

Fabricating Terrorism

British Complicity in Renditions and Torture

CAGEPRISONERS
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I have had the privilege of spending several months as teaching fellow and visiting professor at two leading American law schools. This experience taught me enormous respect for the legal system developed by the founding fathers of the Constitution and the great legal scholars who have followed them.

In essence, of course, that system had its basis in the British constitution, going back to Magna Carta in the year 1215. Until the current presidency, it meant the rule of law: personal liberty was sacred except for those proved in a fair legal process to have broken the law.

The Bush administration has thrown overboard nearly a thousand years of history by introducing a new concept of pre-emptive action, which in the name of countering terrorism justifies detention, torture and bombing on the basis of guesswork about what could happen, abandoning the need for evidence or fair legal processes.

Some argue that the supreme duty to protect its citizens justifies a government in taking even these extreme measures. The tragedy is that they have had the opposite effect, increasing hostility and violence while doing nothing to do reduce the threat to its citizens. This has been clearly demonstrated by several studies in the United States (see for example "The Next Attack: The Failure of the War on Terror and a Strategy for Getting it Right", by Benjamin and Simon, Times Books, 2006)

The tragedy for the United Kingdom is that its government has been seduced by the rhetoric of the "war on terror" into giving support to failed and inhuman US policies. In doing so it has undermined its own professed commitment to human rights and the rule of law. The case histories recounted in this report are appalling illustrations of brutal and inhuman treatment. If substantiated, they demonstrate an intolerable level of collaboration and collusion between UK and US authorities in the abuses which have taken place at Guantanamo and elsewhere through the "outsourcing" of torture. They also demonstrate a pathetic reluctance on the part of the UK government to stand up for the rights of its own citizens and permanent residents against illegal and unacceptable treatment.

It is nevertheless important to note that there have been encouraging signs of resistance both in the USA and in Britain to these misguided attempts to undermine the rule of law. At least some US judges are beginning to challenge the administration's efforts to deny access to the courts to prisoners at Guantanamo and to conceal its oppressive conduct from the public. In Britain it is heartening that there are courageous judges who have rejected the use of evidence obtained by torture and outlawed the indefinite detention of immigrants without trial in places such as Belmarsh.

It is also encouraging that an all-party parliamentary group has been established to examine the issue of extraordinary rendition, a major theme of this report. I hope this report will be read carefully by ministers and will have the impact it deserves. It is a damning indictment which will provide a useful resource for the parliamentary group. I expect it to fuel the momentum for a full and independent investigation of the compelling evidence which the authors have so diligently accumulated.

Geoffrey Bindman is chairman of the British Institute of Human Rights

INTRODUCTION

"English common law has regarded torture and its fruits with abhorrence for over 500 years."

[Lord Bingham, House of Lords]

"No State Party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture."

[UN Convention against Torture (UNCAT) Article 3]

*"All you need to know is that there was a 'before 9/11' and there was an 'after 9/11'.
'After 9/11, the gloves came off.'"*

[Cofer Black, as Director of the CIA's Counterterrorist Center]

Over the past three years, human rights watchdogs, researchers and lawyers have been recording a disturbing number of cases involving individuals whose common experiences of detention without charge, illegal transportations to other states without recourse to due process, abuse and torture has pointed to a systematic violation of international laws. The evidence directly implicates the US administration who while denying involvement in torture, partly by redefining its meaning, has admitted that it is overseeing an 'outsourcing' process of intelligence gathering in which terrorist suspects benefit from being rendered or transferred to interrogator countries experienced and sympathetic to the cultural needs of the detainees. However, the role of British authorities in this programme has still to be fully revealed. On numerous occasions Government representatives have denied any involvement in the transferral of individuals (renditions) and torture. As the evidence continues to mount it has become apparent that an international chain of abuse links both the US and UK administrations to breaches of international human rights conventions.

After 9/11, under the slogan 'War on Terror', there were moves to prioritise national 'security measures' over human rights and civil liberties with the ratification of legislation such as the Patriot Act in the USA. Additionally, international alliances were forged involving countries which ranged from the expected, to the startling. A picture of systematic cooperation between the West, Eastern Europe, Asian sub-continent and the Middle East emerged which would allow terrorist suspects to be 'fast-tracked' and undergo a variety of legally questionable interrogation techniques, in order to crush the threat of global terrorism. Evidence is emerging that in waging this war fabricated accounts of terrorist acts produced through forced or extracted confessions have been used to justify a whole raft of anti-terror legislation, and the illegal actions which are described in the report below.

The Cageprisoners' report entitled '*Fabricating Terrorism: British Complicity in Renditions and Torture*' has been compiled using evidence ranging from the testimonies of detainees, existing interviews with officials in the security services, and research from a number of other sources. It must be added that in many cases because detainees are refused access to legal representation, to family members or anyone else, there are large gaps in first-hand and even second-hand information. The report sets out to explain the debates around rendition and torture. It focuses on the British Government which projects itself as a leader in the field of human rights, in recent years ratifying the Optional Protocol to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) in 2003, questioning whether its commitment to human rights is as strong as its commitment to the USA, and in the process challenging official government denials in regard to rendition and torture.

Below there are 17 case studies mostly detailing the experiences of British citizens and British residents granted asylum which illustrate the manner in which they have passed through a subterranean system of kidnappings, ghosted to 'black sites', suffering abuse and torture. Due to the constraints of space and time these cases represent a much larger number of cases, often undocumented. They illustrate issues of illegality that stem from current British policy on detentions in the "War on Terror". We hope this report helps illuminate a path along which all the other detentions are discovered so that the true extent of British involvement in such practices can be highlighted.

Summary of 'Fabricating Terrorism: British Complicity in Renditions and Torture'

1.1 Definitions of Rendition, Extradition, Torture and International Law

- The report seeks to clearly state the definitions of extradition and rendition and why rendition has substituted extradition.
- Discusses the association between rendition and torture.
- International Law covering rendition and torture are outlined and attempts to bypass or unilaterally redefine the laws discussed.

1.2 The Findings of the Report

- The report has found systematic violations of international law perpetrated by the British authorities in relation to a) illegal Rendition or 'Torture' flights which have been, and are using British airspace and airport facilities, and b) the role of the intelligence services in gaining information knowingly obtained from torture, and from passing on 'intelligence' of a dubious nature to other countries' intelligence services which forms a basis for the detention, abuse and torture of detainees.
- The British government have abrogated responsibilities towards British citizens and especially British residents granted asylum alike, affording them no or minimal protection or representation against the illegal actions of foreign governments.
- Senior members of the British Government and authorities supplied misinformation to Parliament, Parliamentary Committees and the general public regarding the British Government's involvement in rendition and torture.

1.3 The Consequences of British Complicity in Rendition and Torture

- The knowledge of Britain's involvement in rendition and torture tarnishes Britain's reputation as a supporter of human rights worldwide. Two examples cited in the report include the affair of Craig Murray affair, a diplomatic whistleblower reporting on British complicity in widespread torture in Uzbekistan; Case 5, Part Two, in the report relates to a group of Pakistanis detained and abused in Greece with at least one British intelligence officers present at the interrogations which provoked an international scandal.
- When the British government is unable to confront and fully investigate evidence of torture eye-witnessed by British citizens and residents, it must throw into doubt Britain's policy of returning suspects to countries of origin through the international non-torture agreements, called inappropriately, Diplomatic Assurances and also the Memorandum of Understanding which have been signed by countries such as Libya and Jordan.
- The role of the security services is also called into question by a) supplying questionable or downright false evidence which has led to cases of kidnapping, illegal detention and torture b) using intelligence which has been gained from

interviews where torture has been taken place and c) maintaining a presence at interrogations where torture has been known to be used. All of these actions are illegal under international law with evidence extracted from torture impermissible in a court of law. It also worryingly highlights the danger that represents the Government's attempts to transfer more power into the hands of security and intelligence services by further extending anti-terror laws. Although no evidence has been uncovered of the British Security Services directly torturing any suspect themselves, they are unequivocally guilty of facilitating the rendition of suspects to States who will torture those individuals often on the bequest and instruction of the British authorities. Not exactly a clean pair of hands.

In order to prevent the continuation of the British Government's policies on rendition and torture we have published 'Fabricating Terrorism: British Complicity in Renditions and Torture' alerting British citizens that these dangerous policies are being carried out in their name. The onus is on the British public themselves to stop these acts continuing and to bring to account those responsible.

"You must know there are two ways of contesting, the one by the law, the other by force; the first method is proper to men, the second to beasts; but because the first is frequently not sufficient, it is necessary to have recourse to the second."

[Niccolo Machiavelli, *The Prince*]

Asim Qureshi

Cageprisoners

Cageprisoners was formed in October 2003 as a human rights organisation with the sole purpose of raising awareness of the plight of the prisoners in Guantánamo Bay and other detainees held as part of the 'War on Terror'.

The organisation works by attempting to provide a comprehensive resource of information on Guantánamo Bay and other detainees to the public and professionals in order to ensure that their plight is continually highlighted and never forgotten and to act as a voice for the voiceless.

By bringing together sources from all media outlets around the world, lawyers, activists and families of the detainees are often able to use the website as a one-stop resource for all aspects of detentions in the 'War on Terror'.

British Complicity in Rendition and Torture Overview

Name	Rendition	Torture
Binyam Mohammed Al Habashi	MI6 agents spoke with Binyam in Karachi, Pakistan. They knew he was being sent away with the Americans to Guantanamo Bay.	British MI5 agents supplied Moroccan interrogators with information to help the extraction of confessions in the torture sessions. He is still held in Guantanamo Bay.
Jamal Al-Harith	The British Embassy in Kabul worked with British intelligence in the UK and the American military to have Jamal rendered to Guantanamo Bay.	Jamal was tortured in Guantanamo Bay.
Jamil El Banna and Bisher Al Rawi	After extensive checks having taken place on Jamil and Bisher in the UK, both men were picked up by Gambian authorities after having been told by the British to detain them. They further allowed for the US to render them to Guantanamo Bay where they are still being held without charge.	Jamil and Bisher have been tortured in Guantanamo Bay where they are currently being held.
Martin Mubanga	Martin having made a trip to Zambia to reconnect with his roots was picked up by the Zambian authorities and held at Lusaka prison. During his detention he was questioned by British agents who allowed the Americans to render him and place him in Guantanamo Bay.	For 33 months he faced torture and abuse in Guantanamo Bay that can be directly related to British intelligence through their part in supplying evidence.
Moazzam Begg	Being picked up by the Afghan and American intelligence services in Pakistan, Moazzam was held there for two weeks at which point he was questioned by British intelligence. Moazzam was further questioned by the British in Afghanistan before being rendered to Guantanamo Bay.	Moazzam Begg suffered terrible abuse and degrading treatment in Guantanamo Bay, a direct consequence of the kidnapping that had been allowed by British intelligence.
Omar Deghayes	A British intelligence officer by the name of 'Andrew' interrogated Omar in Pakistan after he had been picked up. Promising to return Omar home if he co-operated, Omar complied but was instead sent to Afghanistan where he was further questioned by 'Andrew' until he was rendered to Guantanamo Bay.	Omar has lost sight in his left eye since his capture. Even though he cannot see from it, his eye is very sensitive to light, which is made worse by the neon lights which are kept on. The British having allowed his abduction are equally liable for his condition.

Richard Belmar	At the request of his family, the British consulate made inquiries to the Pakistani authorities who were holding Richard. Despite their requests, they were refused, all the while MI5 were questioning him with full access. By the time the consulate were given any level of access, he was already on his way to Guantanamo Bay	Richard was tortured in Guantanamo Bay through both physical and psychological techniques.
Shafiq Rasul, Ruhel Ahmed and Asif Iqbal	The Tipton Three were held in Afghanistan by the American forces in both Sherbeghan and Kandahar. While in those prisons, they were questioned by British officials including from the SAS.	During their questioning, the three men were abused, pushed around and starved until they confessed to whatever the British and American forces wanted to hear.
Shaker Aamer	After having been sold to a group in Kabul, Shaker found himself in Bagram where he was abused and then taken to Kandahar (Afghanistan) where he was subjected to further torture. While there agents from MI5 and MI6 had been sent by the UK to interrogate him.	While in the custody of the Americans in Afghanistan, Shaker was repeatedly trampled on under the boots of the US soldiers. Now in Guantanamo Bay he is on hunger strike and is being force fed, the British government refuses to make representations on his behalf.
Tarek Dergoul	Five days into his captivity in Bagram (Afghanistan), British officials arrived to question him Tarek thought they were there to help him, however conversely they were there to simply question him until he was sent to Guantanamo Bay with their knowledge of such an illegal kidnapping taking place.	During his incarceration in Guantanamo Bay, Tarek was subjected to various forms of physical and psychological torture.
Tariq Mahmud	Having tracked Tariq from the UK, through Saudi Arabia to Pakistan, MI6 had him picked up by the Pakistani ISI. The British were fully aware of Tariq's situation before they interrogated him and even after he went missing.	During his interrogations with MI6, various threats were made against him if he did not comply. Particularly worrying for Tariq, was the fact that he was threatened with death for not co-operating.
Zeeshan Siddiqui		After being arrested by the Pakistani authorities, Zeeshan was questioned by the Pakistani ISI through torture and abuse. Not being concerned for his condition, MI6 also questioned Zeeshan despite knowing of the conditions he was being kept in.

Farid Hilali	British authorities gave 'direct orders' for Farid to be picked up and interrogated in the United Arab Emirates and Morocco. Although not directly kidnapping Farid themselves, his detention was a form of rendition due to their knowledge that he would be picked up once there.	The British intelligence officials having had the opportunity to speak to Farid and interrogate him knew full well of the torture that he suffered while being detained by the Middle Eastern States.
Ahmad Al-Iraqi	With the British authorities closely watching Ahmad, on arrival in Jordan, they asked Jordanian agents to pick him up. Although not personally involved in his kidnapping, the British practically rendered him by asking for the Jordanians to arrest him.	The Jordanians subjected Ahmad to a variety of different torture techniques as the British authorities fed them information which they used to extract further intelligence.
Alam Ghafoor	Not actually rendering the two businessmen, the British authorities knowing full well of their status in Dubai, requested the authorities there to pick them up for interrogation.	Being subjected to different forms of torture both psychologically and physically, the Dubai intelligence officers used information passed on to them by the British to extract intelligence relating the 7/7 bombings.
Pakistanis kidnapped in Greece		Kidnapping 28 Pakistani nationals from Greece along with Greek security forces, MI6 interrogated and tortured these men after 7/7 to extract information.
Mohammed Naeem Noor Khan		Being detained illegally in various unknown detention facilities around Pakistan, he was interrogated by MI6 before disappearing and becoming a 'ghost detainee'.
Abu Faraj al-Libbi	Abu Faraj al-Libbi, the suspected mastermind behind many of the terrorist attacks world-wide was captured in Pakistan after which he disappeared. He has now become one of thousands of 'ghost detainees' who are kept from due process.	With possible links being made between the 7/7 bombings and Abu Faraj, the British government has been relying heavily on information that has been extracted by the secret detention and torture of him.

PART ONE - RENDITIONS

1. DEFINITIONS

1.1 Brief History

The term 'rendition' appears to have entered our political vocabulary during the Bush and Blair administrations. In fact we can go back to pre-Civil War North America when Southern States invoked the use of 'renditions' to demand the return of runaway slaves who had escaped to relative freedom in the states of the 'free' North. Moving forward in time, one of the most notable cases in recent history, in the 1980's involved the 'Achille Lauro' hijackers.¹

More recently, we now know that rendition has been used on behalf of the Clinton Government and extensively by George W Bush's administration. Speaking to the German newsweekly Die Zeit, Michael Scheuer, a CIA veteran of 22-years who resigned from the agency commented,

*"President Clinton, his national security advisor Sandy Berger and his terrorism advisor Richard Clark ordered the CIA in the autumn of 1995 to destroy Al-Qaeda... We asked the president what we should do with the people we captured. Clinton said 'That's up to you'."*²

It was in June 1995 that President Clinton issued his Presidential Declaration Directive (PDD) 39 which stated,

*"...if we do not receive adequate cooperation from a state that harbors a terrorist whose extradition we are seeking, we shall take appropriate measures to induce cooperation. Return of suspects by force may be affected without the cooperation of the host government..."*³

The Bush administration rolled out rendition further as Scheuer explains, *"We started putting people in our own institutions - in Afghanistan, Iraq and Guantanamo."*⁴ Guantánamo, for example started housing detainees shortly after 9/11 and new camps were added from 2002 onwards to house the burgeoning numbers of detainees. Thus although history contains examples of the illegal process of rendition, the level to which it has been taken by the current US administration far exceeds the practise used by President Clinton or those before him.

1.2 Extradition

Extradition refers to the formal legal process by which an individual is delivered from the country where he or she is located, ie the requested country, to the requesting country in order to face prosecution, or if already convicted, to serve a sentence. The participants in extradition are therefore the two countries and the individual who is the subject of the proceedings. There is no legal means of transferring an individual from one State to another other than through the process of extradition.

Although there are no concrete international rules which regulate the formal process of extradition for the purposes of transferring an individual from the territorial jurisdiction to another, there are many treaties both bi and multi-lateral which establish a legal formality informing the process. According to Professor Ian Brownlie,

*"...states have to depend on the co-operation of the other states in order to obtain surrender of suspected criminals or convicted criminals who are, or have fled, abroad. Where this co-operation rests on a procedure of request and consent, regulated by certain general principles, the form of international judicial assistance is called extradition."*⁵

Article 38 of the Statute of International Court of Justice states, the 'general principles' of international law can cover any lacunae in international law. Ultimately the practice of extradition as being part of due legal process is internationally recognised.

As for any process of transferring an individual from the territorial jurisdiction of one State to another without any form of due process, there is no law that allows for such means. Rather, decisions in various courts around the world point to strong legal opposition against any such forms of transfer. In the South African case State v Ebrahim, the Supreme Court held that the conviction of a South African citizen should be set aside due to his kidnapping from Swaziland. According to the Court,

*"The individual must be protected against illegal detention and abduction, the bounds of jurisdiction must not be exceeded, sovereignty must be respected, the legal process must be fair to those affected and abuse of law must be avoided in order to protect and promote the integrity of the administration of justice. This applies equally to the State. When the State is a party to a dispute, as for example in criminal cases, it must come to court with 'clean hands'. When the state itself is involved in an abduction across international borders, as in the present case, its hands are not clean...It follows that, according to our common law, the trial court had no jurisdiction to hear the case against the appellant. Consequently his conviction and sentence cannot stand."*⁶

The judgment in Ebrahim is backed by other cases. In the UK case R v Horseferry Road Magistrates' Court, ex parte Bennett the House of Lords firmly stated that if Bennett had been forcibly transferred from South Africa to the UK then that would be a violation of international law and the rule of law. In the judgment, Lord Bridge stated,

*"To hold that the court may turn a blind eye to executive lawlessness beyond the frontiers of its own jurisdiction is, to my mind, an insular and unacceptable view."*⁷

1.3 Rendition

Rendition is the process of removing an individual from one territorial jurisdiction to another without any due process being applied. Often this involves the country initiating the rendition order (i.e. the United Kingdom and the United States) instructing that suspects be sent to third party countries which are known to practise torture in their interrogation process. However it is important to note, that even if no torture takes place, there is no legal precedent that allows for an individual to be taken from his country of residence involuntarily and placed under the jurisdiction of another State.

There is no permitted 'rendition' process under international law let alone the supposed process of 'extraordinary rendition'. The latter term is a complete misnomer as any type of rendition, whether extraordinary or otherwise is a breach of due process.

1.4 USA and Rendition

Despite there being no official international norm allowing for the right of rendition, it was stated by US Secretary of State Condoleezza Rice, *"For decades, the United States and other countries have used "renditions" to transport terrorist suspects from the country where they were captured to their home country or to other countries where they can be questioned, held, or brought to justice."*⁸ US White House lawyers and politicians have rewritten legal definitions to allow for these illegal transfers to take place. However, this is a complete anomaly amongst the international community where the rendition process has no legal status.

1.5 UK and Rendition

The UK has never accepted any formal policy of rendition, however in terms of complicity with the US administration, major doubts have been cast over their involvement with the practice since the start of the War on Terror. When questioned over the government's position, Tony Blair said, *"Well it all depends on what you mean by rendition. If it is something that is unlawful I totally disapprove of it; if it is lawful, I don't disapprove of it."*⁹ It must be reiterated, that there is no lawful form of rendition due to the very nature of what the process entails.

If a wide view is taken of actions which could possibly constitute torture, then the process of rendition could quite easily fit into this category. The transferring of an individual from his State of residence away from his family and friends without any due process being given can conceivably be considered torture. The UK Chairman of the All parliamentary Group on Extraordinary Renditions, Andrew Tyrie commented,

*"...it seems to me fairly clear that since Britain, for example, has incorporated the U.N. Convention Against Torture directly into its domestic law, if we are knowingly allowing flights to pass through the U.K., land there, have refuelling [sic], and then go on, knowing that it's likely that people are going to be tortured, it strikes me that those actions must make us complicit in the torture and that, therefore, we have broken the Convention."*¹⁰

The Law Lords followed this line of argumentation very closely, Lord Hope of Craighead stating, *"There is a warning here for us. "Extraordinary rendition", as it is known today, is not new. It was being practised in England in the 17th century."*¹¹ Further, lawyers and academics strongly rooted in the constitutional law and the rule of law firmly back this view. Barbara Olshansky from the Center for Constitutional Rights recognising the danger of renditions explained the true purpose behind such a policy,

*"Rendition started in the 1880s. The US would always use any measure to get an individual back to be tried in front of a court here . . . Now this entire idea has been turned on its head. We now have extraordinary rendition, which means the US is capturing people and sending them to countries for interrogation under torture: rendering people for the purpose of extracting information. There is no planned justice at the end."*¹²

1.6 Quantifying Renditions

What is particularly disturbing, are the number of renditions that have been suggested. Initially when illegal rendition was being practised, it was merely for the purposes of extracting specific individuals from the territorial jurisdiction of one State so that they could be tried in another. A report on renditions that was produced by NYU Law School and the New York Bar Association suggested that since 2001 there had been at least one hundred and fifty renditions.¹³ It is almost impossible to be certain of this figure and many other human rights organisations have proposed figures which far exceed this.

Dr Rafiullah Bidar, regional director of the Afghan Independent Human Rights Commission, at his office in Gardez showed files charting abuses by the US military and stated, *"All I do nowadays is chart complaints against the US military...Many thousands of people have been rounded up and detained by them. Those who have been freed say that they were held alongside foreign detainees who've been brought to this country to be processed. No one is charged. No one is identified. No international monitors are allowed into the US jails."*¹⁴

1.7 International Law

The current interpretation of rendition widely held is that rendition is only impermissible when the person being rendered is taken to a State which has a history of practising torture. However, the process of rendition is one that has no legitimacy regardless of the circumstances under which it has taken place.

The International Bill of Human Rights, comprising: the Universal Declaration of Human Rights (UDHR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the International Covenant on Civil and Political Rights (ICCPR) with its Optional Protocol, provide a line of legislation that establish a rule against rendition. Articles 5, 9, 12 and 13 of the UDHR strongly establish a basis from which a rule against rendition can be tangibly argued. Anything outside the formal process of extradition is illegal for extradition in itself provides the formal mechanism of legal transfer. (Refer to Cageprisoners document: Detention in the Name of War on Terror: Violations of International Humanitarian and Human Rights Law)¹⁵

It is therefore clear that acts of rendition and complicity in the rendering of people are an illegal operation under international law. Tom Malinowski, a Human Rights Watch official in Washington says, 'it's a form of kidnapping and 'disappearing' someone entirely outside the law'.¹⁶ Whilst the Bush administration sings its praises with Condoleezza Rice, proclaiming, 'renditions take terrorists out of action, and save lives',¹⁷ the British administration is less enthralled to the extent where Jack Straw and other members of the Government have denied complicity in rendition operations.

2. THE RESPONSIBILITIES OF BRITISH AUTHORITIES

2.1 Official Government Position on Rendition and Extraordinary Rendition

*"In respect of airports, I don't know what he's referring to. Secondly however, in respect of the policy of rendition that has been the policy of the American government for many years. The Honourable Gentleman says 'why?'. I think it's just as well to remember that some of the people we are talking about are people that we need to detain for reasons of action against international terrorism. Some of these people are highly dangerous: some of them can provide information that is of absolutely fundamental importance in preventing terrorism. **There should of course be proper treatment of anyone detained and I've already made this clear so far as I'm aware, it's not an issue here. However I would say that the American policy on this has been clear for ages.**"¹⁸*

[Prime Minister Tony Blair]

"The term 'rendition' is currently being used to describe informal transfers of individuals in a wide range of circumstances. Whether any particular 'rendition' is lawful depends on the facts of each individual case. Where we are requested to assist another State and our assistance would be lawful, we will decide whether or not to assist taking into account all the circumstances. We would not assist in any case if to do so would put us in breach of UK law or our international obligations. In particular, we would not facilitate the transfer of an individual from or through the UK to another State where there were grounds to believe that the person would face a real risk of torture."¹⁹

[Foreign Secretary Jack Straw]

2.2 Findings against the British Authorities

The 'Fabricating Terrorism' Report has compelling evidence from a variety of sources which:

- unequivocally shows how senior members of the Labour Government including Tony Blair, Jack Straw and Geoff Hoon mislead the House of Commons and the general public over their knowledge and complicity in illegal acts of rendition.
- uncovers evidence that British secret service operatives were involved in interrogations of detainees where abuse and torture were used.
- proves that British intelligence purposely passed misinformation to 3rd party countries which was used as a basis to detain and torture innocent British citizens and foreign nationals who are British residents.
- finds that British government officials overseas reneged on their duty to protect the welfare of foreign nationals who are British residents, abandoning them to torture and intolerable prison conditions.
- shows how CIA rendition or 'torture' flights were covertly allowed to pass through British airspace and land on British soil, on their way to countries with poor human rights record a scenario denied by the British Government.

2.3 Involvement of British Security Services in rendition

There are a number of examples of British citizens who were forcibly captured by various intelligence agencies and taken to Guantánamo Bay or other detention facilities. In nearly every single case, British intelligence was fully aware of the status of these individuals and still allowed for their transfer.

Further still, in many of those cases the British government was also fully aware of the renditions thus being fully complicit in their kidnapping. The cases, such as those of Martin Mubanga and

Ahmad Al Iraqi provided in 'Fabricating Terrorism' reinforce this point, also bringing to light the systematic attempts at co-opting the 'suitable' detainees into spying through the use of false evidence and various threats against them.

2.4 Government failure to protect the rights of those who have UK asylum status.

One of the worst failings on the part of the British government throughout the detentions as part of the 'war on terror' has been the treatment of those individuals to which it had given refugee status, becoming British residents. Several detainees are now in a legal black hole as they have no one to make any representations on their behalf. Their countries of origin, the very places they fled from in order to escape torture and find security would not support them, while the country they fled to, refuse to provide them with the protection that they deserve under the law of international human rights. In some cases (e.g. Omar Deghayes to Libya) the report has found that threats have been made to return refugees to their countries of origin.

Under the law relating to the international protection of human rights, there is a strong emphasis on the protection of refugees. It would seem that the UK government is only willing to act on its obligations under international human rights law when the issue relates to its citizens alone. The government has made it clear that it will not support any person who does not have British citizenship. When Jack Straw was asked about the position of these refugees, he stated,

"We can represent British citizens...[but] we cannot represent those who choose not to seek British citizenship and make their own choices presumably because they want to maintain the citizenship of their birth."

International conventions go a very long way in binding countries to act in the best interests of refugees who have been granted leave to remain in their particular country. The nine British residents that now sit in the cages of Guantánamo Bay are among those who have been legitimately found to have justifiable cases for leaving their countries of origin and were therefore granted stay in the UK. These men travelling abroad on official documentation granted to them by the British government, were all kidnapped while overseas, and are now facing certain torture and degrading treatment at the hands of the US military.

British complicity in the illegal transfer of these individuals to detention facilities across the world breaches obligations, behaviour which would only be expected of draconian and brutal regimes. The lack of concern for these refugees, many of whom have had a long stay in the UK, only proves that the British government has been complicit in the violations of international human rights law.

It is clear that the denial of rendition taking place in the UK by the government must be investigated by an independent body allowed access to the relevant documentation to disprove their claims and recommend the necessary legal action, otherwise clear violations of the law may go unpunished. The following case studies go a long way to proving the case of complicity by the UK in these illegal transfers.

2.5 Background to Rendition flights landing and refuelling in UK airports

Senior representatives of the British government have repeatedly denied both in the Houses of Parliament and the mass media that the authorities have allowed rendition flights into British airspace. However, a list of flight plans involving CIA planes used for the purposes of extraordinary rendition has been compiled from various sources exposing the British authorities' complicity in allowing these unlawful acts to be conducted. Media and human rights

organisations have published information gleaned from multiple sources that are publicly available, including US Federal Aviation Administration, the European Air Traffic Data and plane spotters' websites. Detailed evidence from these sources has been compiled and reproduced in this report pp. 17-18.²⁰

'Individual states are under an obligation to ensure the prohibition on torture, against the 'refoulement', or transfer, of an individual to another state where that individual faces the risk of torture; and to prevent, criminalise, investigate and punish acts of torture, conspiracy in torture, aiding and abetting in acts of torture.'²¹

It is stated that '*International Law absolutely prohibits states from returning persons to a country where they face a real risk of torture, or other cruel, inhuman or degrading treatment.*'²² Sir Nigel Rodley the UN Special Rapporteur on Torture asserts that state responsibility goes further,

*"...the prohibition of torture imposes on states not only a duty not to torture, but also a positive duty to prevent such acts by not bringing persons under the control of other states if there are substantial grounds for believing that they would be in danger of being subjected to torture".*²³

This is reiterated by the Soering Judgement²⁴ in which the European Court of Human Rights held that under Article 3 of the European Convention on Human Rights, the non-refoulement prohibition is an inherent obligation on States reinforces this statement. This obligation was reaffirmed in Chahal v United Kingdom and in addition it set a high standard stating,

"... diplomatic assurances are an inadequate no-guarantee for returns to countries where torture is 'endemic', or a 'recalcitrant and enduring problem'."²⁵

According to Prime Minister Tony Blair and Foreign Secretary Jack Straw, ignorance is their best defence to such violations of international human rights law. On December 22 2005, Tony Blair declared that he had no intention of asking for a formal inquiry of what the CIA airplanes were doing in the UK, because according to him he has,

*"...absolutely no evidence to suggest that anything illegal has been happening here at all..."*²⁶

On the contrary, there is a vast amount of evidence mounting up. According to the Regional Programmes Senior Director Claudio Cordone of Amnesty International,

*"The UK has allowed [rendition] aircraft to land, refuel and take off from their territory."*²⁷

2.6 Evidence of Rendition or 'Torture' flights

Flight records and actual reported incidents, highlight Britain's complicity in renditions. It is reported that the CIA have been using at least 26-30 planes, number plates have been changed on numerous occasions. It is further claimed that since 2001 there have been over 78 stopovers at British airports namely, Luton, Glasgow, Prestwick and Northolt, whilst en-route to or from destinations such as Baku, Dubai, Cyprus, Karachi, Qatar, Riyadh, Tashkent and Warsaw.²⁸ Two hundred and ten suspicious flights alone in England have been discovered.²⁹

To hide these flights, shell or dummy companies (often used for money laundering purposes) are registered as owning the CIA planes and to further avoid traceability number plates are often changed, and in addition, ownership is changed.³⁰ A prime example of this can be illustrated with the **Gulf stream V**, originally owned by **Aero Contractors Ltd** tail number: **N581GA**. In 2000, it was acquired by **Premier Executive Transport services** and re named **N379P**. In 2003 it was

renamed **N8068V**, again in December 2004 ownership was transferred to **Bayard Foreign Marketing** and re-named **N44982**. In total, the plane has been renamed at least three times.

Another example is the **Boeing 737**, originally known as **N313P** and owned by a private charter company **Aero Contractors Ltd**. It was later re named **N4476S** and ownership has changed to **Keeler and Tate management**.³¹

The shell companies used by CIA planes for rendition flights are listed as³²

- **Aviation Specialities, Inc**
- **Bayard Foreign Marketing, LLC**
- **Crowell Aviation Technologies, Inc**
- **Crystal Jet Aviation, Inc**
- **Devon Holding and Leasing, Inc**
- **Keeler and Tate management , LLC**
- **PATH Corporation**
- **Premier Executive Transport Services, Inc**
- **Prescott Support Company**
- **Rapid Air Trans Inc (Operated by Tepper Aviation, Inc)**
- **Steven Express Leasing, Inc.**

Further, it is reported the CIA planes used for rendition are as follows in the table below:³³

Number	Maker Model	Serial No	Owner
N50BH	Gulf stream III	359	CRYSTAL
N259SK ex N829MG	Gulf stream III	327	S & K (bought from President)
N221SG N227SV ex	Gates Learjet 35A	182	PATH
N85VM N4476S ex	Gulf stream IV	1172	BOSOX
N313P	Boeing 737-7ET	33010	KEELER , ex PREMIER
N44982 ex N379P, N8068V, N581GA	Gulf stream V	581	Bayard (After December 2004) PREMIER .

As noted elsewhere in this report, extraordinary renditions are not a new phenomena. The Foreign Secretary Jack Straw readily admits during Clinton's administration he had agreed to two rendition requests relating to landings in the UK and delivery of prisoner-flights to the US.³⁴ On the same note but in terms of recent events a diplomatic source from the British Foreign Office has confirmed privately that '*CIA rendition flights have actually passed through the UK.*'³⁵ This source casts a huge shadow of doubt over Britain's denial of any wrong doings. In this context the British government's firm rebuttals that there have been rendition flights in UK airspace seem at best confused and worst, a coordinated attempt to mislead Parliament and the general public.

Individual cases confirming the CIA planes usage of British airspace and land for refuelling whilst carrying out renditions are as follows:

23 October 2001: **Gulfstream V**, Tail number **N379P**, eye-witnesses claim Jamil Qasim Saeed Mohammed was bundled on board this plane in which he was flown to Jordan.

24 October 2001: On its way back to Dulles International near Washington DC stops over at **Prestwick** to refuel. The current whereabouts of the individual is unknown.³⁶

December 2001: **Gulfstream V**, Tail number now **N 44982**, otherwise known as "*The Guantánamo Bay Express*" had made several trips between Cairo and Prestwick.

14 December 2001: the same plane had arrived in **Glasgow** from Uzbekistan.

18-19 December 2001: it also landed in Sweden and according to an inquiry conducted by the Swedish Parliamentary ombudsmen. Ahmed Agiza and Mohammed Alzari were flown from Sweden to Cairo where both claim to have been tortured. On its way back from leaving the two detainees in Cairo stopped over to refuel at **Prestwick**.³⁷

12-15 January 2002: **Gulfstream V**, Tail number **N379P** involved according to the Indonesian Security officials in the taking of Muhammed Saad Iqbal Madni from Jakarta to Cairo. AI note 14 Amnesty International records have confirmed that when the plane left Cairo on its way back to Washington it landed at **Prestwick** to refuel. The individual was held in Cairo for two years before appearing in Guantánamo Bay.³⁸

Other incidents with the Gulfstream Executive Jet are as follows:³⁹

15 January 02	12 February 02	24 July 03	12 September 03	15 May 04	25 June 04
Prestwick to Washington	Queen Alia Airport, Jordan to Prestwick	Cairo to Glasgow	Aqeba Airport, Jordan to Prestwick	Marrakech to Northolt	Oman to Prestwick

February 2003: **Gulf stream V**, Tail number **N379P** arrived from Dulles International Washington DC at **Northolt**, two days later departed for Doha, Qatar. From Qatar returned to **Northolt** and then flew on to **Prestwick**.⁴⁰

6 December 2003: **Boeing 737** Tail number **N313P** departs from **Northolt**, stops over at Malta.

10 December 2003: Bound for Tripoli.⁴¹

May 2004: **Gulf stream V**, Tail number **N8068V** flew in from Marrakech, Morocco to **Northolt**, the next day it flew to **Luton**. It returned from **Luton** to **Northolt** and later flew on to Shannon, Ireland.⁴²

October 2004: **Boeing 737** Tail number **N313P** arrived from Mitiga, Libya at **Northolt**, on the same day it later left for Shannon Ireland.⁴³

7 February 2005: **Boeing 737** Jet departed **Prestwick** and passed through Danish airspace enroute for Baghdad. It was used for the transfer of prisoners on its way to Iraq and passed through **Glasgow** on Monday am.⁴⁴

It has been reported that **CIA Plane N379P** made at least 12 flights through Danish airspace, which either came from or were bound for Scotland.⁴⁵

Clearly, Tony Blair is avoiding his own obligations under international human rights law and the European Convention on Human Rights. USA's practice of rendition is well known and

documented. The US former Secretary of State Colin Powell stated,

*'European governments had been aware for decades that America used rendition to transport terror suspects where traditional extradition procedures were inappropriate.'*⁴⁶

This statement is supported by the fact that the EU's involvement goes beyond being aware and stretches to providing assistance in renditions. In the New Transatlantic Agenda EU-US meeting on Justice on Home Affairs held in Athens on January 22 2003,⁴⁷ the EU States agreed to allow access to their airports for rendition flights as part of a wider programme of joint security operations.⁴⁸ The unpublished version states,

*"Both sides agreed on areas where cooperation could be improved [including] the exchange of data between border management services, increased use of European transit facilities to support the return of criminal/inadmissible aliens, coordination with regard to false documents training and improving the cooperation in removals"...*⁴⁹

Prior to this since 1998, an informal agreement has been in place between the EU and the USA that flights to and from the USA can stopover in transit at EU airports.⁵⁰ Similarly, the UK-US extradition treaty signed on 31 March 2003 by David Blunkett, then UK Home Secretary, removes and restricts key protections for defendants; it was also alarmingly signed and adopted with no parliamentary scrutiny¹

One begs to ask the question, how can flight plans, records obtained from various sources, and actual recorded cases not be blatant evidence that violations of international law and an infringement of individual's civil liberty are taking place.

As correctly stated by Professor James Crawford,

*'Credible information suggesting that foreign nationals are being transported by officials of another state, via the UK, to detention facilities for interrogation under torture, would imply a breach of the [UN torture]....'*⁵²

Allowing CIA planes to land, refuel and take off from British territory is outright assistance in the rendition flights.⁵³

For the British Government's claim that no illegal action is taking place to be validated it must ensure that their territory and facilities are not used to assist rendition flights. Turning a blind eye has not resolved the issue, nor made the matter go away as there is a vast amount of well-documented compelling evidence. According to MP Andrew Tyrie from the Conservative Party, *"Turning a blind eye becomes something more than negligence and may be shown to be unlawful."*⁵⁴

EU Justice Commissioner Franco Frattini from the Special Committee of the European Parliament clearly has warned

*'...any EU nation that assisted the CIA with abductions, renditions and secret incarcerations could lose its EU voting rights.'*⁵⁵

British involvement in these rendition flights has been revealed in a piecemeal as further information is being uncovered by investigative reporters. CIA flights with tail numbers have travelled through Britain, *"on a number of occasions"*, according to the National Air Traffic Services (Nats).⁵⁶ According to the Transport Minister, Karen Buck, of the four CIA aircrafts identified,

"...three have received an ATC [air traffic control service] from Nats on a number of occasions in the past five years. We are not prepared to offer a number because we are not confident that such a number would be robust."⁵⁷

With the Labour government continually refusing to hold any kind of public inquiry into the torture flights that have been using British airports and facilities, pressure is now being placed upon the Prime Minister to change his position. The admission by Nats has been used by MPs to call the government to account. Nick Clegg, a Liberal Democrat Foreign Affairs spokesman said, *"It is significant that a public agency has confirmed the frequency of these flights through UK airports...More questions remain about their destination and what they contained."⁵⁸*

3. CASE STUDIES

Case 1 - Binyam Mohammed Al Habashi

Nationality

Ethiopian/British resident

History/Background

After leaving Ethiopia Binyam sought asylum in the UK in 1994 and was granted leave to remain. Converting to Islam during his stay, he travelled to Pakistan and Afghanistan to learn more about Islam first-hand and to try and overcome previous drug problems. Binyam travelled to Afghanistan July 2001. However, after hearing of the events of September 11 and its aftermath, he left for Pakistan in order to make his return to the UK. On April 10 2002 he was arrested at Karachi airport by the Pakistani authorities travelling on another person's passport.

Interrogation and Abuse/Torture

Incarcerated in a Pakistani prison, the first in a shadowy network of transnational ghost prisons Binyam was to experience, Pakistani intelligence operators abused him before he was told by MI6 officers that he would be rendered to an undisclosed Arab country for further torture, thereby convening international laws.⁵⁹

Morocco

Binyam was flown to Morocco where he was kept from July 22 2002 to January 21 2004 and has reported the following torture:

- mutilation of his penis on numerous occasions
- severe and sustained beatings
- sensory deprivation and solitary confinement
- exposure to loud music for periods of days
- force fed mind-altering drugs intravenously

Once, when he asked a guard why he was being tortured, the guard replied,

*"It's just to degrade you, so when you leave here, you'll have the scars and you'll never forget. So you'll always fear doing anything but what the US wants."*⁶⁰

Afghanistan

After being told he was going home in January 2004 he was flown to Afghanistan, and confined at a detention centre in Kabul renowned as the 'Prison of Darkness', where he was held until May 2004. Torture techniques there included:

- head being smashed against a wall by US soldiers
- hanging by his wrists, with feet barely touching the ground, for days on end
- exposure to loud hip hop music and harrowing sounds as sleep deprivation techniques

Worryingly Binyam claims doctors and psychiatrists were involved in his interrogations, alongside CIA operatives, and observed that being exposed to torture other detainees had 'lost their minds'. Binyam Mohammed al-Habashi was then taken to Bagram airbase where he alleges he was forced to sign confessions that he had been planning a "dirty bomb" attack on a US city. He states that by the time he was taken to Bagram, ***"I was telling them whatever they wanted to hear"***.⁶¹

Guantánamo Bay

After being transferred to Guantánamo Bay on 19 September 2004 Binyam suffered other humiliations. He was placed in the 'super maximum' Camp V when he first arrived there, and has now been returned there.

Role of British Authorities in Rendition

Binyam's statements to his lawyer, Clive Stafford Smith, were not taken up and investigated by the British government, who repeatedly refused to comment on its role in the rendition process. However, as the evidence mounted, Foreign Secretary, Jack Straw, was forced to admit that MI6 officers had interrogated him in Pakistan.⁶² Speaking before the Foreign Affairs Committee on 13 December 2005, Mr Straw said,

*"Mr Habashi was interviewed once in Karachi by the security services. The security services had no role in his capture or transfer from Pakistan. The security services officer did not observe any abuse and no incidents of abuse were reported to him by Mr Habashi."*⁶³

Despite having accepted that the MI6 agents met with Binyam, there is still official denial that he was subjected to any abuse or torture, and no acknowledgement that he was to be handed over to the CIA and rendered elsewhere. According to Binyam though, the MI6 officers were very much aware of what was about to take place,

*"They gave me a cup of tea with a lot of sugar in it. I initially only took one. 'No, you need a lot more. Where you are going, you need a lot of sugar,' they said...I didn't know exactly what [the MI6 officer] meant by this, but I figured he meant some poor country in Arabia. One of them did tell me that I was going to get tortured by the Arabs."*⁶⁴

The complicity of the British goes far beyond merely allowing a plane to refuel in one of their airports. They actively allowed a man who had gained political asylum in the UK to be sent to certain torture in Morocco. According to Binyam's lawyer, *"The British government was complicit in some of the abuses that took place against Benyam, ... to the extent that the government told the Moroccans information that they would use against him in the torture sessions."*⁶⁵ The personal nature of much of what he was being asked made Binyam realise that the British must be involved in what was taking place against him, *"I realised that the British were sending questions to the Moroccans ... I sought asylum in Britain rather than America because it's known as one country that has laws that it follows. To say that I was disappointed at this moment would be an understatement."*⁶⁶ The Moroccan interrogators said to him,

*"Why do you think the Brits sold you out to us so cheaply? Why do you think they sent you here?... We have been working with the British, and we have photos of people given to us by MI5."*⁶⁷

Binyam's case is one of the most disgraceful examples of how the rendition process has been used by a number of governments in order to extract information through illegal and inhuman means. The complicity of the British in terms of the torture that took place against him is no less than the actual violence carried out by the Moroccans. In some ways it is even worse as they not only knowingly condemned a man to torture, but were also supplying further information to justify and intensify it.

Current Status

Binyam Mohammed Al Habashi has been on hunger strike with approximately 200 other detainees in Guantánamo Bay, fighting against harsh conditions and to have access to the proper legal channels. Binyam Mohammed al-Habashi states that the detainees,

*"only ask for justice: treat us, as promised, under the rules of the Geneva Conventions... while we are held, and either try us fairly for a valid criminal charge or set us free."*⁶⁸

Mr al-Habashi is 1 of 10 Guantánamo detainees - including British citizen David Hicks - named in a US Presidential Order to be tried by Military Commission. Human Rights experts and NGOs have widely denounced these commissions, as has the British Government which have said that the US Government could not use this process for UK citizens because it does not meet international legal standards, in particular, that secret evidence is used against the detainees which cannot be rebutted, and that there is no right to appeal. In addition Military Commissions can admit testimony based on hearsay, statements obtained under torture and statements obtained from other Guantánamo detainees and elsewhere.

Case 2 - Jamal Al-Harith

Nationality

British

History/Background

Jamal was at the centre of an international news story when on 9th March 2004, he along with 4 others were the first batch of British detainees to be released from Guantánamo. His shocking eye-witness account on the role of UK secret agent operatives in interrogations, the catalogue of abuse and torture and the use of rendition, all contradicted previous public announcements made by both British and American governments on these matters hinting at a massive cover-up.

Having converted to Islam in his 20s after reading the autobiography of Malcolm X⁶⁹, he became a studious practitioner of his new found religion and spent many years abroad learning about the deeper complexities of the Islamic faith.

On the October 2 2001 Jamal arrived in Pakistan to attend a religious retreat⁷⁰, but fearing that as a British citizen he would come under suspicion of being a British spy due to American forces operating in Afghanistan, he attempted to make his way to Turkey, was intercepted and imprisoned by Taliban forces. After the invasion of Afghanistan, Jamal contacted the British Embassy in Kabul for help and followed the advice of the ICRC (International Committee of the Red Cross) to remain at the prison compound whilst they tried to make arrangements with the British Embassy for Jamal's return to the UK. However, Jamal fell into the hands of the American Special Forces.

Interrogation, Abuse/Torture

Afghanistan

The American forces told Jamal that he would be taken to Kabul and from then on could fly home. However, only two days before he was due to go to the Afghan capital, he was told by one of the American soldiers, "You're not going anywhere. We're taking you to Kandahar Airbase."⁷¹ At the airbase Jamal was beaten and stripped naked.

Guantánamo Bay (Camp X-Ray and Camp Delta)

Now, it is not a resort area in Guantánamo Bay. But at the same time we did not abuse the individuals who were down there.' Colin Powell, Former Secretary of State March 15 2004 (in response to a question concerning the allegations by Jamal Al-Harith.⁷²

Jamal's evidence certainly showed that Guantánamo is no resort, in fact highlighted systematic abuses and torture confirmed later by other detainees:

- Shackled for up to 15 hours a day
- Confined to open air cells exposed to extreme temperatures, rats and snakes
- Physical beatings by the Extreme Reaction Force
- Psychological torture
- Withholding of medical aid (there are documented cases that this endangered the lives of individuals, causing later unnecessary operations and amputations)
- Serving of rotten food and bad drinking water
- Abuse of religious practices

Role of British Authorities in Rendition

Initially, there was a dereliction of duty on behalf of the British Embassy in Kabul who were well aware of Jamal's plight, but had no intention despite promises, to help him return to the UK. What is worse, they abandoned a British subject to the discretion of the US military.

Jamal's testimony also contains evidence that the British secret services were a hindrance rather than help in establishing his innocence, and his ultimate release. Confrontations with MI5 operatives appear startling for their apparent ineptitude. On eight or nine occasions they tried to make him admit he was involved in terrorism.

Jamal said: *"They would say: 'Are you a terrorist?' I'd say 'no, get me out of here'."*⁷³

Of his British interrogators, Jamal added: *"They were a mixed bunch. There was one young nervous guy who looked about 21. I called him Youth Training Scheme MI5. He wasn't very professional and hadn't even checked out my background. One of them did say they had run my name and details through every Interpol check, but could find nothing. I told them that's because I'm innocent. There's nothing on me. I haven't even got a parking ticket."*⁷⁴

Questioning and background checks by MI5 and other British intelligence personnel were a charade and nothing else. Despite trying their hardest to find legitimate reasons for incarcerating those British citizens sent to Guantánamo Bay, they were able to come up with nothing. Instead of apologising for putting these men through a terrible experience, the British authorities simply allowed the men to be taken by US forces and have them rendered illegally to Guantánamo Bay, despite knowledge of their innocence.

Current Status

Jamal, released in March 2004, is currently pursuing a lawsuit with other detainees against top officials in the Bush administration, including Donald Rumsfeld, who the action accuses of authorizing torture at Guantánamo. He said,

*"They deprived me of my liberty, interrogated and tortured me and let me go without even a word of apology."*⁷⁵

Indeed after speaking out against the actions of American and British authorities, Washington made serious unfounded accusations against 4 other detainees claiming they received weapons training and fought for the Taliban forces in order to discredit their testimonies.

Case 3 - Jamil El Banna and Bisher Al Rawi

Nationality

Jordanian and Iraqi/ British Residents

History/Background

The British involvement in the rendition process is not necessarily limited to the rendition having taken place after British authorities questioned the individual concerned. As with the cases of Alam Ghafoor and Ahmad Al Iraqi, the British authorities often request that the authorities of other countries 'pick up' and question certain individuals who are travelling abroad, providing their security services with information to be used during interrogation.

Bisher Al Rawi had been recruited by MI5 to act as an intermediary between the Muslim cleric Abu Qatada and themselves.⁷⁶ Abu Qatada was fully aware of this arrangement.⁷⁷ The agents who were in contact with Bisher identified themselves as 'Alex' and 'Matt'.⁷⁸ During the time the British government claimed they did not know the whereabouts of Abu Qatada, they were in active dialogue with him through Bisher and Jamil.⁷⁹

Jamil and his friend Bisher, both granted leave to stay in the UK, along with Bisher's brother Wahab Al Rawi planned to relocate to Gambia setting up a new business venture - a peanut factory. Arriving at Banjul Airport on 8th November 2002 the companions were all arrested by the Gambian authorities. They were soon interrogated by US officials who told Jamil,

"Why are you angry at America? It is your Government, Britain, the MI5, who called the CIA and told them that you and Bisher were in Gambia and to come and get you. Britain gave everything to us. Britain sold you out to the CIA."⁸⁰

Prior to his trip to Gambia, Jamil had been visited by Special Branch who told him that they were aware of his travel arrangements and had no objections to such a trip. Soon after, the three men were arrested for carrying a dangerous weapon when attempting to leave for Gambia from Gatwick Airport, transferred to London and questioned by Anti-Terrorist police. The dangerous weapon turned out to be no more than a battery charger; which their lawyer procured a version of from her local Argos. Despite British assurances that they were free to travel to Gambia, the Gambian authorities still arrested them. When they asked for a lawyer, *"At his request [the Gambian agents] laughed and told him that it was the British who have told us to arrest you."⁸¹* Both men knew Abu Qatada in London, a suspected Islamic militant who has been detained in Belmarsh without being charged, but this was the case with many Arabs living in London.

Interrogation and Abuse/Torture

Afghanistan

Before they got to Guantánamo, Bisher and Jamil were held in total isolation in the "Dark Prison" in Kabul for 2 weeks. It was so dark that Jamil couldn't see his fingers. Abuse included:

- Physical attacks by interrogators using fists and boots
- Subjection to very cold temperatures without appropriate clothes
- Threats of torture and rape

The pair were rendered to Bagram Airforce Base in January 2003. Jamil was forcibly shaved and both suffered ritual humiliations. During their time in Bagram, the only information that the interrogators were interested in was that relating to Abu Qatada, this being despite it was MI5

who asked them to act as go-betweens.⁸²

Guantánamo

Both men were kept in solitary confinement for the first month that they were held in Guantánamo Bay.⁸³ Their days consisted of spending around 14 hours in the interrogation room of which 6 hours would be spend in actual interrogation, "...sometimes in freezing temperatures to induce hypothermia."⁸⁴

Mr. El-Banna has been denied medication for rheumatism and diabetes. It is known amongst the detainees that the 'medical assistance' supplied by the authorities is inadequate with illnesses left to deteriorate and unnecessary operations performed with dubious motives.

Role of British Authorities in Rendition

After being transferred to the 'dark prison' in Kabul where they were assaulted, instead of being taken straight to Guantánamo Bay, Jamil and Bisher were transferred to Bagram Airbase in January 2003. The illegal rendition to Afghanistan and a further subsequent rendering to Guantánamo was commented upon by Bisher's MP, Edward Davey who wrote,

"This is not a conspiracy theory...In Gambia the group were interviewed by American officials. They had a file on Bisher, which must have come from the UK authorities...It had information on Bisher's hobbies that he pursued in the UK...flying planes and parachuting. Perhaps such hobbies post-September 11 aroused suspicion, but is it illegal to be an Iraqi with a pilot's licence."⁸⁵

Current Status

Since being held at Guantánamo, Jamil has had health problems. He is diabetic, but in 2004 the prison authorities stopped giving him special meals, saying they were "*too expensive*". Once, Jamil refused a shower in protest after soldiers had repeatedly desecrated the Qur'an. They took him out and cut his beard and all his hair off.

Bisher al Rawi is in an emotionally fragile state and he prays for an end to this "*dismal and depressing reality*". ***"I don't see hopeful signs yet. I am waiting for something like a miracle - or better still, a real miracle - to resolve this problem."***⁸⁶ His participation in the hunger strike over the past months has taken its toll. ***"I have to tell you it is extremely strange being in this existence, without food for so long. I never would have imagined this would happen to me that I would involve myself in such an action - I pray that it will be fruitful."***⁸⁷

Jamil and Bisher have had little contact with their families. Sabah El Banna has only had 2 letters from her husband in 3 years. Jamil was finally given 13 letters from his wife after a long legal battle with the US authorities holding the letters. Jamil El Banna has never seen his youngest daughter who was born in April 2003 while he was in detention.

INTERVIEW WITH CAGEPRISONERS

Interview with Cageprisoners 31st March 2005

Cage Prisoners conducted an interview with Brent Mickum, the lawyer for Jamil and Bisher. The following transcript from the interview helps to highlight his view regarding the complicity of the British government in the rendition and detention of his clients.⁸⁸

Cage Prisoners: What was the response of the British Government to Bisher's request to call three M15 agents as character witnesses?

Brent Mickum: The British Government refused, simple as that.

CP: The basis of their detention appears to be their association with Abu Qatada.⁸⁹ Where does that leave them in light of the fact has since been released from Belmarsh?

BM: The only reason Bisher and Jamil are imprisoned - I repeat, the only reason - is their association with Abu Qatada. The problem is that the British government has donned the mantle of Pontius Pilot and washed its hands of Jamil and Bisher. The Government is embarrassed because it is completely responsible for the arrest and torture of two very innocent men. That is the reason it refuses to do anything to assist them. In many respects, Bisher and Jamil's treatment is similar to that of the Guildford Four, they have been maligned, railroaded, and locked up. The British hope the key has been thrown away. It's shameful.

CP: To what extent do you believe that the British government is complicit in the transfer, abuse and detention of your three clients?

BM: [T]he British Government is absolutely complicit and bears responsibility for Jamil and Bisher's arrest For whatever reason, the British Government didn't want them to leave Britain in the first place. When they did finally leave, it had them arrested. They are in Guantánamo because of the British Government.

Case 4 - Martin Mubanga

Nationality

Dual Zambian/British national

History/Background

Martin Mubanga left Britain for Pakistan in October 2000, where he says he was planning to study Islam and Arabic. After a spell in Peshawar he entered Afghanistan and attended two madrasahs (Islamic schools) in Kabul and Kandahar. Martin had a flight back to Britain booked for September 26, 2001, from Karachi, and says he had planned to return to Pakistan by bus. But after the terrorist attacks of 11 September, the bus stopped running. Hiding in Kandahar while the American bombing campaign began, he says he discovered that his British passport and his will were missing.

He went to visit relatives in Zambia, and whilst there found out that a man called Martin Mubanga had been captured by the coalition forces in Afghanistan. A few days later he was arrested by the Zambian security service. Mubanga's solicitor, Louise Christian, suggested that by this time the authorities must have realised they did not have Martin Mubanga in Afghanistan, and would easily have discovered that the real one had recently flown from Karachi to Africa. The Zambian authorities did not take Martin to a police station as would be expected under these circumstances. Instead, he was immediately treated as a high profile suspect, shifted around to different motel rooms all over Lusaka. The Zambians interrogated him for days on end, without ever explaining what was really happening.

Interrogation and Abuse/Torture

Guantánamo

- 'Earthed' where a number of military personal dressed up in full riot gear force prisoners to the floor, involving the use of violence, and incapacitating agents like pepper spray
- Loss of comfort items (CI) such as books, and a cup.
- Loss of basic items (BI) like mattress, trousers, shirts towel and blankets.
- Forced shaving off of beard and hair.
- Desecration of Qur'an.

Role of British Authorities in Rendition

A terrible irony was played out when during questioning by the Zambian authorities he was asked if he considered himself a Zambian or British citizen. Martin immediately answered British, deducing that the British authorities would intervene immediately in the case. Unfortunately, the 'intervention' took an unexpected turn. An American female defence official and a British MI6 agent also called Martin introduced themselves to him. It became obvious that they were trying to extract information from him initially trying a friendly approach, especially agent Martin who claimed that he was a fellow supporter of Arsenal Football Club. Speaking about the agent Martin said,

"[agent] Martin tried to bond with me by saying he supported Arsenal like me. It was all pretty transparent. You didn't have to talk to him long to realise he hadn't spent very much time on the North Bank."⁹⁰

Events however took a turn for the worse three or four days into the questioning by the western officials. The agents produced Martin's British passport, his will and two other documents which

they claimed had been found by them in a cave in Afghanistan, the reason for accusing him of being an Al-Qaeda operative. Apparently one of the documents was a list of Jewish organisations in New York, while the other was a military instruction manual written in Martin's own handwriting. These were the most serious allegations that the interrogators had against him but which led back to his stolen passport.

It is important to emphasize the aims of the intelligence services. Not only are they attempting to extract specific information but by using bribes, misinformation and physical and psychological threats they are co-opting detainees into spying on their own communities. This is a significant factor in elongating innocent people's misery. In addition, apart from the moral defilement of the captors, it also leads to an ever-increasing vicious circle incriminating increasing numbers of innocent people.

It soon became apparent in the case of Martin Mubanga that when they were unable to prove he was an Al-Qaeda operative the security services focused on working to recruit him as a plant within Muslim communities in South Africa or Leeds, if he preferred to stay in the UK. Of this experience Martin said,

*"They wanted me to go where no one would know me, I suppose so I could be undercover."*⁹¹

The routine of interrogation lasted a period of three to four weeks, finally interrupted one morning when the American officer told him,

*"I'm sorry to have to tell you this, as I think you're a decent guy, but in 10 to 15 minutes we're going to the airport and they're taking you to Guantánamo Bay"*⁹²

Martin claims that this instantly evoked the images he had seen in the media. He remembered the pictures of the goggles, jumpsuits and chains holding prisoners in the dust. All he remembers next, is that he was stripped, anally searched, placed in a big nappy and blindfolded before being placed on a plane. With only one stop between, the flight until his destination took a period of almost 24 hours.⁹³

Only later was it revealed, that the British government played a crucial role in the secret detention and abduction of Martin to Guantánamo Bay. The 33 months of abuse and torture that he faced can be linked directly to British intelligence officials. The Observer newspaper was given access to documentation which even the Pentagon's lawyers had to admit was deeply flawed in maintaining Martin's guilt.⁹⁴

His lawyer, Louise Christian, claimed that the detention and transfer breached not only international law, but also British and Zambian law as well, *"We are hoping to issue proceedings for the misfeasance of officials who colluded with the Americans in effectively kidnapping him and taking him to Guantánamo."*⁹⁵

Current Status

Like some of the other Guantánamo prisoners released, when Martin reached the UK he was taken into custody for 24 hours. Restrictions on travel outside the UK, and a ban on new passports, under Royal Prerogative, were also imposed by the Government.

Nationality

British/Pakistani

History/Background

Moazzam was born in the UK and has dual Pakistani nationality. His relationship with Afghanistan began on a family holiday back in 1993, journeying to an area outside Khost where he says he met different groups of nationalist and Islamic rebels, many backed by America, fighting against the occupying Soviet forces. Moazzam does not deny visiting training camps - the first one run by the Northern Alliance, where there was small arms training which he did not take part in, in 1993; the second, in 1998, was run by Kurds resisting Saddam Hussein, and not by Al Qaeda.⁹⁷ Moazzam travelled with his wife and children to Afghanistan, curious to know what life was like under the Taliban. They worked setting up a school, and building a water pump. The couple were separated after the invasion of Afghanistan by the US military. After fleeing the country the family was reunited in Pakistan. Moazzam was arrested while at Islamabad in February 2002, the 'catch-all' accusation being that he was an 'unlawful enemy combatant' and was later rendered to Bagram Airbase, Afghanistan. Eventually he was sent to Guantánamo.

Having articulated much of the atrocities that took place in Guantánamo Bay, including allegations that two detainees were tortured and killed at the hands of interrogators, Moazzam Begg spoke to Cage Prisoners regarding the involvement of British officials in the renditions that have been taking place not only against himself, but all those who have fallen victim to this illegal form of transfer. The following is his testimony against the British in terms of the illegality of the transfers and their complicity:

Testimony

Obviously when you are talking about renditions, my own case is the first one that comes to mind, where I was kidnapped by Afghan and American forces and their intelligence services for two weeks in Pakistan. On the second day the British turned up to interrogate, so I have absolutely no doubt in mind that the British knew about our situation. My friend back here in the UK told me that the MI5 were very interested in speaking to me, and the same person he described as having glasses and that he was coming over to Pakistan to meet me. So I said to my friend, give him my phone number, I am not hiding from anybody, if he wants to come over, he can do so. The day after I was held and taken, he turned up and interrogated me. He came with another woman who also questioned me. After that day I never saw him again, but during my time in incarceration, the British turned up for interrogation in Bagram and Kandahar and in Guantánamo. For every leg of my journey, they were always there.

The questioning was always mirrored, it was always talking about other people, do you know this person or that person? It was just a huge fishing trip. The British had been given full access to detainees there, complete access to people who had nothing to do with Britain at all, from ordinary Afghan farmers, to Iranians, to whoever. They did so with complete impunity.

That is my case. The other one that comes to mind, in relation to the British, is that of Martin Mubanga. He was held in Zambia, and the British intelligence again turned up for the duration of the time that he was held there and in Afghanistan and Guantánamo and interrogated him. Another case is that of Benyam Mohammed, which is very widely reported nowadays by Clive Stafford Smith. He was held in Pakistan where he was interrogated and then taken to Morocco where he was tortured and beaten. Again the British turned up, and they were completely involved and completely complicit in what took place.

The British government seems to be a little cleaner than the American, but in fact, behind the scenes, they are working damn hard to extract every source of possible information that they can get through these techniques of torture and rendition, despite the fact that it is completely abhorrent to the British way of life, to extract and use information that is taken from torture, and that is what has been happening.

Another case is Bisher al-Rawi and Jamil El Banna, classic case of them being questioned by MI5 in Britain before leaving for their journey, arriving in Gambia, arrested, held and sent to Guantánamo with which the British were completely involved. They were interrogated in Gambia, and then they were interrogated in Bagram and then finally in Guantánamo. Then I think, knowing the relationship that the British and Americans have, there are no closer allies in this whole world. From that you will find that the British are involved with Americans on nearly every single aspect, particularly in terms of this current 'War on Terror'.

The only thing that I have found really, that has caused a little bit of pressure, a little bit of embarrassment, is the case of myself and the Military Commission (US Military Tribunal which operate the US legal system). I was told by the British government that I had been designated for Military Commissions as a result of negotiations between the British and US governments. And it was only due to the stir that was caused by organisations, my father and so forth here.

The fact that the British authorities have not taken part in some renditions of some people, the fact that they have not tortured some people, is not an excuse. This is the message of Nuremburg, is that if you are there by choice, and you do not do anything about it and you try and gain maximum benefit from it, then you are guilty, immoral, and unjust and you must be punished.

Cage Prisoners: Were you ever visited by British officials while you were in Bagram?

Moazzam Begg: Right from the beginning actually. In Pakistan, I was spoken to by M15. In Kandahar, I was spoken to by M15 and at Bagram, I was spoken to by M15. They took the position that they were guests of the Americans and the Americans had complete control and that there was nothing they could do about it nor nothing they wanted to do about it. I made a list of complaints about my treatment to someone called Andrew from M15, I told him about treatment in relation to going to the toilet. There was one time, after this so called escape attempt, when they wouldn't even allow us to use blankets to use the toilet, so we would have to use the facility completely exposed. The lights were on 24 hours a day, floodlights, so you could never close your eyes, and have any sort of darkness. I complained about the food, it was the same every single day, three times a day, there was no cooked meals, nothing hot, no fresh foods, no milk. I complained that the communication was every six months, if that. And he did nothing about it at all.

CP: How did this differ from what the British Government were telling your family back in the UK?

MB: I don't know what they were saying at that time, but from what I understand in the letters I read, that the British maintain they had no consular access at all.

CP: What was the nature of your contact with British intelligence?

MB: British Intelligence has visited me throughout all my time in custody. So from Pakistan, they were there. In the beginning, when I first saw them, I thought this was a ray of hope, that the British were here, I'm going to get some consular access, I will get some communication to my family, I will get access to a lawyer, but they didn't do anything like that at all and disappeared completely. Then they reappeared by asking questions, again in Bagram and again on two or three occasions in Guantánamo.

CP: What about visits from the Foreign Office? Were you able to put to them your complaints and concerns and what was their response?

MB: The first time I had a Foreign Office visit was April 2003, with the person from the Foreign Office turned up at the same meeting as the person from M15. So I wasn't able to tell the difference between him and M15. Later on he turned up separately, having realised his mistake. But I did make my complaints known to him, I told him that they wanted to put me through a military commission and I felt that there was no way on earth I would get a fair trial, that not only the prosecution and military judges and panel going to be involved but even my defence was from the military.

CP: How has this ordeal changed you?

MB: I think particularly in relation to the world, Britain's position has really surprised me. I really did not think Britain would be as bad as the Americans. But it seems like we are getting there.

Current Status

After Moazzam was released from Guantánamo in January 2005 along with the last UK nationals, Martin Mubanga, Feroz Abbasi, and Richard Belmar, he actively campaigned for the release of other Guantánamo detainees. His memoir will be published in 2006. Like other ex-Guantánamo detainees Moazzam has been denied a new passport, and must endure travel restrictions

Nationality

Libyan/British Resident

History/Background

As in the case of Moazzam Begg, Omar decided on travelling to Afghanistan to experience life under Taliban rule, after seeing it shown through the distorting lens of the Western media. He married an Afghan woman whilst living there, but on the outbreak of war he left for Pakistan. When Omar Deghayes was arrested in Pakistan he was visited a number of times by British officials who consistently told him words to the following effect, *"we'll take you home if you help us, because you're one of us."* The British complicity in his case is particularly horrifying when it is considered that all the while he was detained his innocence was known.

In Islamabad during June 2002, Omar was taken from his cell and driven to another location where he was told he would meet a British official. A British man in his 40s introduced himself as Andrew saying that he was working for British intelligence. Andrew asked Omar to cooperate with him by looking through photos and identifying those he knew saying, *"you help me and the Americans and you will be back home in the UK."*

Omar was rendered to Bagram Airbase where he was kept alongside many others who were being 'processed' by the Americans and other interested countries. Once again it was the man that Omar knew as Andrew who came to reassure him that Omar was being considered a British citizen as he was practically one anyway and would be treated accordingly.

Interrogation and Abuse/Torture

As a result of abuse suffered in Guantánamo Omar has lost his sight in one eye.

Role of British Authorities in Rendition

In August 2002 while in poor physical condition due to contracting malaria, Omar was called out of his cell in order to meet with the 'British delegation'. Two men stood before him who explained that they were from British intelligence. Once again they made the same offer that Andrew had made as according to Omar who stated, *"If I helped them they would take me home [to England] soon."* The American officials said that they had a videotape which could place Omar in Chechnya fighting alongside the Chechen mujahideen. They also tried to implicate Omar to say that he had been to Iran along with another person that they were tracking. The British failed to take any steps to challenge those claims, although some elementary investigative work would have confirmed his innocence and secured his freedom. The British authorities have refused to take any steps to prevent the refoolment (or return) of this innocent man to Libya, renowned for its poor human rights record, the very state that his family fled when his father, Amer, was tortured and killed by Col. Gaddafi in 1980.

Current Status

Omar is still incarcerated in Guantánamo, currently on hunger strike with a number of other detainees. He is pursuing legal action in the British Courts to force the British Government to officially demand that the US authorities release all British residents held in Guantánamo.

Nationality

British

History/Background

Richard's path to Afghanistan started when he fled the UK in order to avoid questioning on a possible charge of being an accessory after the fact of manslaughter.

After the invasion of Afghanistan he made a number of attempts to leave before crossing the border to Pakistan where he was picked up by Pakistani authorities in Feb 2002, and later rendered to Bagram airbase and then on to Guantánamo.

Interrogation and Abuse/Torture

Richard has suffered the following injuries

- Broken skull caused by a rifle butt
- After effects from Strappado - where the victim is handcuffed and then hanged by the wrists

He also witnessed the death of a detainee at the hands of American personnel, which the American authorities later classified as a murder.

Role of British Authorities in Rendition

The role of the British intelligence agencies, especially in Richard's case, was taken up by the Leader of Liberal Democrats, Menzies Campbell, in February 2005 who asserted,

"Belmar's treatment amounted to wholly unjustified abuse. A review of the actions of the British in this matter, and the extent to which our operations were part of the detention and interrogation process, is now obviously required."¹⁰¹

Evidence is available showing how MI5 agents helped blocking attempts by diplomats in from the British consulate in February 2002 to visit Mr Belmar after having been alerted by his family in the UK. The Pakistanis themselves were refusing to confirm whether or not Richard was in their custody. It was five months later that any news was given to the consulate. By then Richard was already on his way to Guantánamo Bay.

"A spokesman from the Home Office, which is responsible for MI5, said it was 'no secret' that officers had questioned UK citizens in places such as Pakistan, but he could not comment on an individual case."¹⁰²

The Observer had been told by a senior US official, a whole year before Richard's release from Guantánamo, that had recommended MR Belmar be repatriated to Britain. The US had requested MI5 to recruit Richard and others to work as informers for them in Karachi. MI5 rejected the idea of recruiting Richard. Instead they quite happily allowed him to be sent to Bagram and then subsequently to Guantánamo Bay, despite knowing there was nothing they could reasonably hold him for. The US official said,

"He was insistent he had not been involved in any fighting, and when we asked if he would be willing to assist us in the war against terror, I thought he might be willing to try. So we contacted the Brits and they sent two guys from MI5, but after a couple of days they decided they didn't want him. We had dinner with them one night at the American club. They were just young guys. One of them was an ex-cop who used to work where Belmar lived, and he said he'd vetted him and felt he was telling the truth."

*But they didn't want to try to use him, although they wouldn't say why.*¹⁰³

Through all the cases that have already been dealt with, one thing is certain, that the British government did not want to deal with these people themselves, and thus gave no support to them when they faced the immediate possibility of rendition to Guantánamo Bay. Richard's case is just another that highlights the deep impacting injustice by British officials in allowing its citizens to be kidnapped by the Americans, but further, being totally complicit in the way that kidnapping took place.

Current Status

Richard was released in January 2005, initially detained back in the UK for 24 hours and then released without being charged. As with other former detainees he is subject to travel restrictions and cannot have a new passport.

Nationality

British

History/Background

Shafiq, Asif and Rhuhel were initially detained in northern Afghanistan in November 2001. Having travelled to Pakistan for Iqbal's wedding they crossed the border to see events in Afghanistan and give humanitarian assistance to Afghans after the invasion by American forces. As foreigners in Afghanistan they were soon captured by forces loyal to General Abdul Rashid Dostum. The three men were handed over to the Americans as suspected terrorists. Later on the Americans were to wrongly identify the men as having been pictured in a video tape of a meeting in Afghanistan between Osama bin Laden and the leader of the 11 September hijackers Mohamed Atta.

Interrogation and Abuse/Torture

The interrogations veered from the comic, (*"If I wanted to get hold of surface-to-air missiles in Tipton, where would I go?"*) to the brutal.

Abuses included

- Beatings
- Shackling for long periods
- Death threats
- Acts of humiliation (e.g. anal searches)
- Exposure to freezing cold conditions

After months of questioning in coercive conditions, Mr. Rasul, desperate to end his living conditions admitted meeting Osama bin Laden and Mohammed Atta, one of the September 11 hijackers, in Afghanistan in 2000. In fact, he was working in a Currys' store in the West Midlands.

Role of British Authorities in Rendition

All three detainees were at some point interrogated by British military personnel, and the role of the British in the interrogations and their eventual fate became clearer as events unfolded. Shafiq was introduced to a man apparently from the SAS during an interview where letters were produced, supposedly from Scotland Yard and Interpol containing incriminating evidence against Shafiq. The British authorities apparently had clear proof he was a member of Al Muhajiroon and had been sent to Afghanistan in order to fight.

Rhuhel Ahmed faced a similar accusation as he was also taken before the British officer and subsequently interrogated for three hours. Throughout the questioning, a US soldier held a gun to his head and said that if he moved, he would be shot. The SAS officer said, *"You are funded by the Al Muhajiroon to fight"*, and was consistently told to admit that the reason he was in Afghanistan was to fight for a holy jihad. The interrogator mentioning the three main maximum security prisons in Britain told Rhuhel that he would be sent there.

Asif Iqbal after already having been interrogated in some detail by US officials in Kandahar and Sherbeghan prisons was also subjected to further probing by the SAS officer. Unlike his friends, Asif was taken the following day after the initial interrogation for a second session. It was then that the British officer told him, *"your friends have confessed to being members of the Al Muhajiroon."* After three days of interrogation Asif explained,

"I was told of maximum security prisons in the United Kingdom, including Belmarsh. The British officer told me that within a few weeks I would probably be taken there to be tried."

The role of officials from the British Foreign Office was not to assess how these British nationals were faring and to listen and act on their concerns, but was primarily a role of intelligence gathering alongside the MI5. In February 2002 Rhuheel was visited by an official from the British Foreign Office and also from MI5. They came to him and said that they had just seen his friends in Cuba and that they had confessed to everything. They explained to Rhuheel that if he confessed to everything, they would send him back to the UK. Starving, frightened, totally fatigued and kept in the most appalling conditions, Rhuheel admitted that he had been paid by the Al Muhajiroon to go and fight a holy jihad in Afghanistan. He said that he *'couldn't hack it'*. Rhuheel says that ***'I was in a terrible state. I just said 'OK' to everything they said to me. I agreed with everything whether it was true or not. I just wanted to get out of there'***.

The Foreign Office, despite knowing that Shafiq and Asif were being flown to Cuba failed to inform their families that such a rendition was taking place. Rhuheel's family were told while he was still in Kandahar.

The involvement of British officials is something that cannot be hidden or justified in any way. They knew of the sad plight these young men were going through, and a series of background checks would have established their innocence of any crime relating to terrorism or fighting for Al Muhajiroon. Rather, the reverse: the British officials set up these men by providing information to US officials who illegally rendered them to Guantánamo Bay. The British officials who dealt with the Tipton Three were thus totally complicit in this process of rendition and should be held responsible for the illegality that took place.

Current Status

Shafiq, Asif and Rhuheel have all moved back to the Tipton area and are all taking legal action against the US administration. A film directed by Michael Winterbottom by the title of 'Road to Guantanamo' details the kidnapping of the Tipton Three and their eventual rendition to Guantánamo Bay. The movie won the Silver Bear award at the Berlin Film Festival for Direction.

Case 9 - Shaker Aamer

Nationality

Saudi Arabian/British Resident

History/Background

Although Shaker Aamer is not a British himself (because his application has not yet been processed), his British wife and four British children effectively make him a British responsibility, especially as his life has long been established in the UK. Shaker had been a long term British resident when he was kidnapped in Afghanistan. Due to his incarceration his youngest child Faris has absolutely no idea who his father is and has never met him.

While in the UK, Shaker spent his time working as an Arabic translator for a solicitor who was already advising him on his immigration case. Shaker decided to find more work in order to support his ever increasing family, but due to his status as a foreign national, this was increasingly difficult. Eventually he decided to move his whole family to a Muslim country in an attempt to support them pending the resolution of his application for British nationality. In the summer of 2001, Shaker also decided to do some charity work in Afghanistan with Moazzam Begg, the British detainee released from Guantánamo Bay in January 2005.¹⁰⁵

The events of 11th September 2001 changed Shaker's life forever with the US army invasion of Afghanistan. Separated from his family in their effort to leave the country, he got as far as Jalalabad where an Afghani family turned him in. He was sold to the Northern Alliance who then subsequently handed him over to another group in Kabul. When he heard the sounds of American accents, he was filled with relief at the thought that at last he might be rescued, however, to his dismay he had only been sold again.¹⁰⁶

British intelligence were very much aware of Shaker's predicament while he was in Afghanistan and subsequently when rendered to Guantánamo Bay.¹⁰⁷

Interrogation and Abuse/Torture

Bagram Airbase and Kandahar

Shaker faced terrible abuses that he still cannot bring himself to speak about them. After having been abused badly, he was taken to Bagram Airbase where the Americans starved him for nine days and subjected him to further cruel and degrading treatment. On leaving Bagram to be taken to Kandahar, he was tied together with other prisoners and they were all forced to keep their hands in the air, when they could no longer do so, they were hit on the head.¹⁰⁸ Shaker recalls that in Kandahar,

"They were jumping up and down on me in their boots, on my back and head. Yelling about my religion, my family and my race. A soldier took the holy Qur'an and threw it in the shit bucket on the floor."¹⁰⁹

Guantánamo Bay

The systematic torture that was carried out by the US included stripping Shaker naked, beating him, and sticking fingers up his anus. For the next four years he was subjected to routine humiliation.

Role of British involvement in Rendition

From early as January 2002, the British authorities knew of Shaker's incarceration and even interrogated him before he was taken to Guantánamo Bay, thereby having every opportunity to ascertain his innocence. The US have assured him that he will never leave the island,

*"Then they sent us to Guantánamo, the evil island... You've come to your end.
You will not be going anywhere from here."¹¹⁰*

The British government has refused to acknowledge the plight of Shaker and the other British residents still present in Guantánamo Bay. According to the Foreign and Commonwealth Office, as the residents are not British citizens, they cannot be given any help. This of course does not take into account the fact that Shaker's four children and wife are all British citizens. The complicity of the British government in Shaker's situation is undeniable, as the UK authorities could quite easily demand, on the basis that Shaker has leave to remain in the UK and thus some form of legal protection, that the US administration release this man and all the other British residents and return them to the UK. Not only should the government be held responsible for these men's detention, but also be for all the torture they are continually subjected to. Even if Shaker does leave Guantánamo it is possible he could be sent back to Saudi Arabia where he could be imprisoned.

Current Status

At Guantánamo Shaker has been considered a leader among the other prisoners who rely upon his kindness and intelligence to stand up for the atrocities that occur against them. Having had enough of their situation, Shaker has led many other fellow detainees in an organised hunger strike in order to raise awareness of their plight as they feel they have no recourse left other than to take their own lives,

"I am dying here every day, mentally and physically. This is happening to all of us. We have been ignored, locked up in the middle of the ocean for many years... I have problems many problems from the filthy yellow water... I have lung problems from the chemicals they spread all over the floor... I am already arthritic at 40 because I sleep on a steel bed, and they use freezing air conditioning as part of the interrogation process. I have ruined eyes from the permanent, 24-hour fluorescent lights. I have tinnitus in my ears from the perpetual noise... I have ulcers and almost permanent constipation from the food. I have been made paranoid, so I can trust nobody, not even my lawyer. I was over 250 lbs. I dropped to 130lbs in the hunger strike. I want to make it easy on everyone, I want no feeding, no forced tubes, no 'help', no 'intensive assisted feeding.' This is my legal right"¹¹¹

Nationality

British

History/Background

In July 2001 Tarek and his friends went to Pakistan on an extended holiday. In Afghanistan he saw a business opportunity open up in the property market, but whilst there he was led by local Northern Alliance fighters into the hands of American forces who were given a bounty by the US for capturing foreigners and handing them over.

Role of British Authorities in Rendition

From the outset of his incarceration at Bagram, Tarek maintains that British representatives were complicit in his interrogations. After only five days, he was led to another room to be questioned by two British men in their thirties. He was initially pleased to see them, trusting that once the question of his nationality had been established; they would guarantee his safe return home. It was only later Tarek was to find that they *'left him to dry'*.

The British officers stood apart from their friends across the Atlantic. *'They were more skilled in interrogations,'* he discerns, and apparently tried to appear friendly as a guise of obtaining more information. As with other detainees Tarek noted that officials from the Foreign Office would arrive with members of MI6. Paramount in their minds FO officials wanted intelligence information from Tarek, reassuring him that they were helping him. Of one FO official Tarek said,

'He would ask about my health and sly questions to obtain information.'

Far from what the Foreign Office would have us believe, that, 'none of the detainees have alleged to us they were beaten or subjected to systematic abuse,' Tarek continues,

'Every time they would come, I would tell them about the abuses. I asked them once, 'What does Tony Blair think about Cuba [Guantanamo]?' The British official replied, 'He agrees that Cuba is a good thing.' I asked, 'Does he know what's going on here?' He said, 'Yes'. I then wondered, 'Does he help in any way?' and the reply was 'Yes.' At a time when there was international outcry about the human rights violations in Guantánamo, Tarek was told by the British official, *'The public agree too. They support and stand by Blair.'*¹¹³

What is clear from the events of Tarek's questioning and interrogation, is that British officials were fully aware of his situation and were indeed completely complicit in his rendition to Guantánamo Bay. What compounded his situation, was that they made him believe that the actions that were taking place against him were all legitimate and were supported by the majority of public in the UK.

Current Status

Tarek was released from Guantánamo Bay in March 2004 to be arrested on his arrival in the UK. He was released without charge after 24 hours. He was initially deeply traumatised by his experiences, to the extent that he was unable to give an account of his ordeal for some months. His family believed his mental health has been severely affected and that he is in a poor condition, physically. He has since spoken publicly about his ordeal and complains of suffering from migraines, memory loss and depression.

PART TWO - TORTURE

"The use of torture is dishonourable. It corrupts and degrades the state which uses it and the legal system which accepts it. When judicial torture was routine all over Europe, its rejection by the common law was a source of national pride and the admiration of enlightened foreign writers such as Voltaire and Beccaria. In our own century, many people in the United States, heirs to that common law tradition, have felt their country dishonoured by its use of torture outside the jurisdiction and its practice of extra-legal 'rendition' of suspects to countries where they would be tortured..." Lord Hoffman

For many years Western Governments have been at the forefront in creating and ratifying treaties such as the Universal Declaration of Human Rights (1948) and in the case of the United Kingdom the European Convention on Human Rights (1950). By vigorously denouncing States which practice torture, illegal detention and slavery and promoting universal human rights the USA has justified its role as the 'global policeman' enforcing the 'rule of law', in place of an 'ineffective' United Nations, illustrated by interventions in Somalia, former Yugoslavia, Kuwait, Iraq and Afghanistan. NATO and in particular the UK has proved a valuable ally. In President George W. Bush's Second Term inauguration speech the importance of human rights was invoked when he declared, 'there is no justice without freedom, and there can be no human rights without human liberty.'¹¹⁴

However Guantánamo Bay, Bagram Airbase, Abu Ghraib and an innumerable number of secret locations, called 'dark sites', have been used by the US to wage the 'war on terror' contravening human rights and international humanitarian law which members of the international community have worked so hard to promote. The Geneva Conventions and successive international treaties on torture are no longer seen as universally binding laws but as casual agreements to opt out of or ignore whenever they counter the pursuit of national self-interests of the powerful. Reports and actions have shown that the governments both in the UK and US are now trying to use linguistic semantics in order to bypass the laws against torture, especially through the invocation of national security and defence.

1. UNITED KINGDOM AND HUMAN RIGHTS LAWS

As far as the UK's obligations go, there are two pieces of legislation that must be considered in judging whether it has broken any laws on torture; the European Convention on Human Rights (ECHR) and the Human Rights Act 1998 (HRA) which incorporated the ECHR into British law. Both clearly establish jointly under Article 3 that,

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

The terms of the articles are verbatim those of the UDHR, emphasising its standing in international law.

The 1984 United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment¹¹⁵ provides a further obligation upon national governments to implement the international laws on torture within their national criminal jurisdiction. The obligation is specifically for parties to take effective, legislative, administrative, judicial, or other measures to prohibit torture within its own jurisdiction (but also to bring all offences of torture outside of its sovereignty within its jurisdiction).

Any torture that takes place in the world is considered to be under the jurisdiction of every single State in the world. It does not matter if the torture was committed in another State and against nationals which have nothing to do with the prosecuting State. Regardless of the

circumstance, a State is under an obligation to prosecute crimes of torture. Following this, extradition proceedings must not take place where a State is in the position to charge and try a known torture criminal.

Thus all crimes of torture taking place within the UK or outside come under the jurisdiction of UK criminal law and must be prosecuted in compliance with both international and domestic legal obligations.

Instead of speaking out against cases of torture where it is found, the UK government has been complicit in breaches of international human rights law. A particularly worrying illustration of their current position on torture is the UK Court of Appeal's decision in August 2004 to rule in the Government's favour and accept, in a court of law, information that is extracted under torture in order to prosecute other suspected terrorists. Although this decision was overturned by the House of Lords in a later decision, the fact that the Government lobbied for such a ruling where evidence gained by torture is justifiable is an alarming development.

2. (RE)DEFINING THE DISCOURSE ON TORTURE

The internationally accepted definition of torture is straightforward and has been used in recent international tribunals,

"[It] means the intentional infliction of severe pain or suffering, whether physical or mental, upon a person in the custody or under the control of the accused; except that torture shall not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions."¹¹⁶

A Trial Chamber of the ICTY (International Criminal Tribunal for the former Yugoslavia) in the case of Delalic and others¹¹⁷ found that existing international law provided a strong grounding of what is defined as torture by successive conventions internationally ratified. Similarly in the case of Furundija¹¹⁸ the Trial Chamber agreed with the earlier trial, however adding that in armed conflicts there were the additional elements that it,

"(i) consists of the infliction, by act or omission, of severe pain or suffering, whether physical or mental; in addition, (ii) this act or omission must be intentional; (iii) it must aim at obtaining information or a confession, or at punishing, intimidating, humiliating or coercing the victim or a third person, or at discriminating, on any ground, against the victim or a third person; (iv) it must be linked to an armed conflict; (v) at least one of the persons involved in the torture process must be a public official or must at any rate act in a non-private capacity, e.g. as a de facto organ of a State or any other authority-wielding entity."

When one considers the definition of torture issued by the Office of the Attorney General encompasses, *"...procedures calculated to disrupt profoundly the sense or personality"*, it becomes clear that the situation in Guantánamo more than adequately meets conditions laid out by the ICTY.

The tribunal went further, mentioning that, *"...among the possible purposes of torture one must also include that of humiliating the victim."*¹¹⁹ The disturbing pictures broadcast worldwide from inside Abu Ghraib and the statements from those who have been detained in Guantánamo are more than a testament to this routine occurrence.

British complicity in torture has taken many different forms over the last few years. Regardless of the extent it may have taken place, it must always be reiterated that any form of torture is completely unacceptable. The following case studies show exactly the different ways the British authorities have been found guilty of breaching international human rights obligations, not only against its own citizens, but also against those from other nationalities.

3. CASE STUDIES

Case 1 - Zeeshan Siddiqui

Nationality

British

History/Background

Zeeshan was arrested in North West Pakistan on the 15th May 2005, initially thought by the Pakistani Intelligence to be 'Shahzad'.¹²⁰ He was initially picked up after information had been fed to the Pakistani authorities by British officials regarding links that Zeeshan had with suspected Islamic militants in the UK. After the London bombings, there was an effort to interrogate him over any possible involvement. What he was actually charged with though, was being in possession of a forged national identity card. However on 23rd December 2005 he was acquitted of all charges.¹²¹

Britain's Involvement in Torture

Having been hurt badly during his interrogations, District Judge Shahjehan Khan Akhundzada of Peshawar ordered the provincial health department to conduct corneal grafting treatment of Zeeshan after he lost sight in his left eye.¹²² Having had ample opportunity to interrogate Zeeshan before his trial, MI6 had enough chances to see the conditions under which he was being held and also to raise objections with the Pakistani government and secret service. Silence by the British authorities and Foreign Office implicates complicity in their part in the torture of this British citizen.

In his own words, Zeeshan Siddiqui, speaking to BBC's Radio 4 Today Programme explained the types of torture carried out against him,

"I was drugged. I was forcibly injected with chemicals, I had chemicals injected up my nose which burnt my nasal passage and burnt my throat. I was forcefully inserted with a feeding tube and forcefully fed, even though I was capable of feeding myself. I was chained to a bed for approximately eleven days in a row and was not allowed to even use the bathroom. I had the catheter forced up me, only in order to stop me using the bathroom, then this catheter was forcefully pulled out and I was made to bleed. Then I had the shackle pressed into my wrists so tightly that it slit my wrist. Then I was threatened with sexual abuse, for example one person came along and started opening up my clothes, they forcefully stripped me and started touching up my body and telling me that they would commit sexual abuse if I did not cooperate."¹²³

British Involvement

Pakistani ISI and British MI6 both took turns interrogating Zeeshan alongside others whom they felt were part of a circle of connections linked to the London. Among the names of those who were questioned was that of Naeem Noor Khan who subsequently disappeared and is now part of the ever growing list of ghost detainees. MI5 had implicated Zeeshan by the slightest of acquaintances that he had with others in the UK.¹²⁴

What is interesting though, is that Zeeshan was questioned by the British intelligence officers before the 7th July bombings. Zeeshan clearly remembers that on the 5th of July 2005 he was approached by British agents for the first time,

"...a few seconds later four British guys came in...they came up to me and shook my hand. They said are you Mr Siddiqui? I replied yes. They sat down in front of me. They could see I was in such a state. I was unable to even talk properly. They said to me there are people from the British embassy who are designed to help people like you. We are not those people. At a later stage we will try and get those people to speak to you later.

First they just confirmed my address and details. Then they spoke about the consular. They told me they are from the intelligence. They said if you can talk to us then we want you to tell us what you know about people involved in illegal activities. I asked for a lawyer. They said yes but anything you can tell us today we can tell our Pakistani friends and they can help you."¹²⁵

The security services of both countries went to the effort of seeing if they could use him in order to provide more information on the London bombings and other possible missions aimed at targets in the UK. British intelligence dropped their interest in him though soon enough as they had ascertained that he was an 'ordinary citizen'.¹²⁶

The British intelligence officers openly admitted to Zeeshan that they were there to question him after which they would allow him access to British consular officials,

"They were asking me about what my views were on Palestine. What my views were on the war on Chechnya. What my views are on the war in Iraq. What my views are on the war in Afghanistan. A lot of the time they spent questioning me about other people who they thought I knew. I did not know most of the people they questioned me about who they thought I knew, because the Pakistani authorities had lied to them and said that I knew a whole host of Arabs from Al Qaeda and that I had met certain senior people in Al Qaeda. And that was a load of totally false statements which the Pakistanis themselves had made up."¹²⁷

Zeeshan's innocence had been argued from the start of his incarceration by his lawyer, Mussarat Hilali. According to Ms Hilali, Zeeshan had complained of severe torture having been used again in order to extract a false confession of Al Qaeda movements and other terrorist networks. Speaking to the Daily Times newspaper in Pakistan, she also commented on the involvement of British intelligence who had apparently known full well of the treatment of Zeeshan.

Case 2 - Farid Hilali

Nationality

Moroccan/ British Resident

History/Background

Farid was initially arrested in September 2003 on immigration offences, but he was re-arrested in June when Spain issued a European arrest warrant to extradite him for alleged terror offences, and in particular involvement in 9/11. The case against Hilali seems to be vague and circumstantial, and entirely reliant on mobile phone communications data and intercept evidence.¹²⁹

British Involvement in Torture

According to Farid, he had been tortured by authorities in the United Arab Emirates (UAE) and Morocco at the behest of British intelligence who had given, "direct orders", for the interrogation to take a certain course.¹³⁰ According to a statement that he produced, Britain was completely complicit in his torture,

"I also wish to state on record that the torture I have suffered at the hands of the intelligence service in United Arab Emirates and Morocco has been on the direct orders of the British Intelligence Service in the UK..."

The British intelligence service have been directly responsible for the torture I have suffered, and are now directly complicit in ensuring I am removed from the UK by whatever means necessary and sent back to Morocco."¹³¹

It was during his interrogation by the UAE police that Farid first noticed the presence of a white British male who did not identify himself. The plain clothes British agent explained to Farid, "I represent the British Government and I have come all the way from London to ask you some questions". He said that "The British Intelligence Service know everything about you".¹³² Like many of the other situations mentioned already, Farid's freedom very much depended on the level of assistance he was willing to give the British intelligence officers, "If you want to come out of this problem, you have to cooperate with the British Government".¹³³

The British not only knew what was happening to him, they were also happy to let it continue while they needed to extract information from him. One British official told Farid while he was being held in the UAE, "People like you don't deserve human right, democracy or justice."¹³⁴ After getting into an argument with the agent that was interrogating him, the UAE police who were present with the agent retired with him briefly in order to discuss things, after a little while they returned without the agent and began to verbally abuse Farid,

"It then became clear to me what I suspected all along, that it was on the direct orders of the MI6 officer that the UAE intelligence officers were asking me these questions and torturing me. They told me unequivocally that I must "cooperate with the British", give them what they want and tell them what they want to know or else they will make me suffer."¹³⁵

On further non-cooperation with the British agent, the level of violence that was used against Farid escalated, in his own words he describes the process of torture used against him, "Two of the officials held me down and put three large metal bars between my legs and shackled my feet and hands together. It was so heavy and painful that I could not move. Every time I intended to move even an inch, the metal bar would cut my legs and start bleeding. I was thrown into an underground cell where I was kept for several days and routinely beaten up with

fists, sticks and batons."¹³⁶

When the UAE authorities believed that they were getting nowhere with Farid, it was decided that he should be sent to Morocco in order for his interrogation to continue. Once again, it is Farid's firm belief that he had been sent there specifically at the request of the British government. He states, *"in fact they were asking these questions on behalf of the British Intelligence Service. How else would one explain why I was being questioned about people in the UK and my whereabouts in UK mosques etc? I was never questioned about any activities in the Morocco or who I knew in Morocco, the questions were always about the UK and people in the UK.*"¹³⁷

According to Farid,

"It was always the pattern whereby the Moroccan Police would come to interrogate me a day or so after having inflicted unimaginable torture on me. This was a tactic to 'soften me up' so I would be physically and emotionally drained and I would then be prepared to 'talk'. They would then come with a prepared list of questions written down on a piece of paper and it was clear that these questions were being forwarded to them by the British Intelligence Service."¹³⁸

After having escaped from Morocco to the UK, Farid Hilali has set about to clear his name and to highlight the abuses that have taken place against him through a process of rendition and outsourcing of torture. According to Farid, the British government were completely complicit in the torture that took place against him.

Current Status

Currently Farid is being held in Belmarsh prison while his trial being conducted after having been moved from Whitemoor. While Farid faces the very real threat of torture on extradition to Spain and then subsequently to Morocco, there is grave concern over the way that he has been treated by all the States involved in his detention, particularly the British who allowed for his torture.

Case 3 - Ahmad Al Iraqi

Nationality

Iraqi/British Resident

History/Background

At a Stop Political Terror conference,¹³⁹ Ahmad Al Iraqi, highlighted the way in which the British were complicit in his torture meted out by the Jordanian intelligence. As with some of the previous cases already mentioned, although no actual kidnapping took place, the British government requested that the Jordanian intelligence pick him up and interrogate him, thus acting in a manner tantamount to torture, knowing that Ahmad would be interrogated using torture techniques.

Ahmad's Testimony

I am a business man and I live in the UK. I went for a business trip to Jordan and was stopped by MI5 before leaving. There were about half an hour's worth of questions asked about my business. I declared that the money that I was carrying with me, about £5000 was for business. I showed them all my legal documents and they let me go.

On November 9 2003, during Ramadan, the moment I landed from the plane I was taken by Jordanian intelligence straight to prison. On the same night they took me from my cell and they started beating me up by saying that I was a terrorist, related to Al Qaeda and that I had been to Afghanistan for several months, which is not true as I have never been to Afghanistan, and accusing me of blowing the Jordanian embassy [in Afghanistan] and other acts I had nothing to do with.

I started lying, saying that the guys who did these things were from Falluja as they recognised that my father and brother were from Iraq. Every night they took me to a place they called the Park, where they took me downstairs and they put a hood on my head, and they hung me up and started beating me with cables on my back and on my feet. They asked me to run for two minutes and they come back again and they beat me on my feet.

I was jailed for six weeks. It was a very hard time but alhumdulillah (praise be to God) I was praying and reading Qur'an all the time and Allah helped me. Everyday they brought me pictures to inspect and asked me if I knew these people, and I said, no, telling them to check everything you want about me as I have nothing to do with any terror activity in the UK, in Iraq or anywhere else. After all this I was told by the Jordanians, you will be sent to a hiding place.

British Involvement in Torture

The Jordanian intelligence pointed out that I had a real opportunity to work with MI5 and the British authorities. They arranged a hotel meeting with 2 members of the British Embassy in Jordan, who wanted information about the Mujahideen in Iraq, information about any other suspects in Britain. I firmly refused and the Jordanians beat me further, damaging my right ear

After all of this, they deported me to the UK on December 17/18. MI5 were waiting for me at the airport. I was in a wheelchair as I could not walk because of my injuries. A doctor examining me said I was not fit enough to go to jail, and I was released.

During my interrogation in Jordan, the interrogators said that all the information on me was coming from the UK. The pictures and papers that they had about me were in English but since the British couldn't get the information they wanted, they worked with the Arab intelligence. I have been offered by MI5 to work for them [spying] and I refused. They threatened me, saying

that if I refuse I would have a hard time. I am the right person for them basically, because of my background. However, they have repeated these demands promising they would make my life hell saying I am going to face a lot of difficulties wherever I go, especially from the Americans and also in the UK. But they don't know what Al Aqeedah (Islamic Belief) means; they should understand that, for it is something that no one can play with at all.

Case 4 - Alam Ghafoor

Nationality

British

History/Background:

British citizen and businessman, Alam Ghafoor, made a trip to Dubai in order to further a joint venture with some friends. The British authorities, knowing of his presence in Dubai, allegedly contacted the secret services there, and requested that Alam and his friends be picked up and interrogated. All four men were victims of torture using various interrogation techniques in which the British government was knowingly complicit. Alam related his experience to Yvonne Ridley expressing his concern over the way he was treated by both the British and Dubai intelligence.

Alam's Testimony

This was my third visit this year [2001] for holidays, however this time when we went over it was going to be part holiday and part business. We went over on the 4th of July...that was myself and my colleague Mohammed Rafiq Siddique. [On] 7th July we were at the hotel. We saw the British news and at first they were claiming power failures on the underground, however as the story progressed, it was actually confirmed that there had been bombs.

[After being confronted by a group of unidentifiable men and bundled out of the restaurant] these guys have just picked us up and we didn't know if they were going to take us into the middle of the desert, and they will shoot us in cold blood. They didn't say who they were and I didn't know who in the hell they were.

I was taken into a building, put into a room, sat down, and there was this deathly silence. All of a sudden the door flies open, someone comes in the room and slaps me around the head and whips the blindfold off. I am surrounded by six or seven Arabs, two or three are shouting in English, two or three are shouting in Arabic, and one of them is trying to speak in Urdu. There are all these fingers pointing with them saying to me, *"You are the bomber, you are linked to London bomb, we want information from you now"*. I was totally gobsmacked, I was like, ***"I don't know anything about this"***.

They said, *"No no no, we have been told to pick you up by the British intelligence"*. I said ***"Look, there has been some kind of mistake, I am a British citizen, let me speak to my Embassy"***. They said, *"No no no, they have asked us to pick you up, you are here because you are tied up with the bombing campaign in London and you have fled to this country to hide."* There was so much screaming and shouting going on from these guys, they were so angry and agitated, pushing me around, threatening to hit me and threatening to punch me. This went on for some time and then they left.

As for my friends, similar treatment was given, however luckily one of my friends was thrown straight into a cell, so they did not start on him until Friday morning. With me, it was these questions about my name, nationality, what I knew about the London bombings, how I was involved and when did I come to Dubai. I said I came to Dubai on the 4th July and when they asked for what purpose, I said it was part business part pleasure. They told me *"No, you came to flee England before you gave the command for the bombs to go off"*. I said, ***"I am not linked in any way I run a business in England in a mini market and beyond my family I really don't have contact with anyone else"***. I just could not believe it.

Someone else came in; again he started questioning my name and nationality and then asked me if I was married. I said, ***"No, I am not married"***. He said then *why do you have a son? I*

explained to him that I used to have a relationship with an English girl, I was engaged to her which didn't happen but I had a son from that". He turned around and asked, "What kind of Muslim are you, you have done the wrong thing". I said, "Well at the time, situations happen, and there is nothing I can do now". He said, "Do you pray?" I said,

"Yeah, I pray as much as I can, I don't pray as much as I should do, and I am well aware of this. Life is quite difficult, and sometimes you just don't have the time, and some times you cant make that time, my mother is quite ill and I have been trying to take care of her. I am the eldest, and I am the head of the family, so I must take care of things. If I was good Muslim with a long beard and was very religious, you would think I am more of a terrorist than you already do, I just cant win with you people, either I'm a bad Muslim or a good Muslim, but if I was a good Muslim praying five times a day, you would condemn me for that, and because I am not you are condemning me for that".

They took me into another room, and put me through sleep deprivation for four days straight. I was slowly losing my mind as it seemed as if the walls were closing in, literally I thought the walls were caving in. I told them, "I have told you everything that i know, there is absolutely nothing else that I can tell you, give me a piece of paper, and I will write down for you everything that you want me to write". I wrote for them a confession, that I am involved with the London gang. The guy interrogating me asked me if the statement was true, "I said it doesn't matter if it is true or not, this is what you want", I said, "You want to show the world that you are fantastic in this war on terror". I said to them, "You have done it, you have caught me, I am the mastermind".

The guard rushes out of the room and calls his senior who asks me again if what I have written is the truth. I say again that, "It doesn't matter if it is the truth it's what you want". At this point I had been for four days and nights without sleep under bright halogen lights. I was going out of a mind. He said that they will put me under the lie detector machine to see if I am lying. I said, "You didn't believe me when I told you the truth before, why would you believe me now?" At the bottom I said I want a trial before a British judge in a British court.

After a little while, the first interrogator comes back, and he says to me that he doesn't think that I am telling them the truth. I said, "Everything that I told you, you don't believe, and now that i have given you what you want, what else do you want from me?" After a few days I was allowed a shower again and they gave me a shave after which I was handed my original clothes. At that point, Rehana Hafiz from the British Embassy met us in another office, and she told me that they were trying to get me out possibly today or tomorrow.

I broke down, I thought I was going to die and rot there, I told her that they had tortured, humiliated and degraded us. Thankfully soon enough we found our way home. One thing that does stick out, is when I told them that I was a British citizen, they said, "Who do you think you are? You are not Tony Blair. They know you are here, and no one cares." All through the questioning I would ask, "Why am I here?" They said, "Because British intelligence told us to pick you up".

4. BRITISH USAGE OF TORTURE EVIDENCE

1. Ricin Trials

Since the 'war on terror' began, increasing numbers of reports reveal that the UK Government has adopted a policy of using evidence gained through torture carried out by third party States. The infamous Ricin Trials highlighted how despite years of gathering evidence, especially evidence which had been gained by torture, there was absolutely no case to be made against those who were being held. The case for the use of torture has in itself contravened the most fundamental elements of human rights, and complicity in such atrocities has seriously compromised the British government.

Third Party Torture Evidence

Dame Eliza Manningham-Buller, Director-General of the Security Service gave evidence in front of the House of Lords¹⁵⁸ to justify the use of intelligence gained by torture from third party States. Her explanation began with the premise that Al Qaeda is now posing a transnational threat to the world, and with that in mind, there is, *"the need for enhanced international co-operation,"*¹⁵⁹ the general theme reiterated by many security services across the world is that the process of intelligence gathering will always be a servant to the need for protection, *"...where the reporting is threat-related, the desire for context will usually be subservient to the need to take action to establish the facts, in order to protect life."*¹⁶⁰

What is of particular interest, is the fact that Ms Manningham-Buller uses the case of an Algerian, Meguerba, whose torture led to evidence which was used in the Ricin Trials and specifically the trial of R v Bourgass and others. According to her, *"The Meguerba case provides an example of full co-operation with our Algerian partners."*¹⁶¹ In the trial, much of the evidence that was used by the prosecution was dismissed by the Judge due to the nature under which it had been obtained and the fact that there was no real case against those on trial highlighting the danger of adopting such techniques to acquire intelligence. Late in 2005, the jurors from the trial contacted Cageprisoners to express their outrage over the way the acquitted defendants were being treated by the government,

*"When I realised that the lion's share of evidence leading to the flat and alleging the existence of this terrorist cell was obtained through probable torture of Meguerba in Algeria, I was horrified and disgusted. I could not believe the media reaction post case which failed to differentiate between what was put before us and what journalists could hear in court in our absence. I believe it was proper that we did not hear the Meguerba evidence, because if our government is even contemplating allowing such evidence to be in future put in a British court of law then something very precious about our way of life would be destroyed forever."*¹⁶²

It has been maintained by British authorities that at no time have British officials been involved in torture around the world. According to the BBC, *"...both MI5 and MI6 are not aware of the locations of any of the CIA's secret prisons, nor the terms of detention for so-called ghost detainees...But it has been confirmed that the UK has received intelligence based on the interrogations of 'ghost prisoners'."*¹⁶³ These 'ghost detainees' are held in undisclosed locations around the world and are subjected to torture in order to gain information. An example of the kinds of torture that takes place against these detainees is that of water boarding which is the drowning of the individual to force confessions. It has been widely reported that this technique has been used against suspected senior Al Qaeda figures such as Khalid Sheikh Mohammed.¹⁶⁴ Another example can be seen through the case of Binyam Mohammed who had his penis cut with a razor blade in order to force a confession.¹⁶⁵

The view that Britain is prepared to rely on information extracted under torture has strongly been supported by the government. Ian Pearson, Foreign Office Minister for Trade whose also includes

being responsible for human rights, commented that it was unreal to ignore evidence that was obtained through torture if, *"it helped to save the lives of British citizens."*¹⁶⁶ Pearson went on to say that, *"The War on Terror in Afghanistan and Iraq...is a war to protect human rights."*¹⁶⁷ Kate Allen, the director of Amnesty UK retaliated to the comments by Pearson saying, *"We are incredibly angry about the way in which the UK Government is moving from being a defender of human rights to a defender of torturers."*¹⁶⁸

Despite the war of words that has been waged between the government and human rights organisations, it is in the House of Lords that the government's policy regarding admissibility of torture evidence was fully addressed. In August 2004 the Court of Appeal had ruled that evidence gained through torture could be used in court as long as there was no UK involvement. Even after the 7th July bombings in London, the panel of seven Law Lords held on 8th December 2005, that evidence obtained through torture was unusable, regardless of its origins. In his judgment, Lord Carswell said,

*"The duty not to countenance the use of torture by admission of evidence in judicial proceedings must be regarded as paramount and to allow its admission would shock the conscience, abuse or degrade the proceedings and involve the state in moral defilement."*¹⁶⁹

The landmark judgment served as a real blow to the government's anti-terror policy especially after having been consistently accused of breaching fundamental principles of human rights. The seven judges were unanimous in their decision which will carry far reaching implications in the correct administration of justice in the UK. The rule against torture in the UK was best summed up by Lord Hope,

*"Torture is one of most evil practices known to man. Once torture has become acclimatised in a legal system it spreads like an infectious disease, hardening and brutalising those who have become accustomed to its use ... Views as to where the line is to be drawn may differ sharply from state to state. This can be seen from the list of practices authorised for use in Guantánamo Bay by the US authorities, some of which would shock the conscience if they were ever to be authorised for use in our own country."*¹⁷⁰

2. The case of Craig Murray and torture in Uzbekistan

Revelations from Craig Murray have helped to highlight the extent of the illegality of the British authorities position on torture on an international scale. The situation in Uzbekistan and Britain's failure to make the Uzbek government account for the atrocities taking place there only serves to help highlight the complicity of this government in torture happening elsewhere.

Craig Murray, the former British Ambassador to Uzbekistan in Tashkent, endured blocking tactics and a smear campaign to reveal damaging information implicating the British authorities in using evidence obtained by torture. Murray explained in a general email to the public that he felt it was important that the information he had been released in the public domain as the Foreign and Commonwealth Office, *"...demanded I do not publish the attached documents [confidential letters attached with email], and that I hand over all copies of them."* Fearing silencing, Murray released the letters and documents globally over the web to different blog sites in order to protect freedom of information.

On his website¹⁷¹, former Ambassador Craig Murray explains the situation surrounding his protest over the use of torture evidence by the British Government,

"In March 2003 I was summoned back to London from Tashkent specifically for a meeting at which I was told to stop protesting. I was told specifically that it was perfectly legal for us to obtain and to use intelligence from the Uzbek torture chambers."

*After this meeting Sir Michael Wood, the Foreign and Commonwealth Office's legal adviser, wrote to confirm this position. This minute from Michael Wood is perhaps the most important document that has become public about extraordinary rendition. It is irrefutable evidence of the government's use of torture material, and that I was attempting to stop it. It is no wonder that the government is trying to suppress this"*¹⁷²

The Foreign and Commonwealth Office (FCO) were fully aware of the kinds of atrocities that were taking place in Uzbekistan. Despite this knowledge and the continued protestations being raised by Craig Murray, the government still turned a blind eye to the methods of extracting information that it was receiving by the Uzbek authorities. In a letter by Sir Michael Wood to Linda Duffield, he states, *"Your record of our meeting with HMA Tashkent recorded that Craig [Murray] had said that his understanding was that it was also an offence under the UN Convention on Torture to receive or possess information under torture. I said that I did not believe that this was the case..."*¹⁷³

The US and UK are fully supportive of regimes who are sympathetic to the 'war on terror' and the methods used in the battle. They are willing to overlook the disgraceful human rights abuses that are taking place in states which are openly practising torture and extrajudicial killings. In an urgent letter from Craig Murray to the FCO he expressed his worry of this policy by saying, *"Worst of all is what appears to be the philosophy underlying the current US view of Uzbekistan: that September 11 divided the World into two camps in the "War against Terrorism" and that Karimov is on "our" side"*¹⁷⁴

It is the third of three letters that Craig Murray publicly distributed that really describes the UK's complicity in the acquiescence of torture. In July 2004 he sent a letter to the FCO in order to highlight the issue of intelligence being obtained through torture and the justification for condoning the Uzbek government,

*"Nonetheless, I repeat that this material is useless - we are selling our souls for dross. It is in fact positively harmful. It is designed to give the message the Uzbeks want the West to hear. It exaggerates the role, size, organisation and activity of the IMU and its links with Al Qaida. The aim is to convince the West that the Uzbeks are a vital cog against a common foe, that they should keep the assistance, especially military assistance, coming, and that they should mute the international criticism on human rights and economic reform."*¹⁷⁵

Even though the British authorities may not necessarily be committing the torture themselves, the fact remains that they are completely complicit by using confessions gained through such means. Craig Murray himself states this as being so under Article 4 of the UN Convention against Torture when saying, *"Knowingly to receive its results appears to be at least arguable as complicity."*¹⁷⁶ Mr Murray went at great lengths to sacrifice himself for the sake of revealing the atrocities and illegality that have taken place in the name of the 'war on terror' and indeed he has helped to make a strong case against the current UK authorities in highlighting their complicity in torture.

Case 5 - Pakistanis kidnapped in Greece

Nationality

Pakistani

History/Background

In a case that has caused a national scandal in Greece Frangiscos Ragoussis, a leading Greek lawyer representing 28 Pakistani nationals who were kidnapped and tortured, has presented a dossier to the Greek parliament highlighting the treatment of these individuals by MI6 officers and Greek intelligence officers.¹⁴⁰ Mass arrests took place after intelligence claimed that there were mobile phone links relevant to the 7/7 bombings.

Despite the claims by Mr Ragoussis, there appears to be a cover up involving officials from Greece, Britain and Pakistan. Pakistani Interior Minister Aftab Ahmed Khan Sherpao, denied any such activities took place. His reasoning was based on the fact that there has been no response, *"...which means that no such incident has occurred"*.

The Pakistani Ambassador to Greece was also sceptical of this, especially as the Pakistani community itself in Greece have taken issue with this in the courts. The Greek Minister of Public Order also agreed with this view saying that such a case,

"Never existed, doesn't exist and will never exist for the Greek authorities...These types of accusation are being treated by the Public Order Ministry as possibly suspicious or deliberate...They have the aim of damaging the good atmosphere and security that members of the Pakistani community feel in our country...[Some aim] to make the [Pakistani Immigrants] feel insecure, hearing about abductions and things that are possibly happening in other countries, so that they might be more easily manipulated...We will not allow the creation of mujahideen cells in Greece. Our country is, and will remain hospitable and safe."

Despite the assertions of the Minister and other public officials, twelve out of the 28 have publicly testified their experiences, with eight having done so in front of a prosecutor. One of the men kidnapped, Hizar Hayet, explained in his testimony that he was questioned about the mobile calls to the bombers.¹⁴¹

The Greek newspaper *Proto Thema* after having researched and spoken to a number of sources, released the names of Greek Secret Service operatives as well as a British MI6 agent involved in the abductions. The public pronouncement flew in the face of generally accepted practices that disclosure of operatives is not something permitted. Further, the name of the MI6 agent was published in the Morning Star newspaper from a sense of outrage for the involvement of the British authorities in the abductions and illegal acts that took place against the Pakistanis.

There have been many attempts by all those involved to cover up this incident in order to limit the damage that it could potentially cause to certain governments in terms of political embarrassment. Speaking to *Blink* Frangiscos Ragoussis said, *"The Pakistani Embassy have offered money to change their testimonies and even offered them flight tickets to Pakistan. Now they are scared that if they travelled back home they will never be entitled to return to Greece."*¹⁴² The British government despite all its attempts to prove otherwise have been forced into admitting their role in being present during some of the interrogation sessions, Mr Ragoussis said of this, *"It makes no difference if it was a Greek agent beating someone up while the MI6 guy stood there and watched in order not to get his hands covered in blood - he was still present."*¹⁴³

Britain's Involvement in Torture

Physical torture included beatings, and keeping the men under hoods while holding them in a secret detention facility in Greece. All the men claimed specifically two British agents threatened that their families in the UK and Greece would suffer if any of the men complained of their treatment to anyone.¹⁴⁴ This form of psychological torture and threatening behaviour is completely illegal, and has slowly become part of British practice in the war on terror.

The British government has refused to acknowledge that any of these practises took place against those Pakistanis kidnapped in Greece. UK Foreign Secretary Jack Straw expressed to other MPs that UK involvement in this incident was, "*complete nonsense*". His view however is not shared by all those in the Foreign Office. Spokesman for Foreign Affairs, Sir Menzies Campbell speaking to BBC's Radio 4 said, "*I believe the appropriate course now would be for the intelligence and security committee of Parliament to investigate these matters...I think it is necessary for public confidence and also to get to the bottom of what are serious allegations for some further investigation to be carried out.*"¹⁴⁵

The involvement of the British in this incident has serious implications on the allegations that there has been a grave failure in their foreign policy relating to those detained under the war on terror. The British authorities have been embarrassed and compromised by the affair that has spiralled out of control. Those involved in the abduction and abuse of those Pakistanis in Greece must be brought to account for their actions under international law. International terrorism must never be the excuse that allows major abuses of human rights to be condoned.

Case 6 - Mohammad Naeem Noor Khan

Nationality

Pakistani

History/Background

On 13th July 2004, Mohammed Naeem Noor Khan was arrested in Lahore, Pakistan by the Pakistani authorities.¹⁴⁶ Mohammed is now a 'ghost detainee'. He was picked up after two Malaysian students implicated Mohammed¹⁴⁷ in an Al-Qaeda active cell (after they had allegedly been tortured). Although Mohammed has been held for one and half years, he still has not been given the opportunity to use legal representation or defend himself in front of a court.

Mohammed, has a strong background in computer science and he has been suspected of sending coded messages on behalf of Al Qaeda. Having graduated from Nadir Eduljee Dinshaw Engineering University in Karachi, Mohammed moved to the UK and enrolled in a human resource management course at City University in January 2003.¹⁴⁸

British Involvement in Torture

In June 2005, *The Telegraph* reported that British officials from MI5 had flown out to Pakistan in order to question Zeeshan Siddiqui (see above) and Mohammad Naeem Noor Khan. According to the officials conducting the interview, Mohammed confessed fully to have been part of a London cell who were planning to carry out attacks against Heathrow Airport through his many visits to London.¹⁴⁹ An MI5 source told Gordon Thomas, *"We have been given first crack at the pair because of their backgrounds and the valuable information they could provide about a new attack."*¹⁵⁰

The British having interrogated Mohammad are fully aware of his status and should therefore be vocal in demanding his release into the normal criminal system of Pakistan and not be subjected to secret detention and torture.

Current Status

With no access to a legal representative and no one knowing exactly whereabouts he is incarcerated within Pakistan, communication with Mohammed is impossible. Until the present day Mohammad has not been heard of since these interrogations and has become lost in an ever growing list of 'ghost detainees' who are being interrogated through torture in order to implicate any and all people who may have the slightest possible link to terrorism.

Case 7 - Abu Faraj al-Libbi

Nationality

Libyan National

History/Background

When George Bush declared to the world that the arrest of Abu Faraj al-Libbi, Al-Qaeda's #3 in May 2005 was 'a critical victory in the war on terror',¹⁵¹ parts of the intelligence community had doubts. The man in question was not on the FBI's most wanted list or the State Department's 'Reward for Justice'. The good news seemed to be hyped to compensate for the lack of success in capturing the main ringleaders, and many observers believed that the Bush administration had caught to the wrong man.¹⁵²

The middle-ranking Al-Qaeda operative, Abu Faraj al-Libbi, after having been captured by the Pakistani authorities in Mardan (north Pakistan), has now become one of thousands of the 'disappeared', also called 'ghosts' detainees. The 'ghost detainees' are those who are being held in any number of **secret** locations worldwide and are being interrogated outside the law of due process.

After his arrest on 2nd May 2005, Abu Faraj was taken to a secret location in Islamabad where he was questioned by US and Pakistani authorities.¹⁵³ According to Amnesty International,

"On June 6 the Pakistani authorities confirmed that Abu Faraj al-Libbi had been handed over to US custody in response to a request from the US authorities, saying that he had been taken out of Pakistan on a plane by US officials and sent to an unknown destination at the beginning of June. One Pakistani intelligence official said he did not know where al-Libbi had been taken, while another said that he would be taken to a US detention facility where other suspects are held so that interrogators could 'verify very quickly' information he had give the Pakistani authorities.¹⁵⁴

British Involvement in Torture

After the bombings of 7th July 2005, Britain who had been interested in Abu Faraj stepped up their desire to question regarding his role as being part of those behind the attacks.¹⁵⁵ A senior officer who is working closely with the London investigation spoke to *The Times* saying, "We obviously need to know what threat remains and we are asking all our international allies for help even if the standards of their interrogation methods are not as scrupulous as our own. Needs must, I fear".¹⁵⁶

Further, Foreign Secretary Jack Straw agreed with this view saying that the UK could not ignore intelligence that was extracted from those detainees who may possibly have come under the threat of torture .

The statements that have come from various British authorities regarding information that is being extracted from Abu Faraj shows a clear intention to acquiesce the torture that is taking place against detainees worldwide. British complicity cannot be currently proven to extend to actual torture of detainees as was the case in the dirty war during the 'troubles' over Northern Ireland, but rather extends as far as using that evidence which is extracted by those who openly use torture.¹⁵⁷

Current Status

Abu Faraj is still a 'ghost detainee' whose location is unknown. All that is known is that he has been interrogated by the Pakistanis to such an extent that the bruises on his face tell the story of how extreme the torture taking place against these individuals is. Now the Americans are holding him, and with a track record of different types of torture including both physical and psychological, the information that is extracted from him cannot be trusted in any way.

CONCLUSION

From all the case studies in *'Fabricating Terrorism: British Complicity in Renditions and Torture'* there are incontrovertible correlations between the act of rendition and torture. In the overwhelming majority of the cases studied rendition has led directly to torture. Despite Condoleezza Rice's assertions that rendition works do we feel more secure? Although the role of the intelligence agencies in apprehending the perpetrators of 9/11, the Madrid, Bali and London bombings must not be underplayed, the instrumentalisation of the concept of 'security' to unilaterally break international laws on human rights by stealth is a deeply disturbing trend which must be halted.

Rendition and torture do not help to build security but instead only compromise the standing and security of the British Government in the international community. They form part of a global network of illegality which includes collusion on the part of States in the Middle East, Sub-Continent and Western world. The British authorities do not wish to have their hands stained with the blood of those who are tortured, thus they choose to send them to the Middle East and beyond where certain States will use any means to extract information. In doing so Britain legitimises the countries in which the torture takes place. The cost of British collusion with these countries to gather intelligence is the further oppression of Arab people in the Middle East creating arguably greater instability.

Information gleaned from torture itself does not raise a sense of security as witnessed by those innocent men incriminated based only on the evidence of confessions extracted through torture, against which they cannot defend themselves. Or seen by Colin Powell's address to the UN justifying the future invasion of Iraq when he cynically used 'intelligence' as a product of torturing senior Al Qaeda operative Ibn al-Shaykh al-Libbi to prove the golden link between Saddam Hussein and Al Qaeda.

And finally a sense of security is not felt by those from the same communities as the innocent men released from Guantánamo and other detention centres without charge, their powerful testimonies contradicting Government denials on rendition and torture, and the concocted evidence which would not stand up in a court of law.

The report is only the tip of iceberg in terms of the incidents of British complicity in renditions and torture. It has been produced despite the Government's wish for secrecy by a collection of various human rights groups and activists, but is not a definitive account of rendition and torture. It hints at far greater numbers of detainees held illegally in a network of 'black sites' and other detention centres, lacking contact with the outer world, and the possibility of practices which go much further than those presented within the limited capacity of this document.

This information has been produced in order to encourage Parliamentary members, human rights lawyers and investigative journalists to continue lobbying the Government for independent enquiries into rendition and torture, to research further to find out how deep this chasm of illegality runs, to challenge the government to uphold international agreements it signed up to and oppose legislation which erodes our human rights further in the name of secure and the fight against global terrorism.

Finally, the information gained for the report is also a testament to the families of the detainees who have had to struggle to find information about their husbands, sons, and brothers with little help, and often obfuscation from the Government authorities.

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FOOTNOTES

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