a scalpel. Scarring appears to bear out this claim.”

Ahmed Errachidi, a 40-year-old Moroccan, had been given indefinite leave to remain in the UK, where he had been living since 1985. He was captured by bounty hunters in Pakistan in 2001 and sold to US officials. He says he was tortured at a US-run prison in Afghanistan before being sent to Guantánamo, where he has spent two of the last four years in isolation.

Saudi Shaker Aamer and Jordanian Jamil el-Banna both have British born children.

London has requested the release of one of those detained—Iraqi Bisher al-Rawi. The 38-year-old son of an Iraqi businessman, who fled the country more than 20 years ago, is allegedly a MI5 informant. Despite this, it took more than three years for Britain to intercede on his behalf.

Al-Rawi was arrested in 2002 in Gambia, along with Jamil el-Banna. The US charges that he worked with Abu Qatada, an Islamic cleric who is currently held in a UK high security jail, suspected of being part of Al Qaeda. But al-Rawi says that his association with Abu Qatada was directed by the British security forces who had asked him to “keep watch” on the cleric.

It has been alleged that the British authorities informed the US as to al-Rawi and el-Banna’s arrival in Gambia. Their Washington-based lawyer, George Brent Mickum IV, has said of this, “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.”

It was not until April this year that Straw formerly requested al-Rawi’s release. This was after al-Rawi had taken the British government to court for its refusal to give him any assistance.

It should also be noted that, according to the BBC, Abu Qatada himself “was said to have held meetings with an MI5 officer at which he suggested his willingness to cooperate to help prevent Islamic

terrorism in the UK.” This was during the mid-1990s. It was only after tapes of his sermons “were unearthed in a Hamburg flat used by some of those responsible for the 11 September attacks on the US” that he was taken into custody in the UK.

Could Abu Qatada’s detention, and that of al-Rawi, have been aimed at concealing their past contacts with MI5 and the extensive relations between Britain’s security services and Islamist groups? Allegations have been made that several of the London bombers were known to the security services in the UK, who allowed them to operate for their own purposes.

At any rate, the British government’s refusal to act in support of those detained in Guantánamo—including, until recently, a man who was working on their behalf—speaks volumes as to its perfidious role in Washington’s flouting of international law and human rights.

According to the arguments made in the documents obtained by the *Guardian*, it is because the detainees are not sufficiently dangerous that they must remain under lock and key, and stripped of all legal rights.



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