

## QUAKER CONCERN FOR THE ABOLITION OF TORTURE

### Briefing 34

April 2012

#### Torture casts a ghastly shadow over our country's reputation

*Someone is not telling the truth on rendition – is it the secret service or the politicians?*

Peter Osborne – Daily Telegraph, 11/04/12 [www.telegraph.co.uk/comment/columnists/peter-osborne](http://www.telegraph.co.uk/comment/columnists/peter-osborne)

On December 13, 2005 Jack Straw, then foreign secretary, made an unusually clear and emphatic statement to the Foreign Affairs Select Committee. His words are so strong that it is worth quoting exactly what Mr Straw said at some length. "Unless we all start to believe in conspiracy theories and that the officials are lying, that I am lying, that behind this there is some kind of secret state which is in league with some dark forces in the United States, and also let me say, we believe that Secretary Rice is lying, there simply is no truth in the claims that the United Kingdom has been involved in rendition full stop."

... further denials followed. Tony Blair insisted that Britain had never engaged in the practice. Mr Straw's successor, David Miliband, was equally adamant. Sir John Scarlett, until recently head of the Secret Intelligence Service (and the official responsible for the notorious dossier of September 2002 which asserted that Saddam Hussein was capable of deploying weapons of mass destruction within 45 minutes) was forthright. "Our officers are as committed to the values and the human rights values of liberal democracy as anybody else," he said, adding that there was "no complicity in torture". These claims, from the most senior members of the British political and secret intelligence directorate, ... appeared convincing, if only because it seemed utterly improbable that the British prime minister and foreign secretary would lie about such an important matter.

But over the past few years the evidence has become extremely strong that Britain has indeed been part of a conspiracy to transfer terrorist suspects around the globe to secret locations where we knew they would be tortured. It is important to stress that British officers – unlike their free-wheeling CIA counterparts – were never directly involved. But they facilitated the journeys (on occasion making available the British territory of Diego Garcia as a stopover), and they seem to have supplied information to the torturers and suggested questions.

One of the best known of these cases concerns the Libyan revolutionary and (now) politician Abdulhakim Belhadj, whom I interviewed... last week, while making a film for Channel 4's Unreported World. Mr Belhadj was reluctant to talk about his experience of torture. It may have been painful for him to do so – the Channel 4 director/cameraman said that he could see clearly the terrible agonies the Libyan had suffered, seemingly courtesy of the British state, etched across his face as he spoke. Furthermore Mr Belhadj told me that he did not want to look back, he wanted to build a new Libya, and he was grateful for the help David Cameron had offered in getting rid of Gaddafi. Reportedly, M16 is ready to pay a significant sum of hush money to Mr Belhadj, said to be £1 million, in order to prevent him taking them to court.

We only know the details of his case because of papers found after the fall of Gaddafi in the bombed-out offices of Moussa Koussa, Gaddafi's intelligence chief. They included a letter allegedly from an MI6 officer, Mark (now Sir Mark) Allen congratulating Colonel Gaddafi's government for the "safe arrival" of the "air cargo". Sir Mark (who has not challenged the letter's authenticity) apparently boasted of the British role: "It was the least we could do for you and for Libya."

Mr Belhadj and his wife Fatima claim to have been abducted in Bangkok, where he was seeking a British visa, and then flown, most likely via Diego Garcia, to Tripoli. There Colonel Gaddafi gave Mr Belhadj, a very brave man who was one of the leading members of the Libyan opposition, the traditional Gaddafi welcome: he was held and tortured in Libya's notorious Abu Salim prison for six years. Other members of the Libyan opposition – I met two of them during my stay in Tripoli – say they suffered the same fate. It is a story to make any patriotic Briton, conscious of our reputation for standing up for decency and the rule of law, weep with horror and shame. So I apologised to Mr Belhadj, adding that I was unable to do so on behalf of our wretched government, but I could do so on behalf of the British people. He thanked me, adding that he had no quarrel with the British, only those who had been responsible for his maltreatment.

There is no question that the actions said to have been carried out against Mr Belhadj (and an unknown number of others) were against the law. The Criminal Justice Act 1988 makes it clear that carrying out or abetting torture, whether under British or foreign jurisdiction, is punishable by jail. Indeed, the maximal sentence is life imprisonment – as Jack Straw, who voted for it, ought to be aware. If the claims concerning the treatment of Mr Belhadj stand up – and the evidence looks extremely strong – it is essential that those responsible should be prosecuted. Otherwise Britain will send the message to the world that we are prepared to sanction torture.

And here matters get complicated. On the one hand the Secret Intelligence Service is privately insisting that at all times it had ministerial authorisation for its actions. This points the finger very directly because the Intelligence Service Act of 1994 makes very clear that the "authorisation of acts outside the British Isles" can only be agreed at Cabinet level. I guess that in practice that must mean either Jack Straw or Tony Blair himself – who met Gaddafi in his tent on March 24, 2004, just six days after the letter congratulating the Libyans on the "safe arrival" of Belhadj. But both Mr Straw and Mr Blair have both made it publicly very plain that they have no knowledge of British complicity in torture. Their denials leave only two possibilities, both deeply shocking... Either the Secret Intelligence Service has been... passing on terrorist suspects to be tortured at the hands of a foreign government, without the knowledge or approval of ministers... or the Blair government was carrying out a secret policy of collaboration with torture, and Mr Straw was misleading Parliament when he told the Foreign Affairs Select Committee in December 2005 (roughly 18 months after the abduction of Abdulhakim Belhadj) that there was "no truth" in claims of British complicity.

Some people will take the view that none of this matters. I disagree. Britain stands for decency, fairness and the rule of law. Any involvement in torture is not simply wrong. It has handed a propaganda gift to dictators such as Iran's Mahmoud Ahmadinejad, who use British or American barbarism as a debating tactic to distract attention from their own, far more dreadful violations of human rights. We can only rescue Britain's reputation by ending the lies and the cover-ups, by finding out who was responsible, and by making sure they are punished.

Convenor: Chas Raws, 38 The Mount, Heswall, Wirral CH60 4RA [chasraws@onetel.com](mailto:chasraws@onetel.com)