

Mounting evidence of British war crimes

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Britain's armed forces stand accused of torture and murder, perpetrated in both Iraq and Afghanistan. The scale of the abuses involved cannot be attributed to a few "rogue" individuals, or covered up by the routine excuse that Britain simply got "too close" to the United States and is guilty only by association. They present prima facie evidence for war crimes charges.

Revelations regarding Afghanistan focus on the documents released by WikiLeaks, listing 21 British attacks on civilians, including children. But a separate document seen by the *Daily Telegraph* suggests coalition forces are responsible for up to 1,000 civilian deaths since 2006. This number has doubled in the past four years.

WikiLeaks also cited three reports recording cases of direct abuse by British troops against Iraqi detainees that coincide with mounting evidence of "systemic" abuses of detainees and other civilians.

A preliminary high court ruling in July found, "There is an arguable case that the alleged ill-treatment was systemic, and not just at the whim of individual soldiers". The court was presented with evidence on behalf of 102 Iraqis held as prisoners by the British military in an action by Public Interest Lawyers headed by solicitor Phil Shiner. The evidence lists the cases of 59 Iraqi civilians who say they were hooded by British troops, 11 subjected to electric shocks, 122 alleging that ear muffs were used for sound deprivation, 52 deprived of sleep, 39 who were subjected to enforced nakedness, and 18 forced to watch pornographic DVDs.

The Iraq war logs also reveal appalling details of the torture and ill-treatment by the Iraqi authorities, after detainees were handed over by US and British forces. This is in breach of international law. States are bound by a duty of "non-refoulement" and must never hand someone over to another state where it is known they face a "real risk" of torture or ill-treatment. Public Interest Lawyers stated, "In the light of the Iraq war logs, the UK cannot say that it did not have evidence that there was a real risk of torture and ill-treatment at the hands of the Iraqi authorities."

In a number of cases, British forces transferred detainees to US custody, despite being aware of the treatment meted out by US troops at Abu Ghraib and elsewhere. In one case, the claimant alleges that US forces placed detainees in coffins, nailed the lids shut, and kept them there for up to three days.

A number of instances have already emerged in which British troops allegedly killed Iraqi civilians, with hotel worker Baha Mousa who was killed in 2003 the most well known. He is believed to have died as the result of asphyxiation, but his body had 93 separate injuries consistent with severe beating. An initial investigation prompted by these revelations has already uncovered over 100 additional cases in which detainees allege ill treatment at the hands of UK forces in Iraq.

Training manuals acquired by the *Guardian* under a Freedom of Information Act request make it clear that such activities had official sanction. They detail the interrogation techniques approved for use by British military personnel in Iraq, including the use of "threats, sensory deprivation and enforced nakedness" and sleep deprivation. These methods correspond to the charges made by Shiner's clients. Prisoners should be "conditioned" before questioning in order to provoke "anxiety/fear", "insecurity", "disorientation" and "humiliation." Interrogators are advised to probe the detainee's anus and search behind his foreskin. "Positional asphyxiation" is recommended.

All of these techniques contravene the Geneva Convention of 1949 and amount to an officially endorsed policy of torture. The training manuals form part of courses run by F Branch, part of the Joint Services Intelligence Organisation (JSIO), which was deployed by the previous Labour government into Iraq. The perpetrators of these crimes knew they were illegal and were instructed to keep their activities secret by finding discreet and "nasty" places, such as shipping containers, "out of hearing" and "away from media", to conduct interrogations. JSIO operated secretive interrogation facilities known as Joint Field Intelligence Teams (Jfits),

located inside prisoner-of-war camps. They had their own guard forces and refused to take orders from the officers responsible for the main camps.

MI5 has been accused of direct involvement in the secret interrogation and torture of Binyam Mohamed, a UK resident held in Guantánamo Bay, whose genitals were slashed with razors. In addition, heavily redacted documents disclosed in September this year show the government of Tony Blair was warned in 2002 that Britons faced torture in the prison. The main concern of diplomats, civil servants and government lawyers was to find ways to align themselves with the US despite this knowledge. One six-page memo by Tom McKane, a senior official attached to the Cabinet Office, was sent to David Manning, Blair's senior foreign policy adviser. It names three British citizens held in Afghanistan and notes that each was "possibly being tortured in part 3 jail Kabul".

McKane adds that MI5 and MI6 had begun questioning detainees in Afghanistan and that "We have raised no objection in principle to the transfer of UK nationals" by the US to Guantánamo Bay.

Once again the response to these revelations is an attempted cover-up—this time by the Conservative-Liberal Democrat coalition, which is determined to continue the war in Afghanistan and all of the political crimes of its predecessor. It has announced yet another toothless judicial inquiry—headed by former Appeal Court judge Sir Peter Gibson, who has close relations to the security services. It will investigate accusations by 12 former Guantanamo Bay detainees, including Binyam Mohamed, that UK intelligence officers were complicit in their torture. But as with the Chilcot inquiry, evidence will not be given on oath, it will not have legal power to summon witnesses and evidence given cannot be used in any criminal proceedings. Much of the inquiry will be held in secret.

The mounting evidence of illegal actions by the British state last week prompted the first ever public speech by a head of the MI6 intelligence service, Sir John Sawers. Speaking to the Society of Editors in London, Sawers made the false claim that "We are accused by some people, not of committing torture ourselves, but of being too close to it in our efforts to keep Britain safe." Torture was "illegal and abhorrent", he added, and he was sure his agents had "nothing whatsoever" to do with it.

Sawers made clear that he would continue to use evidence obtained through torture by Britain's allies. "We can't do our job if we work only with friendly

democracies," he said. In opposition to a court ruling in the Binyam Mohamed case demanding US document disclosure, he insisted that the activities of MI6 and MI5, as well as the CIA and other allies, must remain secret because, "If our operations and methods become public, they won't work."

All such official denials regarding torture are worthless—issued by the guilty in an increasingly desperate attempt to cover their crimes. It is now beyond dispute that the top officials of the Labour government of Blair and Gordon Brown are guilty of war crimes and that this same charge must be levelled against the army and the security services. These crimes flow inexorably from the perpetration of the ultimate crime by Britain in alliance with the United States—the launching of wars of aggression on the proven false pretext of a global "war against terror".

The recent exposures also underscore how grave the threat to democratic rights in Britain has become. There is no Chinese wall separating the readiness of the state forces to resort to lawlessness, brutality, torture and murder overseas from its actions at home. On the contrary, the ruling elite utilises the "terrorist threat" to arm itself with unprecedented power to be used against its domestic opponents.

In the very week in which most of the above revelations came to light, it was reported that the SAS is currently training police in weapons use on the pretext of responding to a Mumbai-style shooting. The police will be equipped with better weapons for its firearms units. The Home Office also reported that more than 100,000 people were stopped and searched by police under counter-terrorism powers last year. Of these, none were arrested for terrorism-related offences and only 0.5 percent for any offence at all. More than 85,000 people were questioned by police at airports and other border points under counter-terrorism legislation. The high number of unwarranted stop and searches was in fact a decline from more than a quarter of a million the previous year, because the police anticipated a ruling earlier this year by the European court of human rights declaring them unlawful.

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