

Campaign Against Criminalising Communities (CAMPACC)

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06/11/2005

To:
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Foreign Affairs Committee
Committee Office, House of Commons,
London SW1A 0AA

Re: Foreign Affairs Committee inquiry into the
Foreign and Commonwealth Office's Human Rights Annual Report 2005

Overview statement

An objective of the Foreign Affairs Committee is to 'examine the expenditure, administration and policy of the FCO'. In order to do this with regard to Human Rights, the Committee has already taken up issues of rendition and torture abroad in the "War on Terror", e.g. in its 6th report on the *FCO Human Rights Report 2004*.

Below we extend some of those points for a broader purpose: to draw links between the 'war on terror' as an oppressive, anti-democratic agenda at home and abroad. As well as a human rights abuse, torture should be seen as a political strategy which links UK intelligence services with its foreign counterparts. The UK is not simply an innocent recipient of statements resulting from torture; rather, UK agents collaborate with those who violate human rights abroad and even encourage such violations.

Dubious 'information' gained from torture abroad is used to label more and more people here as 'terror suspects', thus justifying the domestic 'war on terror', including detentions and prosecutions. More generally, UK 'anti-terror' laws are used to terrorise migrant and Muslim communities in this country, especially to deter dissent against oppressive regimes allied with the UK, and to deter any support here for resistance abroad (as we have documented elsewhere¹). Torture abroad is one important component of that strategy; when refugees flee here, they then fear being deported back to torture, beyond their brutal treatment by UK immigration authorities.

As an integral part of your remit for UK foreign affairs, the Committee should investigate foreign-domestic links in systematic torture and its multiple political roles. The Committee has a responsibility to hold the government accountable for those roles.

¹ CAMPACC (2003) Terrorising Minority Communities with 'Anti-Terrorism' Powers: their Use and Abuse, Submission to the Privy Council Review of the Anti-Terrorism Crime and Security Act 2001, www.campacc.org.uk/ATCSA_consult-final.pdf

Specific examples

The rest of our submission provides specific examples of UK complicity in torture abroad and its plans to extend that complicity, even encouragement.

(1) The UK supports US practices of “extra-ordinary” rendition.

A recent investigation has found that the UK is offering logistical support to the US practice of ‘extra ordinary rendition’, the abduction of terror suspects and the taking of them to countries, most notably Egypt, for interrogation, where they are likely to be tortured (‘Destination Cairo: human rights fears over CIA flights’, *The Guardian*, 12/09/2005). CIA-manned aircrafts involved in these operations have flown into the UK 210 times since the 9/11 attacks and the 26 strong fleet run by the CIA have used 19 British airports and RAF bases, including Heathrow, Gatwick, Luton and Belfast airports. Egypt is a country where torture against political dissidents and ordinary citizens is widespread, according to Human Right Watch (‘Empty promises can’t protect people from torture’: Joint letter to Tony Blair from Human Rights Watch and Liberty, *The Guardian*, 23/06/2005).

The logistical support this government offers to the CIA practice of rendition requires investigation and condemnation. The abduction of individuals is illegal and the act of knowingly supporting the sending of persons to countries where they will be tortured is a violation of Article 4 of the UN Convention Against Torture, which requires signatories to make complicity with torture a criminal offence, and a breach of the international prohibition on the return of persons to countries where they face a risk of torture.

(2) The UK government obtains and uses ‘intelligence’ from liaisons with foreign security services who practice torture.

This UK cooperates with governments who regularly practice torture against detainees, thus acting in complicity in those acts. This liaison provides an incentive for such countries to torture their detainees.

Craig Murray (former British Ambassador to Uzbekistan) has described how the UK liaised with the authorities there in order to obtain regular intelligence for use in the UK’s “War on Terror.” This is again a violation of Article 4 of the UN Convention against Torture. When he protested against the British foreign policy of liaison with the Uzbek security forces, Craig Murray was told that Jack Straw and the MI6 chief had decided that torture intelligence is important in the War on Terror (*The Independent*, 27/10/2005).

Moreover, British agents have been present in foreign jails when torture has occurred. In his article on the liaison between UK and Uzbek security forces, Craig Murray reports that detainees abducted and flown to countries where they have been tortured, under the practice of rendition, have spoken of the presence of British personnel in the prison in which they have been detained. Members of the British security services questioned the Algerian key prosecution witness in the ‘ricin-plot’ trial, who is held in Algeria, and who had probably been subjected to ill-treatment by the Algerian authorities. When the case went to trial, the prosecution offered no credible evidence of ricin, nor of a conspiracy; so the torture ‘evidence’ provided a weak substitute.

(3) The UK government wants evidence obtained under torture to be admissible in courts here.

The government has been arguing before the House of Lords for the right to act on intelligence obtained by the torture of persons abroad. It wants to be able to use that material to detain people in the UK and to use as evidence before the courts. Although ostensibly an element of domestic policy, it has links to foreign policy. If torture evidence becomes admissible here, then this will further encourage torture by regimes abroad. The ability to use torture evidence in court will go hand in hand with continued and increased liaison between those countries’ security services and our own, because the fruits of foreign torture will then become useful to the domestic ‘War on Terror’. Furthermore, the admittance of torture evidence to court gives these countries a green-light to continue using torture. It will be conducive to their relations with the British government, in the sense that it will be a component of the cooperation between the two governments.

(4) The government deports people to countries where they are likely to face torture.

The Turkish and Kurdish community have reported that the Home Office has massively stepped up removals of people to Turkey over the last few weeks. There have been raids on homes and shops with people being snatched in the early mornings. Many individuals are being detained and then given letters of refusal for their asylum applications, and some have judicial reviews or appeals outstanding. Not only is this an abuse of due process but again, these individuals are being sent to away to face a real risk of ill-treatment and torture. According to Human Rights Watch, torture remains commonplace in Turkey. For instance, the Turkish Human Rights Association reported 692 incidents of torture and ill-treatment by police in the first six months of 2004. Repression of Kurds and Kurd-sympathisers is particularly severe (<http://hrw.org/english/docs/2005/04/27/china10549.htm>)

A European parliament delegation visiting Turkey to check on its progress in human rights has found "shocking" reports of murders and mutilations, a British MEP said yesterday. The findings, which come a week after Brussels launched membership talks with Turkey, highlight the scale of progress the predominantly Muslim country needs to make in its quest to join the European Union.

Richard Howitt, part of the mission by the parliament's seven-member human rights subcommittee, told the Guardian: "What we heard was shocking. There were accounts of soldiers cutting off people's ears and tearing out their eyes if they were thought to be Kurdish separatist sympathisers ... You can't hear these things without being emotionally affected."

The MEP, Labour's European foreign affairs spokesman and a champion of Turkey's EU accession, said the abuses had been corroborated by human rights organisations.

The British government intends to obtain diplomatic assurances against torture in order to deport terrorism suspects to countries where they are at high risk of torture. This practice is in breach of the international prohibition on the return of persons to countries where they face a risk of torture, and torture itself is absolutely prohibited under Article 3 of the European Convention on Human Rights incorporated into UK law by the Human Rights Act 1998.

It is understood that the British government is seeking to deport a number of Algerian nationals certified under the Anti-Terrorism Crime and Security Act 2001. Some were acquitted by a jury in the so-called "ricin plot" trial. The government is negotiating with the Algerian government for diplomatic assurance that these individuals will not be subjected to ill-treatment on their return. Algeria is a country in which a range of repressive practices is employed against those involved in political dissent. These practices include arbitrary detention, summary executions and torture. The FCO itself noted in 2004 that 'the overall level of human rights abuses [in Algeria] remains high'. Amnesty International reported in 2004 that those suspected of 'acts of terrorism or subversion [are] systematically tortured' ('UK: Empty promises can't protect people from torture', Joint letter to Tony Blair from Human Rights Watch and Liberty. 23/62005).

Furthermore, torture is itself a clandestine activity which is illegal in most countries, and to which they would not admit. It is therefore absurd to assume that a diplomatic statement can be taken as assurance that an individual will not be tortured.

The UK has been asking foreign governments (such as Algeria, Jordan, Morocco and Tunisia) for assurances that deportees will not be subjected to torture. Such efforts warrant scrutiny and condemnation. If assurances are obtained, there will be more deportations to these countries, probably to face torture, despite diplomatic assurances to the contrary. Hence the British government will be complicit in the torture and ill-treatment of individuals abroad. Thus an element of domestic policy (deporting refugees) will effectively become a part of foreign policy. Conversely, the deportations may be driven partly by foreign policy, as a means to silence dissent against oppressive regimes allied with the UK.