

# Fabricating Terrorism II

British complicity in renditions and torture

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## FOREWORD by Gareth Peirce

In January 2002, came the first shocking images of human beings, hooded and shackled in rows in aircraft transporting them across the Atlantic, just as slaves in slave ships four hundred years ago, to be displayed for the world to see, crouched in open cages in orange jumpsuits in Guantanamo Bay. It did not require an education in international humanitarian law to know that what we were seeing was unlawful; instinctive moral revulsion precisely mirrored what is the law. This was the unlawful trafficking of human beings; it was not a manifestation of the Geneva Convention at work, it was neither deportation nor extradition, far worse, it was transport from a world and to a world outside the reach of the law, and intended to remain so. Within that world the worst of crimes against humanity were being perpetrated and they are still, terrifyingly, continuing to be perpetrated.

What has slowly and painfully come to be revealed through the debriefing of those who have through great struggle re-emerged into the light of lawful day, is shocking beyond belief; that human beings in authority have done what has been done to these men is a sickening indictment of how the world has not matured, and not progressed. And yet crimes against humanity, and war crimes, are defined thus:-

*Grave breaches of the Geneva Conventions of the 12th August 1949, including torture or inhuman treatment; wilfully causing great suffering or serious injury to body or health, wilfully depriving a prisoner of war or other protected person of the right to a fair and regular trial; unlawful deportation or transfer or unlawful confinement.*

What of those who have perpetrated these crimes against humanity? Two issues need to concern us urgently in Britain. The visual images put out by the US military showed us in part what the US was doing and the seven year debate in the USA as to the Bush/Cheney/Rumsfeld redefinition of torture and its abusive practices has been conducted in public. Whistleblowers in the USA are a protected species. But here, the part played by our Intelligence Services, and in turn our Foreign Office and our Home Office, has remained in large part secret. There are no dramatic visual images that tell us the reality. Yet they were there, in many cases it was they who told the Americans where to locate British nationals and British residents, it was they who provided information that could be and was used in conditions of torture, and it was and is they who have received the product.

The question of how far we will in this country ever properly know the extent of British participation deserves to be a burning issue; we should not take for granted that there will be judicial enquiries or court cases in which we, the public, will know what we need to know about the complicity of our government in crimes against humanity. There will be and is already a continuous assertion by the Government that any issue that relates to the Intelligence Services, and any issue that relates to the conduct of diplomatic relationships, should not see the light of day in normal courts, but should be confined to special courts, and/or the evidence should be heard in secret. This is not the way that the most basic principles of democratic responsibility and due process should be exercised in even the most normal of instances. In relation to issues of such moral seriousness and public importance as the issues raised here, in the wider interests of a healthy society nationally and internationally as a whole, we must not let that happen.

It is all too obvious that the reality of guarantees of human rights does not come from the top down, but has to be fought for, generation by generation, that they be observed, preserved, or, as is demanded now in this century, reinstated. We should not let the burden rest upon the victims themselves, whose accounts have been so carefully assembled here, to ensure that the secret state is held properly and publicly to account.

## 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]**

*"The sad fact is they [the British government] have acted duplicitously, immorally and unlawfully. It is not just their uncritical acceptance of and obedience to torturous conditions, regimes, and physical restraint or worse. They were there by choice. These are the lessons of Nuremberg. You cannot simply be present in these circumstances and escape your own role. The definition of torture under the UN convention is the application of extreme mental or physical pressure by a state on an individual for the purpose of obtaining information. Any complicity in that, as well as direct application, is in breach of international law and is criminal by definition. The paradox is that whilst the government is unperturbed in using that information and depending upon it as reliable, it acknowledges too that information obtained through torture and duress is abhorrent to the British way of life."*

**[Moazzam Begg, Enemy Combatant: A British Muslim's Journey to Guantanamo]**

Over the past eight years, human rights watchdogs, researchers and lawyers recorded 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 transfer 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 II: British Complicity in Renditions and Torture**' is an update of the report **Fabricating Terrorism**, released in 2006. The original report was 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.

The updated report 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

One of the key features of **Fabricating Terrorism II**, is the case of Farid Hilali. The case demonstrates that the UK security/intelligence officials were complicit in the rendition and torture of individuals as early as two years prior to 9/11. This fact suggests that the unlawful activities of the UK authorities are systematic, rather than rare abuses.

Below there are 28 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 II: British Complicity in Renditions and Torture'**

### *1.1 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.

### *1.2 The Consequences of British Complicity in Rendition and Torture*

- The knowledge of Britain's involvements in rendition and torture tarnishes Britain's reputation as a supporter of human rights worldwide.
- 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. 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.

**[Asim Qureshi – Senior Researcher]**

## BRITISH COMPLICITY IN RENDITION AND TORTURE OVERVIEW

Name	Rendition	Torture
<b>Farid Hilali</b>	British authorities gave 'direct orders' for Farid to be picked up and interrogated in the United Arab Emirates and Morocco. His case presents factual evidence that the UK authorities were involved in renditions and torture prior to 9/11.	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.
<b>Binyam Mohammed Al Habashi</b>	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.
<b>Jamal Al-Harith</b>	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.
<b>Jamil El Banna and Bisher Al Rawi</b>	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.	Jamil and Bisher were both abused during the time that they were held in Guantanamo Bay.
<b>Martin Mubanga</b>	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.

<b>Omar Deghayes</b>	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 light which are kept on. The British having allowed his abduction are equally liable for his condition.
<b>Richard Belmar</b>	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.
<b>Shafiq Rasul, Rhuhel Ahmed and Asif Iqbal</b>	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.
<b>Shaker Aamer</b>	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.
<b>Tarek Dergoul</b>	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	During his incarceration in Guantanamo Bay, Tarek was subjected to various forms of physical and psychological torture.

	Guantanamo Bay with their knowledge of such an illegal kidnapping taking place.	
<b>Moazzam Begg</b>	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.	Moazzam Begg suffered terrible abuse and degrading treatment in Guantanamo Bay, a direct consequence of the kidnapping that had been allowed by British intelligence.
<b>Zeeshan Siddiqui</b>		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.
<b>Rangzieb Ahmed</b>		Ahmed was detained in Pakistan by the security services and severely tortured, including having his fingernails removed. He was also questioned by British officials who were aware of his torture as well as the CIA.
<b>Tariq Mahmood</b>	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.
<b>Salahuddin Amin</b>		Voluntarily surrendering himself to the Pakistani police after he heard he was wanted for questioning – Amin suffered torture concurrently to sessions of interrogation by MI5.

<b>Shahid</b>		Shahid was subjected to abuse by his Pakistani captors, he was interrogated by a member of the security agencies during his detention.
<b>Mohammed Naeem Noor Khan</b>		Being detained illegally in various unknown detention facilities around Pakistan, he was interrogated by MI6 before disappearing and becoming a 'ghost detainee'.
<b>Abu Faraj al-Libbi</b>	Abu Faraj al-Libbi, the suspected mastermind behind many of the terrorist attacks worldwide 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.
<b>Ahmad Al-Iraqi</b>	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.
<b>Alam Ghafoor</b>	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.
<b>Adam Brown</b>		Adam was kidnapped off the streets of Damascus by the Syrian security services. Over the course of his detention he was badly abused and came to realise that the questioning during his interrogation was being fed by the British authorities.

<b>Azhar Khan</b>		Khan was abducted by the Egyptian authorities on his arrival to Cairo. During his detention he was tortured and questioned about the UK. It became clear to Khan that the questions were coming from the UK authorities.
<b>Mohammed Ezzoueck, Reza Asfarzadagen, Shahjahan Janjua and Hamza Chentouf</b>		During their unlawful imprisonment by the Kenyan Anti-Terrorist Police Unit, the four British men were constantly interrogated by MI5 who were fully aware of the poor conditions they were kept in and the harsh treatment that they suffered.

## BRITISH COMPLICITY PRIOR TO 9/11

British complicity in renditions and torture, in the context of the 'War on Terror', is a phenomenon that is increasingly well documented. The security argument has been put forward on many occasions in order to justify practices that have traditionally gone outside of the rule of law. The case of Farid Hilali exposes a more sinister reality – that the policy of allowing suspects to be tortured at the behest of the UK security agencies predates 11<sup>th</sup> September 2001.

### CASE 1 – FARID HILALI

**Nationality:** Moroccan/ British Resident

**History/Background:** Farid was initially detained in 1999 while in UAE. There he was subjected to torture and interrogation on behalf of the British security services and was later sent to Morocco where this treatment continued. On his release he came to the UK and was arrested 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.

#### 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. In an interview with Cageprisoners, Hilali explained that Britain was completely complicit in his torture,

*In the beginning I thought that they UAE authorities would just ask me questions about why I was there and generally just in terms of immigration issues. I don't live in the UAE and I was there just in transit. I was surprised to see the British authorities, I was extremely surprised and it actually made me quite worried. And after that, it became very clear that I was in a really bad situation as the treatment I was getting from the police had nothing to do with being in the UAE, but rather had everything to do with my non-cooperation with their questioning and that of the British. Why was I being abused by the UAE authorities when the British were the ones who wanted to ask me questions?<sup>1</sup>*

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, "He introduced himself to me by saying that he represented the British government and that he was there to ask me some questions". He said that "if you cooperate with me, I will see if my government can help you. You are in trouble here and you have no way out except to cooperate and answer my questions"<sup>2</sup>. Like many of the other situations mentioned already, Hilali'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"<sup>3</sup>.

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<sup>1</sup> Cageprisoners interview with Farid Hilali, 17/03/2009

<sup>2</sup> ibid

<sup>3</sup> ibid

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 rights or democracy."*<sup>4</sup> 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,

*Because I did not cooperate with this British agent, the officers came back into the room and started swearing at me saying that they would teach me a lesson...They took me and began to beat me violently for a long period. They put me in a dark cell for three days without food or water, no one came to speak to me, and that was just the start of the punishment I was to receive.*<sup>5</sup>

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 Hilali's firm belief that he had been sent there specifically at the request of the British government. He states,

*They started to question me straightaway. From the moment we got to this building they began their questioning – asking me the same questions again and again. Again it was all about the UK, the types of questions that were coming from the UK, about people in the UK. There was nothing about me, whether it related to my time in the UAE or in Morocco, they didn't want to ask any questions, it was all to do with the UK and people there.*<sup>6</sup>

Moazzam Begg has given testimony to Hilali's lawyers that he was first visited in the summer of 1998 by MI5 agents at his house regarding his case. Hilali had written to Begg from Dubai claiming he'd been severely tortured. In Begg's account of his time in Guantanamo and other secret detention sites he mentions this meeting and includes an excerpt of the letter:

*While he [Hilali] was still free, he phoned me in Britain, to say he was sending some documents to my address. They included his police arrest sheet, and a handwritten letter. He wrote, 'I am writing to you as a last resort . . . I was arrested in Pakistan and handed over to the Dubai authorities so they could torture a confession out of me . . . It says I am "a member of the GIA"[Armed Islamic Group] . . . I am part of bin Ladin's group . . . they have done bad things to me . . . they used falaqa on me [beating the soles of the feet] . . . I am very hurt and tired, please get me a lawyer . . . please, please help me . . .'*<sup>7</sup>

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. His treatment is very much akin to that of those who were questioned by UK security officials and then subsequently rendered to Guantanamo, with one key difference, Hilali's treatment predated the attacks of 11<sup>th</sup> September 2001.

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<sup>4</sup> ibid

<sup>5</sup> ibid

<sup>6</sup> Ibid

<sup>7</sup> p78-80 *Enemy Combatant, A British Muslim's Journey to Guantanamo and Back*, Moazzam Begg. Simon & Schuster (The Free Press)

**Current Status:**

Currently Hilali is in Spain fighting allegations of being involved with various terrorist plots. The case against him is based on telephone intercept evidence which the House of Lords in the UK already ruled to be of no use. In March 2009 he received bail but is concerned that once he is acquitted in Spain, that he will be deported to Morocco.

## BEFORE GUANTANAMO – RENDITIONS AND TORTURE

There are a number of examples of British citizens and residents who were forcibly captured by various intelligence agencies and taken to Guantánamo Bay or other detention facilities around the world. In nearly every single case, British intelligence was fully aware of the status of these individuals and still allowed for their transfer to proceed without any due process being afforded to the men.

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 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.

All of the British citizens and residents mentioned below have been returned to the UK, with the exception of Shaker Aamer, who has been cleared for release. Not a single man out of this group has ever been charged with any crime related to international terrorism, a fact that was known to British authorities before their rendition to Guantanamo.

### CASE 2 – BINYAM MOHAMED

**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.

#### **British Involvement in Torture:**

Incarcerated in a Pakistani prison, the first in a shadowy network of transnational ghost prisons Mohamed 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.<sup>8</sup>

Morocco

Mohamed 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

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<sup>8</sup> Mackay N 'Britain Sued for 'Complicity' in Torture' 16/10/2005 The Sunday Herald

Of equal concern to Mohamed was the realisation that it was the British authorities who were feeding the Moroccans questions during his interrogations. On his release to the UK, Mohamed explained,

*They [the Moroccans] started bringing British files to the interrogations – not one, but several of them, thick binders, some of them containing sheaves of photos of people who lived in London and places there like mosques.<sup>9</sup>*

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."<sup>10</sup>

#### 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".<sup>11</sup>

#### 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:**

Mohamed'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. 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.<sup>12</sup>*

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<sup>9</sup> Rose D 'How MI5 colluded in my torture: Binyam Mohamed claims British agents fed Moroccan torturers their questions' Daily Mail, 08/03/2009

<sup>10</sup> <http://web.amnesty.org/library/Index/ENGAMR511522005?open&of=ENG-USA>

<sup>11</sup> *ibid*

<sup>12</sup> Jack Straw in Minutes of Evidence, Foreign Affairs Committee, 13 December 2005

see [http://www.publications.parliament.uk/cgi-bin/newhtml\\_hl?DB=simple&STEMMER=en&WORDS=habashi&ALL=&ANY=&PHRASE=&CATEGO](http://www.publications.parliament.uk/cgi-bin/newhtml_hl?DB=simple&STEMMER=en&WORDS=habashi&ALL=&ANY=&PHRASE=&CATEGO)

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.<sup>13</sup>*

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 Mohamed'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."* 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."* 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.<sup>14</sup>*

Mohamed'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 Mohamed has now been released from Guantanamo and returned to the UK. Very quickly he agreed to speak with the Daily Mail in an exclusive interview which detailed the horror of his abuse and rendition. The UK government has been placed under much pressure since the release of Mohamed as many within Whitehall have begun to question the manner in which counter-terrorism policies are being carried out.

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<sup>13</sup> Mackay N 'Britain Sued for 'Complicity' in Torture' 16/10/2005 The Sunday Herald

<sup>14</sup> ibid

## CASE 3 – 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 X<sup>15</sup>, 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 retreat<sup>16</sup>, 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."<sup>17</sup> 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)<sup>18</sup>.*

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)

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<sup>15</sup> The Times 'Traveller who called Kandahar prison 'home'' 11/03/2004

<sup>16</sup> Prince R and Jones G 'I was in the wrong place at the wrong time' 12/03/2004 The Mirror

<sup>17</sup> Rasul v Rumsfeld UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA  
<http://news.findlaw.com/hdocs/docs/terrorism/rasulrums102704cmp.html>

<sup>18</sup> <http://usinfo.state.gov/dhr/Archive/2004/Mar/17-466744.html>

- 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'."*<sup>19</sup>

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."*<sup>20</sup>

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."*<sup>21</sup>

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

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<sup>19</sup> Prince R and Jones G 'Terror of Torture in Cuba Camp' 12/03/2004 The Mirror

<sup>20</sup> ibid

<sup>21</sup> ibid

## CASES 4 AND 5 – 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 attempt to act as an intermediary between the Muslim cleric Abu Qatada and themselves.<sup>22</sup> Abu Qatada was fully aware of this arrangement.<sup>23</sup> The agents who were in contact with Bisher identified themselves as 'Alex' and 'Matt'.<sup>24</sup> During the time the British government claimed they did not know the whereabouts of Abu Qatada, they were attempting active dialogue with him through Bisher.<sup>25</sup>

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 8<sup>th</sup> 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.*<sup>26</sup>

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 suspected improvised explosive device when attempting to leave for Gambia from Gatwick Airport, transferred to London and questioned by Anti-Terrorist police. The device 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."<sup>27</sup> 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

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<sup>22</sup> Mickum G.B. 'MI5, Camp Delta, and the story that shames Britain' The Independent 16/03/2006

<sup>23</sup> Ibid

<sup>24</sup> Ibid

<sup>25</sup> Ibid

<sup>26</sup> <http://www.cageprisoners.com/articles.php?id=10974> and <http://lark.phoblacht.net/rod1201053g.html>

<sup>27</sup> Dodd V 'The UK Businessmen Trapped in Guantanamo' 11/07/2003 The Guardian

- 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.<sup>28</sup>

#### Guantánamo

Both men were kept in solitary confinement for the first month that they were held in Guantánamo Bay.<sup>29</sup> 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."<sup>30</sup>

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?*<sup>31</sup>

#### **Current Status:**

In March 2007 Bisher Al-Rawi was released to the UK from Guantanamo without ever having been charged with a single crime. One of a group of British residents who were being detained at the US naval base, his return to the UK was expedited over concerns by the British government that they had been complicit in his unlawful rendition despite Mr Al-Rawi having previously assisted MI5.

Jamil El Banna was not released until December 2007 after having spent five years in Guantanamo Bay. He was reunited with his wife and five children, the youngest of whom he had never met. Mr El Banna has never been charged with any crime and spent those years in Guantanamo without reason.

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<sup>28</sup> Mickum G.B. 'MI5, Camp Delta, and the story that shames Britain' The Independent 16/03/2006

<sup>29</sup> Ibid

<sup>30</sup> Ibid

<sup>31</sup> Dodd V 'The UK Businessmen Trapped in Guantanamo' 11/07/2003 The Guardian

## CASE 6 – 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

- 'ERFd' where a number of military personnel dressed up in full riot gear force prisoners to the floor, involving the use of violence, and incapacitating agents like pepper spray
- 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.<sup>32</sup>*

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

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<sup>32</sup> The Observer 'How I Entered The Hellish World of Guantánamo Bay' 07/02/2005

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.<sup>33</sup>*

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<sup>34</sup>*

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.<sup>35</sup>

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.<sup>36</sup>

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."<sup>37</sup>

### **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.

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<sup>33</sup> Ibid

<sup>34</sup> Ibid

<sup>35</sup> Ibid

<sup>36</sup> The Observer 'Revealed: Britain's Role in Guantánamo Abduction' 06/02/2005

<sup>37</sup> Ibid

## CASE 7 – OMAR DEGHAYES<sup>38</sup>

**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 refolement (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:**

After six years of incarceration without charge or trial, Omar Deghayes has been released back to the UK. He currently lives in Brighton where he is involved with projects to aid those who remain in Guantanamo Bay and others detained without charge around the world.

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<sup>38</sup> Entire section taken from: Reprieve 'Omar Deghayes and the Long History of Persecution'  
15/02/2005

## CASE 8 – RICHARD BELMAR<sup>39</sup>

**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 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 Liberal Democrat foreign affairs spokesman, 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.*<sup>40</sup>

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.*<sup>41</sup>

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,

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<sup>39</sup> Entire section taken from: The Observer 'Beatings, Sex Abuse and Torture: How MI5 Left Me to Rot in US Jail' 27/02/2005

<sup>40</sup> Ibid

<sup>41</sup> Ibid

*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.<sup>42</sup>*

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.

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<sup>42</sup> Ibid

## CASES 9, 10 AND 11 – SHAFIQ RASUL, ASIF IQBAL AND RHUHEL AHMED<sup>43</sup> - THE TIPTON THREE

**Nationality:** British

**History/Background:** Shafiq, Asif and Ruhel 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.

Ruhel 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 Ruhel 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

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<sup>43</sup> Entire section taken from: Shafiq Rasul, Asif Iqbal and Ruhel Ahmed 'Composite statement: Detention in Afghanistan and Guantánamo Bay' 26/07/2004

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 Rhuhel 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 Rhuhel 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, Rhuhel 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”. Rhuhel 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. Rhuhel'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 Rhuhel have all moved back to the Tipton area and are all taking legal action against the US administration. A film directed by Michael Winterbottom entitled ‘The 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 12 – 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.<sup>44</sup>

The events of 11<sup>th</sup> 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.<sup>45</sup>

British intelligence were very much aware of Shaker's predicament while he was in Afghanistan and subsequently when rendered to Guantánamo Bay.<sup>46</sup>

### 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.<sup>47</sup> 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.*<sup>48</sup>

It was during his time in Kandahar that Mr Aamer was visited by two British agents from the UK security/intelligence services. He had already been subjected to sleep deprivation and beatings by the time that the UK agents came to visit him, but even then he claims that his

<sup>44</sup> Cageprisoners 'British Residents in Guantánamo Bay' 05/12/2005

<http://www.cageprisoners.com/articles.php?id=10974>

<sup>45</sup> Ibid

<sup>46</sup> Ibid

<sup>47</sup> Reprieve 'Shaker Aamer: Guantánamo Prisoner and Father of Four British Children'

[www.reprive.org.uk](http://www.reprive.org.uk)

<sup>48</sup> Cageprisoners 'British Residents in Guantánamo Bay' 05/12/2005

<http://www.cageprisoners.com/articles.php?id=10974>

abuse continued in their presence. According to Aamer an agent named 'John' was in the interrogation room where he was 'bounced' against a wall.<sup>49</sup>

#### 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 Authorities 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.<sup>50</sup>*

The British government long 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 could be given any help. This of course did 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 have 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 were continually subjected to. The government after litigation was forced to change its stance but Shaker still remains in Guantanamo today.

#### 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<sup>51</sup>*

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<sup>49</sup> Verkaik R, *Guilty: Britain admits collusion, now torture claims emerge*, The Independent, 01/03/09

<sup>50</sup> Reprieve 'Shaker Aamer: Guantánamo Prisoner and Father of Four British Children'

[www.reprieve.org.uk](http://www.reprieve.org.uk)

<sup>51</sup> Cageprisoners 'British Residents in Guantánamo Bay' 05/12/2005

<http://www.cageprisoners.com/articles.php?id=10974>

**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.’<sup>53</sup>*

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.

<sup>52</sup> Cageprisoners interview with Tarek Dergoul <http://www.cageprisoners.com/articles.php?id=1611>

<sup>53</sup> Ibid

## CASE 14 – MOAZZAM BEGG<sup>54</sup>

**Nationality:** British/Pakistani

**History/Background:** Moazzam Begg is a British citizen who moved to Kabul, Afghanistan, with his wife and children in July 2001 to continue work on a girls school he helped to fund from the UK. After the allied attack on Afghanistan began in October 2001, Begg and his family moved to Islamabad in Pakistan for safety. It was there that he was seized in January 2002 by Pakistani intelligence and CIA officers, bundled into a back of a car and taken back to Kandahar, Bagram and Guantanamo.

Hooded, shackled and cuffed, he was taken first to the US detention facility at Kandahar, then on to Bagram, and finally to Guantanamo Bay. During his internment, he says he was kicked and beaten, suffocated with a bag over his head, stripped naked, chained by his hands to the top of a door and left hanging, and led to believe he was about to be executed. One psychiatrist encouraged him to kill himself. In all he spend three years in prison, much of it in solitary confinement, and was subjected to over three hundred interrogations, as well as death threats and torture, witnessing the killings of two detainees.

Having articulated much of the atrocities that took place in Guantánamo Bay and Bagram, including allegations that two detainees were tortured and killed at the hands of interrogators, Moazzam Begg has detailed 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 taken from the account he gave to Cageprisoners regarding the British government's role in his rendition and abuse:

### Moazzam's Testimony:

*On the second day [after being seized in Pakistan] the British turned up to interrogate [me], so I have absolutely no doubt in mind that the British knew about our situation. My friend back here in the UK told me [prior to this] that the MI5 were very interested in speaking to me, and the same person he described as heavy-set and 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.<sup>55</sup>*

In his published memoirs about his time in US custody Begg mentions having been approached twice by the same MI5 agent who was later to 'haunt' him during his time as a captive of the US military. He first describes meeting 'Andrew' at his home in 1998 regarding the case of Farid Hilali and, the following year, when the same man questioned him at Birmingham airport.<sup>56</sup>

In an exchange between the two during an interrogation at the Bagram airbase it is clear that serious threats were made against Begg in which the British government could have intervened.

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<sup>54</sup> Testimony by Moazzam Begg given to Cageprisoners 23/12/2005

<sup>55</sup> Testimony by Moazzam Begg given to Cageprisoners 23/12/2005

<sup>56</sup> *Enemy Combatant, A British Muslim's Journey to Guantanamo and Back*, Moazzam Begg. Simon & Schuster (The Free Press)

*I told him what had been done to me during the interrogations in May, emphasizing that the Americans had really intended to send me to Egypt to be tortured. I asked how he, and the British government, felt about what their top allies had done and were threatening to do. What would they do if it really happened? He said that MI5 would never deign to be involved in things like that. I said that surely any information gathered by the Americans via abuse and torture had been shared with the British. He didn't answer that. He just reiterated that Britain would never take part in rendition and torture. 'But it happened. It happened to me, Andrew. Most of their lines of questioning couldn't have been taken without your full knowledge and cooperation. That is undisputable. It was only because of that intelligence officer finally applying a little intelligence to their nonexistent evidence of those computer photos that I didn't go to Egypt. It would have been easy for them to do it, very easy. I have no access to any legal representation; I have no consular access, even though there is a functioning British Embassy in Kabul.'*<sup>57</sup>

MI5 agents reappear several more times in Begg's account after he is sent to Guantanamo Bay. Corroborating past statements of other former British prisoners held there, despite have been isolated from them, Begg tells of how British Consular representatives and MI5 agents were indiscernible as they came together and questioned him together whilst he was kept in a tiny windowless cell.

*Martin had two other people with him, though not from the Foreign Office. Lucy and Ian both identified themselves as MI5 agents. Lucy was quite unlike any previous MI5 official I had met. She was very talkative, with a passion for soap operas and film, which, to my amazement, she talked about endlessly. Ian was different. He seemed to want me to feel reassured. But that was all part of the deception. They were doing nothing for me, and presented me with yet another set of questions to answer. Martin utterly confused me. He was from the Foreign Office, but was questioning me with MI5. It was impossible for me to distinguish between the two, despite the introductions. I thought they were all the same.*<sup>58</sup>

But instead of getting consular access he was told that he would stand trial at the kangaroo court-like Military Commission:

*On 7 July 2003, I became one of only six prisoners in Guantánamo facing a potential trial, under President Bush's military order. I didn't know this, until that day, almost two months later, when Martin told me. 'After discussions held between the UK and US governments I must now inform you that you are eligible for trial by US Military Commission,' he read from a sheet on the table between us. 'I want to ask you if you understand what has been said to you and if you have any questions. I am not a legal advisor, or part of the military process, but my colleague may be able to answer any questions you might have.'*

It is hard to maintain the myth that British intelligence, and indeed the government, was not involved in Begg's ordeal. In January 2005 he was released from Guantanamo Bay and returned to the U.K. The following year Begg published his book which he concludes with some very serious questions and allegations:

*...one of the hardest truths I've had to face since my return has been the complicity of my own government in what happened. For me the questions remain. Who provided false information to the US, and allowed my detention in the first place?*

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<sup>57</sup> *ibid*

<sup>58</sup> *ibid*

*Who exploited my situation to the maximum at every stage of my ordeal in Islamabad, in Kandahar, in Bagram, and in Guantánamo? Who was then, as now, the closest ally of the US? I have read Foreign Office letters to my father that maintain the Americans denied access to UK officials in Afghanistan, and yet I was interrogated by British intelligence in these very places – places where people, in the same situation as me, were tortured to death.<sup>59</sup>*

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<sup>59</sup> *ibid*

## PROXY INTERROGATIONS

Complicity in the detentions process takes on various permutations around the world. Often Western nations such as the US, Canada and the UK will rely on regimes known for their gross human rights abuses to carry out an arrest and hold an individual beyond the law. In such a circumstance, the security agencies of the Western country will take the opportunity to either question the individual within the detaining country themselves, or send a file of questions and information to be used by the detaining interrogators. Both methods rely on knowledge that no due process is being given to the individual detained and that the methods carried out will not be acceptable in the detainee's country of origin.

The UK has been particularly guilty of complicity in the unlawful detention and torture of British citizens and residents abroad. In many cases there has been direct evidence that the British security/intelligence agencies had full knowledge of the torture that was taking place and yet continued to interrogate. The following case studies show the various methods of complicity used by the British agencies in countries such as Pakistan, United Arab Emirates, Jordan, Syria and Kenya.

### UK-Pakistan Complicity

#### CASE 15 – ZEESHAN SIDDIQUI

**Nationality:** British

**History/Background:** Zeeshan was arrested in North West Pakistan on the 15<sup>th</sup> May 2005, initially thought by the Pakistani Intelligence to be 'Shahzad'.<sup>60</sup> 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 23<sup>rd</sup> December 2005 he was acquitted of all charges.<sup>61</sup>

#### 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.<sup>62</sup> 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*

<sup>60</sup> Statement by Zeeshan Siddiqui 26/01/2005

<sup>61</sup> Dawn 'Pakistan: London Bombing Suspect Acquitted of Charges' 23/12/2005

<sup>62</sup> Dawn 'Court orders treatment of UK national' Bureau Report 4/12/2005

*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.<sup>63</sup>*

#### 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.<sup>64</sup>

What is interesting though, is that Zeeshan was questioned by the British intelligence officers before the 7<sup>th</sup> July bombings. Zeeshan clearly remembers that on the 5<sup>th</sup> 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.<sup>65</sup>*

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'.<sup>66</sup>

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*

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<sup>63</sup> BBC Radio 4 Today Programme 01/03/2006 Zubeida Malik interviews Zeeshan Siddiqui

<sup>64</sup> Aziz A 'Judge denies bail to 7/7 bombings suspect' 29/09/2005 Daily Times

<sup>65</sup> Statement by Zeeshan Siddiqui 26/01/2005

<sup>66</sup> Ansari M 'The Pakistan Connection' 08/2005 Newline

*certain senior people in Al Qaeda. And that was a load of totally false statements which the Pakistanis themselves had made up.*<sup>67</sup>

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.<sup>68</sup>

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<sup>67</sup> BBC Radio 4 Today Programme 01/03/2006 Zubeida Malik interviews Zeeshan Siddiqui

<sup>68</sup> Aziz A 'Judge denies bail to 7/7 bombings suspect' 29/09/2005 Daily Times

## CASE 16 – RANGZIEB AHMED

**Nationality:** British

**History/Background:** After the earthquakes that affected Kashmir, Ahmed made the decision to travel to Pakistan from the UK in order to help in the relief effort. Wishing to make his stay a productive one, he registered himself with Al Qasim, a humanitarian non-governmental organisation based in Islamabad. He was given the task of helping to distribute corrugated iron sheets which would help to set up temporary shelters for those displaced from their homes.

On 20<sup>th</sup> August 2006, Ahmed became another victim of the War on Terror as he was taken in the town of Haripur on his way back to Islamabad. Having had all of his belongings taken away from him, the police cuffed and hooded Ahmed and took him to a secret location. During his arrest he noticed the presence of a Caucasian woman in the lead car that was in charge of detaining him – he strongly believes it was a westerner who was conducting the operation.

### **Britain's Involvement in Torture:**

After being put through an initial round of questioning, Ahmed was made to sit in front of two men who became more aggressive than their colleagues. Immediately accusations began to be thrown at Ahmed who denied any involvement with international terrorism. The security officers repeated he was lying over and over again and began to beat him.

*The other male rang the bell on the table and then someone came into the room and handed in a piece of wood with rubber wrapped around it. He said to me that if I didn't say everything including links with Al-Qaeda that they would beat me. I told them repeatedly that I had no links with this organisation or any other Islamic organisations.<sup>69</sup>*

For the next two weeks he was kept in the same interrogation facility during which time he was beaten severely with wooden sticks on the soles of his feet, whipped with a rubber lash, and had three of his fingernails pulled out with pliers. Both British and CIA agents had unfettered access to him throughout this period and were very much aware of the abuse he endured. After this period of detention he was taken to another location where he was permitted to meet with British personnel. These British officials however made it perfectly clear to Ahmed that they were not from the consulate but were there to question him. It was clear for the British men to see that he had been tortured.

*At this location I received a visit from British officials, following which I was taken back to the interrogation centre. These two males introduced themselves as being from Britain and that they worked for the British Government. They clarified that they were not from the Consulate but they did not say if they were intelligence officers. They did give their names but I cannot remember them.*

*They asked me questions which lasted approximately 40 minutes. During this period I was shackled and handcuffed (to the front) throughout. They saw my hood in the room.*

*I told them that I had been tortured. This was clearly visible due to sleep deprivation and my three fingers being bandaged on my left hand. They could see that I was uncomfortable and I was unable to sit due to the beatings I had received on my buttocks.*

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<sup>69</sup> Testimony of Rangzieb Ahmed to Cageprisoners, 01/09/2008

**Current status:**

On his return to the UK, Rangzieb Ahmed was convicted of being a member of Al Qaeda and for directing a terrorist organisation. The case was heard before a jury, however the jury was denied any knowledge that Ahmed had been interrogated and tortured in Pakistan prior to his return to the UK.

## CASE 17 – TARIQ MAHMOOD

**Nationality:** British

**History/Background:** After a joint operation between British, Pakistani and American intelligence services, British citizen Tariq Mahmood was arrested on 20<sup>th</sup> October 2003. Having already travelled through Saudi Arabia, Tariq was on his way to Pakistan in order to see his relatives in Pakistan.<sup>70</sup> From his departure from the UK, MI6 were fully aware of Tariq's movements, and as soon as he arrived in Saudi Arabia, information was being passed over to Saudi intelligence by the British who followed his every step.<sup>71</sup>

### **Britain's Involvement in Torture:**

When Tariq finally reached Pakistan, he was detained by the Pakistani secret service (ISI) who began to question him. According to spokesman for the Pakistani authorities, Masud Khan, *"He is being investigated on suspicion of having links with al-Qaida...I cannot tell you his whereabouts and how the investigations are being carried out."*<sup>72</sup> While he was being held by the Pakistanis, he was kept bound and hooded; however, from the accents of those who were interrogating him, he could quite easily discern that there were Pakistani, American and British interrogators questioning him.<sup>73</sup>

What is particularly worrying with regard to the process of interrogation that took place against Tariq is the way that MI6 officers threatened him with death if he did not cooperate. After five months in custody, Tariq was released without charge and sent back to the UK.<sup>74</sup>

Being a dual national of Britain and Pakistan, Tariq Mahmood was not given the full protection that he is entitled to by the British Foreign and Commonwealth Office. His case is only one among many where the British government has failed to make correct representations on behalf of those citizens who hold dual nationalities with other States.

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<sup>70</sup> Al Jazeera 'Guantanamo Bay Travel Agency – A Joint US and UK Project' 04/11/2003

<http://www.cageprisoners.com/articles.php?id=121>

<sup>71</sup> ibid

<sup>72</sup> ibid

<sup>73</sup> ibid

<sup>74</sup> ibid

## CASE 18 – SALAHUDDIN AMIN<sup>75</sup>

**Nationality:** British

**History/Background:** In April 2004 Salahuddin Amin was detained by the security services of Pakistan after he voluntarily surrendered himself when his uncle informed him that the police were looking for him. Amin's arrest was part of wide arrests that were made in the UK when 18 people were detained over a plot to blow up the Bluewater shopping centre in Kent.

### **Britain's Involvement in Torture:**

Amin was immediately tortured as part of his detention. According to claims that he has made, he was put through sleep deprivation for extended periods of time, beaten, whipped and threatened with an electric drill. As part of routine torture in Pakistani prisons, he was also hung from his wrists for days on end.

After just over two weeks of torture, Amin was taken to another building where he met individuals who identified themselves as being from MI5. He realised during the next ten months of interrogation by the British security officials, that every single time he was interrogated by MI5 it was inevitably after he would be put through a long session of abuse by the Pakistanis.

*After beating me for a few minutes, that seemed like hours, the inspector ordered the guard to get the drill. This is when I got really scared because I didn't know how far these people could go. I have heard many stories about them torturing people to death. I was in tears.*

*The drill machine was brought in and plugged in outside the room somewhere. It didn't work at first and the inspector shouted at the guard and said to make it work. I was praying that it wouldn't work, but it started working. The inspector told Sikander to drill a hole in my backside and he told me to face the wall and lift my shirt and I had no choice but to do so. Sikander came and warned me while the machine was running. He touched me.*

*I realised later it wasn't the drill machine he touched me with because I had no injuries, but at that point I really thought it was a drill. They were doing this to break me. I started saying to them that I would agree with whatever they would want me to.*

*That's when the inspector told me to sit on the stool and put my glasses back on. They then showed me a photograph of another terrorism suspect. I told them that I knew him, and met him in Luton ...<sup>76</sup>*

### **Current status:**

Amin was sent back to the UK without any formal deportation or extradition proceedings. He was essentially rendered back to the UK where he was immediately arrested on his arrival to Heathrow airport. The government has officially denied that he was ever tortured, despite the overwhelming evidence that exists to support such a claim. Amin was convicted of conspiring to cause explosions.

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<sup>75</sup> Based on Cobain I, *Questions, Answer, Months of Brutality*, The Guardian 29/04/2008

<sup>76</sup> Cobain I, *'I felt as if my skin was ripping'* Salahuddin Amin's Account, The Guardian 29/04/2008

## CASE 19 – SHAHID<sup>77</sup>

**Nationality:** British

**History/Background:** At the time of his arrest, Shahid was a fourth-year medical student in London and had decided to spend the summer before his final year working at the Ziauddin Memorial Hospital in Karachi, Pakistan. While eating dinner with friends one evening he was approached by three men in plain clothes and was forced into a car before it drove off.<sup>78</sup>

### **Britain's Involvement in Torture:**

After the attacks in London, Shahid was one of many individuals who were picked up in relation to the incident. For two months he was detained and made to suffer humiliating treatment which included being hooded for extensive period, sleep deprivation, beatings and being lashed with a short whip. During his interrogations, he claims that he was visited once by officers from either the British security/intelligence services.<sup>79</sup>

### **Current status:**

Shahid is now home in the UK and has never been arrested or charged with a single crime.

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<sup>77</sup> Shahid is not detainee's real name, it has been changed to protect his identity.

<sup>78</sup> Cobain I, *Father's Desperate Search for Kidnapped Student Son*, The Guardian, 15/07/2008

<sup>79</sup> Ibid

## CASE 20 – MOHAMMED NAEEM NOOR KHAN

**Nationality:** Pakistani national

**History/Background:** On 13<sup>th</sup> July 2004, Mohammed Naeem Noor Khan was arrested in Lahore, Pakistan by the Pakistani authorities.<sup>80</sup> Mohammed is now a 'ghost detainee'. He was picked up after two Malaysian students implicated Mohammed<sup>81</sup> 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.<sup>82</sup>

### **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.<sup>83</sup> 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."*<sup>84</sup>

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

### **Current Status:**

After three years of secret and unlawful detention, Mohammed Naeem Noor Khan was released without any charge or trial. The statements issued by the UK authorities and the confessions of Khan seem to bear no significance to his eventual release which has come without any calls for imprisonment over his alleged crimes – that fact in itself condemns the process that he was placed through and the lies that were told regarding his involvement with international terrorism.

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<sup>80</sup> Brean J 'Terrorists Surprisingly Easy to Turn: 'Sing Like a Bird'' National Post 09/08/2004

<sup>81</sup> Levy A and Scott-Clark C 'Afghanistan: 'One Huge US Jail'' The Guardian 19/03/2005

<sup>82</sup> BBC News 'Al-Qaeda's 'computer expert'' 06/08/2004

<sup>83</sup> Harndern T 'Pakistan: the incubator for al-Qaeda's attacks on London' The Telegraph 27/07/2005

<sup>84</sup> Thomas G 'Terrorist Provides High Value Information' <http://www.globe-intel.net/?p=36>

## CASE 21 – 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',<sup>85</sup> 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.<sup>86</sup>

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 2<sup>nd</sup> May 2005, Abu Faraj was taken to a secret location in Islamabad where he was questioned by US and Pakistani authorities.<sup>87</sup> 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."*<sup>88</sup>

### **British Involvement in Torture:**

After the bombings of 7<sup>th</sup> 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.<sup>89</sup> 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".<sup>90</sup>

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<sup>91</sup>.

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

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<sup>85</sup> <http://www.cnn.com/2005/WORLD/asiapcf/05/04/pakistan.arrest/>

<sup>86</sup> <http://www.timesonline.co.uk/article/0,,2089-1602568,00.html>

<sup>87</sup> Amnesty International 'Urgent Action: Pakistan/USA: Incommunicado detention 06/05/2005' <http://web.amnesty.org/library/Index/ENGASA330072005>

<sup>88</sup> *ibid*

<sup>89</sup> Adnkronons International 'Britain & US to Quiz Al Qaeda 'No.3'' 08/06/2005

<sup>90</sup> McGrory D 'American 'Ghost Prisoners' May Yield Vital Clues' *The Times* 02/08/2005

<sup>91</sup> *Ibid*

Ireland, but rather extends as far as using that evidence which is extracted by those who openly use torture.

**Current Status:**

Abu Faraj was detained in secret for many years but has now been taken to Guantanamo Bay where he remains in detention.

### CASE 22 – AHMAD AL IRAQI

**Nationality:** Iraqi/British resident

**History/Background:** At a Stop Political Terror conference<sup>92</sup>, 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*

<sup>92</sup> Transcription of speech by Ahmad Al Iraqi to audience at Stop Political Terror conference: Hayes Islamic Centre, West London 12/2003

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 23 – ALAM GHAFUOR

**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".

### CASE 24 – ADAM BROWN<sup>93</sup>

**Nationality:** British

**History/Background:** Adam Brown went to live in Damascus with his wife in Autumn 2005 and had been studying Arabic at Damascus University. He was kidnapped at the end of December 2006 by 6 men who pounced on him *"I was thrown into the back of a van which had its windows blacked out."*<sup>94</sup>

#### **British Involvement in Torture:**

He was detained incommunicado and forced to confess he was a terrorist preparing to go to Iraq. *"They punched and kicked me and [asked] where's the money and the weapons".* He said: *"They wanted me to admit that I was an extremist and wanted to go to Iraq".* He was taken to what appeared to be a military base.<sup>95</sup>

He was beaten, stripped naked, given a dirty military uniform and detained in a tiny cell like *"an underground tomb".* *"The cell was one metre wide and two metres long,"* he said. *"It was complete darkness for a month. I had no light, no mattress, nothing."*<sup>96</sup> For the first seven days he was interrogated by two men who slapped and punched him and beat the soles of his feet with electric cable.

Adam believes that his detention in Syria was with the collusion of the British authorities,

*...I didn't have knowledge of anything I didn't even know what was happening on the outside world I didn't even know where my wife was. So there was nothing like that, I was not spoken to by anyone from foreign intelligence services and there were no questions asked that would hint to that. But there was something that they said that made me think that there was no way they could have known that; when the final interrogator wanted me to fingerprint some paperwork that he did. It was quite embarrassing because I was with some other guys from different countries he said "O you're not actually married are you? You live with your wife like friends" and I was like "excuse me I'm married to my wife, I was just married in a mosque I've not been married in a court, I just got married in a mosque", when he said this I thought that they must have interrogated my wife by now and I was quite sad because I didn't know what state she was in. There was no way that they could have known that other than from my wife because I didn't tell anyone the whole time I was in Syria I was never asked for a marriage certificate or ever been asked for any sort of proof for my marriage and everyone knew she was my wife, I'd never stated anything other than that so I was certain they had spoken to my wife. When I came out and came back to UK, I said to her, were you ever asked for a marriage certificate or anything regarding our marriage, and she was never asked by anyone anything about that so there was no way they could have known that other than from me or my wife or from the authorities here, so that they could check on their*

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<sup>93</sup> Adam Brown is not the detainee's real name.

<sup>94</sup> Cageprisoners interview with Adam Brown, 13/05/2007

<sup>95</sup> *ibid*

<sup>96</sup> *ibid*

*system and see that these two have never been married under British law, and there is no way they could have known that other than from them.<sup>97</sup>*

**Current status:**

He was released after 14 weeks in detention. He says he was never brought before a court nor charged with an offence. Scotland Yard officers interviewed him on his return.

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<sup>97</sup> *ibid*

### CASE 25 – AZHAR KHAN

**Nationality:** British

**History/Background:** Having flown into Cairo on 9<sup>th</sup> July 2008, Azhar Khan was detained by the Egyptian authorities immediately on his arrival to the country. Despite the immediate arrest, Khan's travelling companion was not detained and who took that opportunity to inform the British embassy. During the course of his unlawful detention, he was subjected to torture by the Egyptians and interrogations which evidenced the complicity of British authorities.

**Azhar's Testimony:**

*I was held at the airport for two days in one room, my mobile phone and belongings were taken from me immediately, no food or drink was provided, I was not allowed to make any calls or even leave the room. The room was guarded. Eventually I was told that there was a problem with my passport and that I would have to return to London on the next flight.*

*From there I was escorted to a jeep, cuffed, hooded and covered by a blanket in the back of the jeep. I was taken to a location which I later discovered to be a secret prison. There were many people held at this location, each were given numbers and interrogated in various orders.*

*Personally I was subjected to electrocution, beatings, starvation for certain periods and sleep deprivation. None of the prisoners were kept in one place for too long, another tactic to disorientate us further. Over a period of five days, I was subjected to various stress positions.*

*During interrogations I was asked about my family, friends, upbringing, my local masjid, so much so that they even asked the name and address of my Masjid and details of the Imam. They demanded my e-mail addresses and passwords which they accessed and also incorporated into the interrogation. None of the questions were related to Egypt, my trip to Egypt, whether or not I even had any associates or friends that resided in Egypt, all the questions were related to the UK and people in the UK.<sup>98</sup>*

**Current status:**

Azhar Khan was released to the UK where he lives free without any accusations of involvement with terrorism being brought against him.

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<sup>98</sup> Statement of Azhar Khan to Cageprisoners, 01/04/2009

### CASES 26, 27, 28 AND 29 – MOHAMMED EZZOUECK, REZA ASFARZADAGEN, SHAHJAHAN JANJUA AND HAMZA CHENTOUF

**Nationality:** British

**History/Background:** In January 2006, a small group of British nationals were detained by the Kenyan Anti-Terrorist Police Unit while attempting to escape from Somalia where a conflict had just begun. Tryin to reach the closest British embassy, the men were forced to make their way to Nairobi however were detained and kept secretly in prisons without access to consular officials.

#### **British Involvement:**

During their detention in Kenya, the men were interrogated by MI5 who knew that they were being kept in poor conditions and beyond any legal recourse. The agents from MI5 were particularly interested in their activities in the UK, more so than any reason why they may have been in the Horn of Africa. According to Mohammed Ezzoueck,

*This time the woman [MI5 agent] did most of the talking. She asked me to go through my entire story again. She asked me questions about my religion, my beliefs, whether I had given my allegiance to any group. She asked me if any of my friends were extremists. I told her no and she said that she did not believe what I was telling her. I told her that she would have to accept it as it is the truth. She said to me that I and Hamza Chentouf had made up a story.*

*The woman agent asked me what I thought about 9/11 and 7/7. I replied that both of those events were wrong as innocent people had been killed. She replied sarcastically and then she said that she did not believe me.*

*The woman agent told me that her stay in Nairobi was limited and that she would soon have to return to the U.K. She told me that she was the only person who could help me, but that I would have to co-operate with her. She told me that if I told her what she wanted to hear, I would be on the first plane back to the U.K., but if I didn't come up with the information she wanted, I would stay here forever. I told her that I would like to come home but that I could not give what she wanted.*

*Francis [one of the agents] asked me if I had heard about all the people being sent to Somalia, and if I knew about Guantánamo Bay.*

*[On a third questioning by MI5] Francis sat down with me at the coffee table. She had a notepad and a folder. She asked me if I had thought more about what she had said to me. She said that I was not co-operating with her. She talked about my family and asked me what I wanted to do when I went home. When I answered her she replied that it would be difficult for me to do these things from a cell.*

*She asked me if I would ever tell anyone about her when I went back to the U.K. When she said this she sat back with her arms crossed in front of her. I thought she sounded frightened when she said that.*

*Francis then asked me if I would come and work for her. I replied that if I heard anything that would harm anyone then I would tell her anyway. Francis asked me for*

*more names and addresses of people that I knew. I told her that I could not remember any more.*  
*Francis asked me about which mosques I visited and which tapes I listened to. She then said to me that this was the last time I would ever see her.<sup>99</sup>*

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<sup>99</sup> Cageprisoners and Reprieve interview with Mohammed Ezzoueck, 16/02/2007