

# Potential Accountability for British Intelligence's Involvement in CIA Torture

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Global Research, August 28, 2023

[BLiTZ](#) 21 August 2023

Region: [Europe](#), [USA](#)

Theme: [Intelligence](#), [Law and Justice](#)

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*Recent developments suggest that British intelligence agents might finally face legal consequences for their lesser-known involvement in the CIA's global torture program. A tribunal responsible for intelligence oversight is turning its focus on scrutinizing Britain's foreign and domestic intelligence activities. A significant ruling from London's Investigatory Powers Tribunal (IPT) on May 26 has allowed complaints from two Saudis who were tortured at CIA black sites and imprisoned at Guantanamo Bay to be heard, albeit behind closed doors.*

Despite the British government's claims that the IPT, which examines misconduct by London's security and intelligence agencies, lacked jurisdiction in the cases of Mustafa al-Hawsawi and Abd al-Rahim Nashiri, the tribunal disagreed. The IPT recognized the gravity of the allegations, emphasizing the importance of establishing the truth if the claims are valid and asserting that it's in the public's interest to address these matters.

As a result of the ruling, the tribunal is now likely to review the complaint filed by Mustafa al-Hawsawi. He has remained in US custody since his capture in 2003, experiencing brutal treatment and subject to "enhanced interrogation" techniques, which have left him with severe injuries and ongoing health problems. Lawyers representing al-Hawsawi assert that British intelligence agents played a role in supporting and facilitating his torture.

Al-Hawsawi is among the small number of Guantanamo detainees charged in connection with the 9/11 attacks. The declassified summary of the U.S. Senate report on CIA torture revealed that he was held and abused despite doubts about his connection to terrorist threats. Lawyers contend that British intelligence contributed to the abuse, providing questions for interrogations and being privy to information obtained during these sessions.

Another detainee, Abd al-Rahim Nashiri, detained in 2002 due to his alleged involvement in

an al-Qaeda attack on the USS Cole in Yemen, was also subjected to torture and mistreatment. The UK's Rendition Project detailed the harrowing techniques inflicted upon him, including threats of sexual abuse, brandishing a pistol, and holding a cordless drill to his body. Nashiri's lawyers suggest that British intelligence had a specific interest in him, potentially explaining why the CIA's rendition flight refueled at Luton Airport during his transfer.

The British government's efforts to prevent legal action against MI5 and MI6 by Abu Zubaydah, a Guantanamo detainee subjected to extensive torture, add another layer to the controversy. British authorities argue that domestic laws don't apply to Zubaydah, and he should file his claim against the countries where torture occurred.

The 2018 report by the UK Parliament's Intelligence and Security Committee confirmed British intelligence's awareness of the mistreatment of Zubaydah at the hands of the CIA. Despite this knowledge, MI5 and MI6 continued to provide questions for his interrogators. The report also exposed that British agencies cooperated extensively with foreign liaison agencies in facilitating detainee capture, often turning a blind eye to the potential for torture.

The IPT's willingness to examine the complaints of al-Hawsawi and Nashiri provides an opportunity for the public to gain insight into the potential role of British intelligence in facilitating the CIA's torture program. The circumstances surrounding these cases raise concerns about the ethics and accountability of intelligence agencies, especially when cooperation with foreign partners results in human rights abuses.

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