

# British government rejects inquiry into new allegations of Iraq abuses

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The Brown Labour government has ruled out a public inquiry into fresh allegations of abuse by British soldiers in Iraq. Armed Forces Minister Bill Rammell said that the Ministry of Defence (MoD) will instead carry out “formal investigations” without “judgements being made prematurely.”

He was responding to lawyers demanding an inquiry into 33 new cases of alleged abuse. Solicitor Tessa Gregory argued, “These further disturbing allegations...point to the systematic abuse of Iraqi civilians by the British military.”

The *Independent* newspaper has published details of some of the cases, which allege that male and female soldiers and military personnel used violence against and sexually abused detainees in camps in southern Iraq under British control.

The *Independent*'s Robert Verkaik asks, “Did Britain collude with US in abuse of Iraqis?” He wrote that the alleged abuses prompt “comparisons with the torture practices employed by US soldiers at the notorious Abu Ghraib prison in Baghdad.” The claims point to a systematic use of brutality and torture by British soldiers against Iraqi civilians throughout the duration of the occupation.

Phil Shiner, who leads the legal firm Public Interest Lawyers is calling for a full judicial review and a wider public inquiry into the abuses. Commenting on the latest allegations, he wrote in a pre-action protocol letter to the MoD: “Given the history of the UK's involvement in the development of these techniques alongside the US, it is deeply concerning that there appears to be strong similarities between instances of the use of sexual humiliation. Many of these Iraqis were frightened to come forward and only now have been able to gather the courage to do so. That is no mean feat given what they have been through.”

Shiner has consistently maintained that the cases of abuse that have surfaced are just the tip of the iceberg. He said last week, “I have it on good authority that there are hundreds of cases that are going uninvestigated. My guess is that many of them will remain buried.”

Among the 33 new cases documented are that of a 16-year-old who claims that he was forced to strip and then raped at

knifepoint by two male soldiers at the Shatt-al-Arab British camp in May 2003. He said that he was taken to the British camp on the pretext of helping to fill sandbags. Another case involves a man, Adil Abba Fadhil Mohamed, who was forced to wear an orange jump suit and told that he was to be executed at the Guantánamo Bay internment camp in Cuba. Other claims made by Iraqi civilians include allegations of mock executions, dog attacks and being forced to watch soldiers performing sex acts on each another. In addition, detainees charge that they were photographed naked on top of each other and beaten with electric batons.

Nassir Ghulaim, a 24-year-old labourer, says he was asked by British forces to come with them in April 2007. He recounted that he was forced to strip off and then suffered and witnessed sexual abuse and humiliation of prisoners. He states that they “asked us to pick fights with one another, or fight them. They were laughing at us and taking photos with digital cameras...they made us squeeze in pile-up, as in Abu Ghraib prison photos, while a soldier stood on top of us and started shouting and laughing. I felt so humiliated and treated as a toy they messed up with.”

Ghulaim went on: “On one occasion I refused to pick a fight, then a soldier kicked me hard on my back, which made me fall on the floor. He started hitting me with a baton on my knees. Then he used an electric baton on different parts of my body.”

Hussain Hashim Khinyab is 35 and a father of three. He was arrested by British soldiers in April 2006. He told the *Independent* he was firstly badly tortured at the British camp at Shaibah and was later sexually abused by a British female nurse. He added that he was also forced to take too many tablets, causing his health to worsen. Khinyab said, “I was told the dose that was given to me was the reason for my condition and the nurse would be transferred somewhere else as a punishment. I was told that half of my heart had stopped working and they had resuscitated it using electric shocks. I still suffer from my stomach ulcer which is preventing me from even fasting in the month of Ramadan.”

Following his ordeal at the hospital, Khinyab said he was

taken to Basra airport detention centre where abuse continued. He said, “It started with tearing of our copies of the Koran in front of us. Beating, kicking and punching accompanied us all the way.”

The internal investigation to be conducted by the MoD will not be independent in any way. The MoD’s “formal investigation” will not have the same scope or powers as a public inquiry such as that currently being conducted into the death of Iraqi civilian Baha Mousa, who was killed at the hands of British soldiers in September 2003. Mousa died after having suffered 93 separate injuries, while in British custody.

Announcing the formal investigations, Rammell said, “Over 120,000 British troops have served in Iraq and the vast, vast majority have conducted themselves to the highest standards of behavior, displaying integrity and selfless commitment.” He added, “There have been instances when individuals have behaved badly but only a tiny number have been shown to have fallen short of our high standards.”

This is an a priori attempt by the British government to claim, in the event that any soldiers are charged in the MoD investigation, that these are merely a few “rotten apples.” The MoD has also attempted to dismiss the significance of the latest cases by claiming that only seven have come within the last month with the remainder dating back “significantly beyond that period.” This is entirely normal given the circumstances faced by the victims of such abuse and their fear of retaliation by British soldiers if they had come forward sooner. It was only this summer, with the British retreating from their base at Basra, that some of those who claim they were abused have felt safe enough to come forward.

The 33 cases were originally compiled by Mazin Younis, a UK-based Iraqi human rights campaigner. He passed the information to Shiner in order for him to prosecute. Younis told the BBC, “People were quite scared of the British, because the level of abuses was so high that people feared that the British could detain them. They would hear that their friends or relatives had probably been detained for years without charges, they have probably been abused. They all feared that the British would come back and punish them. Now the British are out.”

The new cases follow an exposé in September by the *Guardian* into allegations that British soldiers had repeatedly raped, tortured and mutilated an 18-year-old Iraqi civilian in May 2003. The man was working as a labourer at a military base, Camp Breadbasket, in Basra. He alleges that two soldiers raped him in a 15-minute ordeal and slashed him with a knife. After being treated for his injuries, the victim said he attempted suicide.

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More details have emerged in the case of Baha Mousa. On November 9, former British soldier Garry Reader told the inquiry that he witnessed two of his colleagues kicking and hitting Mousa shortly before he died. Reader said that his previous statements on the death of Mousa had been untruthful. He told the inquiry that he believed that Corporal Donald Payne and Private Aaron Cooper had caused Mousa’s death.

In his own testimony, Payne said he and other soldiers had kicked and punched nine Iraqi detainees, including Baha Mousa. He stated that he had previously covered up how widespread the abuse of Iraqis by British soldiers had been out of “misguided loyalty.”

Payne said that he had lied about “about almost everything” in interviews conducted during 2003 and 2004 and had also lied to the court martial hearing that he was called before, and at which he was found guilty, in 2006. Payne stated that the leading officer in his unit, Lt. Craig Rodgers, had taken a direct role in the abuse. He detailed that his commanding officer, Lt.-Col. Jorge Mendonca, had abused a captive Iraqi civilian in another incident.

Following Payne’s testimony, Shiner called for those responsible for Mousa’s death to be brought to justice. He said, “At long last Donald Payne has decided to tell the truth. Nobody faced charges for murder or torture in the hopelessly flawed military prosecution and all those responsible should now be charged with murder.”

In all likelihood, many more such cases of brutality will emerge over the coming months and years. They are the logical expression of the imperialist and predatory character of the war and occupation of Iraq.

The author recommends:

Inquiry into the killing of Iraqi civilian begins in London [23 July 2009]

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