

Embarrassment: British Government Acknowledges Torture of Guantanamo Detainee by US Officials

Binyam Mohamed Torture Appeal Lost by UK Government

By [Global Research](#)

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BBC *The foreign secretary has lost an Appeal Court bid to stop the disclosure of secret information relating to the alleged torture of a UK resident.*

Ethiopian-born Binyam Mohamed, 31, says UK authorities knew he was tortured at the behest of US authorities after his detention in Pakistan in 2002.

Judges ruled that paragraphs which say his treatment was “cruel, inhuman and degrading” should be released.

David Miliband said the ruling was “not evidence that the system is broken”.

The judgement was delivered by the three most senior Court of Appeal judges in England and Wales.

Cruel and inhuman

Commenting on the case, the prime minister’s spokesman said the government stood firmly against torture and cruel and inhumane treatment.

Mr Mohamed’s lawyer, Clive Stafford-Smith, said the seven paragraphs were just “crumbs” and there was “a vast body of other information out there showing Binyam Mohamed was abused”.

“There’s really no denying that the British knew all about it,” he added.

The key details are contained in a seven-paragraph summary of what the CIA told British intelligence officials about Mr Mohamed’s treatment in 2002. These paragraphs have now been published on the Foreign Office website.

The paragraphs concern a period in which Mr Mohamed was being held by Pakistani interrogators at the behest of the US, who suspected him of having received firearms and explosives training from al-Qaeda in Afghanistan.

They say Mr Mohamed was intentionally subjected to continuous sleep deprivation, as well as threats and inducements, including playing on his fears that he would be passed on to another country.

London learnt that the stress brought on by these deliberate tactics was increased by him

being shackled during his interviews and that Mr Mohamed was eventually placed on suicide watch.

The court's judgement stated: "The treatment reported, if it had been administered on behalf of the United Kingdom would clearly have been in breach of [a ban on torture].

"Although it is not necessary for us to categorise the treatment reported, it could be readily contended to be at the very least cruel, inhuman and degrading treatment of BM by the United States authorities."

Following the ruling, Mr Miliband gave a statement to the House of Commons, saying he accepted the court's decision, but that the government's objection had never been about the seven paragraphs specifically.

"We have fought this case and brought the appeal to defend a principle we believe is fundamental to our national security – that intelligence shared with us will be protected by us," the foreign secretary said.

'Key partner'

"No-one likes to lose a case, but the force of the judgement is that it firmly recognises that principle."

He added: "This judgement is not evidence that the system is broken, rather it is evidence that the system is working and the full force of the law is available when citizens believe they have just cause."

US Secretary of State Hilary Clinton is believed to be "understanding" about the UK government's position after talking with Mr Miliband, the BBC has learned.

A US senior official has said the judgement "will complicate the confidentiality of our intelligence-sharing relationship with the UK" but the Federal Government is closed because of blizzard conditions and it is thought it will take sometime for the American Government to work out the implications of the lengthy judgement.

It is understood that the UK government would be surprised if intelligence sharing was seriously downgraded, but they are not yet sure of any practical consequences.

A senior US official told the BBC the administration was "deeply disappointed".

"As we warned, the court's judgement will complicate the confidentiality of our intelligence-sharing relationship with the UK, and it will have to factor into our decision-making going forward," he said.

He said the UK remained "a key partner" in the fight against terrorism and both sides would "need to redouble our efforts to work through this challenge".

It has emerged that a senior government lawyer, Jonathan Sumption QC, wrote to the Court of Appeal criticising the original wording of the judgement.

He argued it would be “exceptionally damaging” if published because it would give the impression “that the Security Service does not in fact operate a culture that respects human rights or abjures participation in coercive interrogation techniques”.

The passages to which Mr Sumption objected did not appear in the version of the judgement that was eventually published.

Shadow foreign secretary William Hague said Mr Mohamed’s alleged treatment was “utterly unacceptable”, adding: “These things – if true – are not only morally wrong, but harm our efforts to combat terrorists, play into the hands of their propagandists and weaken rather than strengthen our national security.”

Liberal Democrats spokesman Ed Davey called for a judicial inquiry to investigate “which ministers knew the US was using torture, what they did about it, and whether or not those ministers caused Britain to be complicit in torture”.

Last year, the High Court ruled that the seven paragraphs should be published as the risk to national security was “not a serious one” and there was “overwhelming” public interest in disclosing the material.

However, the summary was kept secret to allow the foreign secretary to appeal.

Mr Mohamed, an Ethiopian granted refugee status in Britain in 1994, was initially arrested in Pakistan in 2002 over a visa irregularity and was handed over to US officials. He was secretly flown to Morocco in 2002.

There, he says, he was tortured while interrogators asked him about his life in London – questions, he says, that could have come only from British intelligence officers.

Mr Mohamed was sent to the Guantanamo Bay detention facility, run by the US in Cuba, in 2004.

He was held there until his release without charge in February 2009, when he returned to the UK.

Human rights organisation Amnesty International UK said it welcomed the court’s decision as “another step toward accountability and transparency”, but that a full public inquiry was needed into allegations of British complicity in torture.

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