

ACTION SS-00

INFO	LOG-00	AID-00	ACQ-00	<input type="checkbox"/>	INL-00	DODE-00	DOFE-00	
	PERC-00	DS-00	EAP-00	EB-00	EUR-00	FAAE-00	FBIE-00	B3 OTHER
	VCI-00	H-00	TEDE-00	INR-00	IO-00	MOFM-00	MOF-00	
	VCIE-00	DCP-00	NSAE-00	NSCE-00	NIMA-00	PM-00	DOHS-00	
	FMPC-00	SP-00	IRM-00	SSO-00	NCTC-00	EPAE-00	PMB-00	
	DSCC-00	PRM-00	G-00	SAS-00	FA-00	DHSE-00	SWCI-00	

/000W

-----6AA22F 121750Z /38

O 121744Z JAN 07
 FM AMEMBASSY LONDON
 TO SECSTATE WASHDC IMMEDIATE 1269
 S E C R E T LONDON 000152

RELEASED IN PART
 B3, NSA50, NR, B1, 1.4(B), 1.4(D)

NOFORN

FOR SECRETARY RICE FROM AMBASSADOR TUTTLE

E.O. 12958: DECL: 01/12/2017
 TAGS: PREL, MARR, UK
 SUBJECT: SCENESETTER FOR SECRETARY RICE'S VISIT TO LONDON,
 JANUARY 18-19, 2007

- REF: A. 2006 LONDON 8361
- B. LONDON 127
- C. 2006 LONDON 8428
- D. LONDON 104
- E. LONDON 52
- F. LONDON 106

Classification Extended ~ Class: SECRET ~ Reason: <input type="checkbox"/> 1.4 (b,d) ~ Declassify on: 1/12/2032

Classified By: Ambassador Robert H. Tuttle, Reason 1.4 B, D



NR

REVIEW AUTHORITY: Martin McLean, Senior Reviewer
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Guantanamo

7. (S/NF) The Guantanamo detainee issue continues to play badly here. British and international NGOs marked the fifth anniversary of the opening of the camp by holding a candlelight vigil in front of Parliament, and a demonstration of several hundred protestors in front of the Embassy in which about a hundred people clad in orange jumpsuits enacted what they believe to be torture suffered by the detainees. There are currently eight British residents (not citizens) at Gitmo; the UK wants to bring back Bishar al-Rawi, [redacted]

B1



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Visit London's Classified Website:
<http://www.state.sgov.gov/p/eur/london/index.cfm>
Johnson

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ACTION SWCI-00

INFO	LOG-00	EEB-00	AF-00	AID-00	<input type="checkbox"/>	INL-00	DNI-00	B3 OTHER
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	GIWI-00	SCT-00	DOHS-00	FMPC-00	SP-00	SSO-00	SS-00	
	TRSE-00	NCTC-00	ASDS-00	CBP-00	EPAE-00	DSCC-00	PRM-00	
	DRL-00	G-00	NFAT-00	SAS-00	FA-00	/001W		

-----9A613F 281620Z /38

O 281558Z MAR 07
 FM AMEMBASSY LONDON
 TO SECSTATE WASHDC IMMEDIATE 2693
 INFO EUROPEAN POLITICAL COLLECTIVE
 AMEMBASSY BEIJING
 AMEMBASSY CANBERRA
 AMEMBASSY NIAMEY
 AMEMBASSY NOUAKCHOTT
 NSC WASHDC

RELEASED IN PART
 B3, NSA50, NR, B1, 1.4(B), 1.4(D)

S E C R E T LONDON 001199

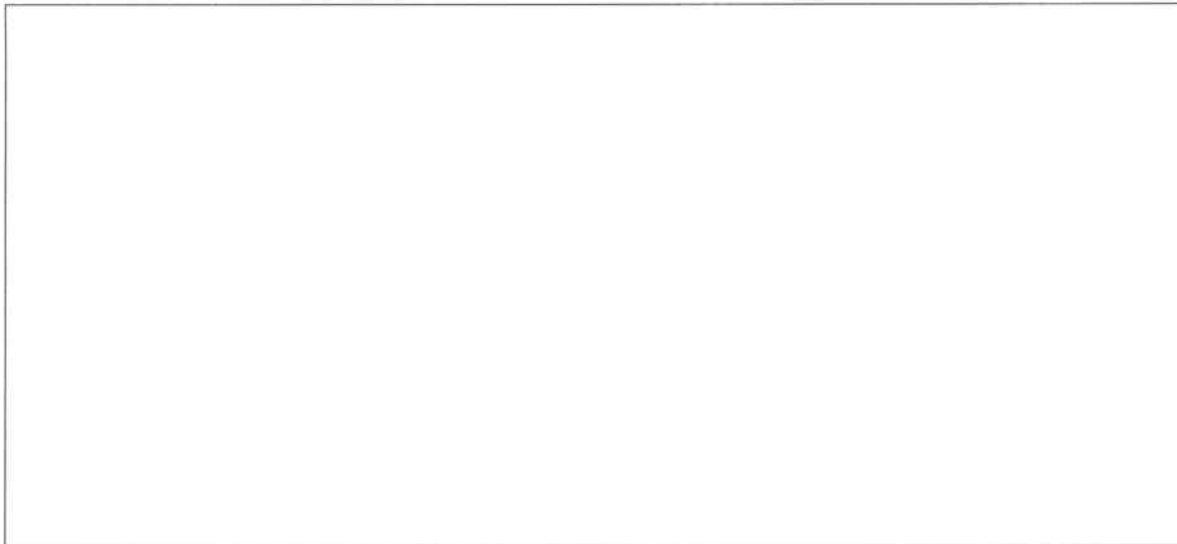
Classification Extended DSCG ~ Class: SECRET ~ Reason: <input type="checkbox"/> 1.4(b,d) ~ Declassify on: 3/28/2032
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DEPT FOR S/WCI AMB. WILLIAMSON AND EUR - NERISSA COOK

E.O. 12958: DECL: 03/28/2017
 TAGS: PREL, PGOV, PTER, PHUM, PINR, UK
 SUBJECT: RESETTLEMENT OF GUANTANAMO DETAINEES: UK RESPONSE

REF: STATE 37005

Classified By: Deputy Chief of Mission David T. Johnson for reasons 1.4
 (b,d)

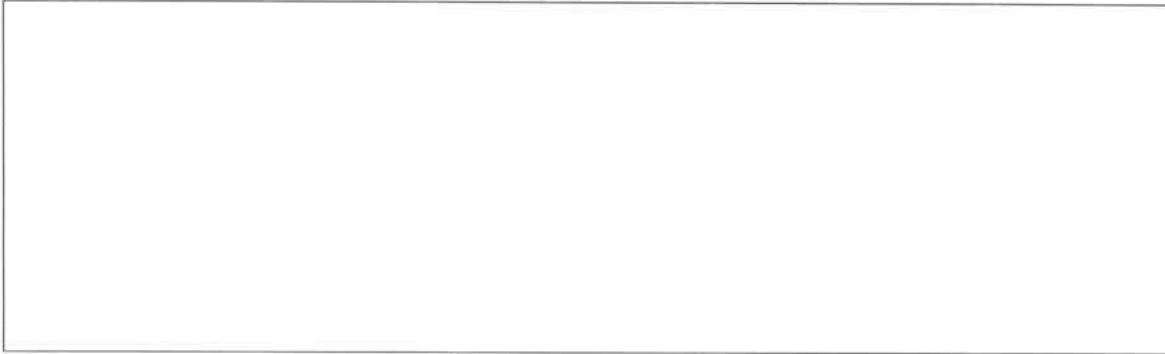


NR


REVIEW AUTHORITY: Martin McLean, Senior Reviewer
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UNCLASSIFIED

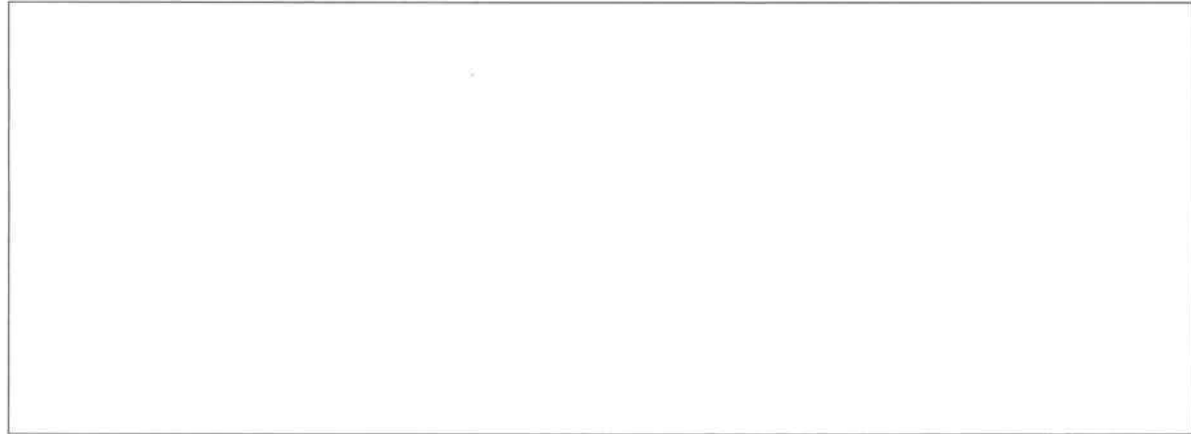
NR



B1

 Guantanamo detainee Al-Rawi will be transferred to the UK, at the FCO's request, on March 30. This, and the transfer of Australian citizen (with possible claim to UK citizenship) David Hicks to Australia, will be the next milestones for HMG. Post will revisit British policy toward further resettlement of Guantanamo detainees after these events have transpired. A useful tool when looking at HMG's posture toward resettlement would be releasable data on the other British residents (like Al-Rawi) still detained at Guantanamo. Post requests Department's assistance in obtaining that information.

B1



NR

Visit London's Classified Website:
<http://www.state.sgov.gov/p/eur/london/index.cfm>
Tuttle

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ACTION NODS-00

INFO LOG-00 CCOE-00 SAS-00 /000W
-----AF34E8 251027Z /38

O 250954Z APR 07
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 3125

RELEASED IN PART
B1, 1.4(B), 1.4(D)

S E C R E T LONDON 001544

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DEPT FOR S/WCI - WILLIAMSON, L - BELLINGER, AND EUR - FRIED
ONLY

E.O. 12958: DECL: 04/19/2017
TAGS: PGOV, PREL, PTER, UK
SUBJECT: (S/NF) HOW TO GET BRITAIN TO TAKE MORE GUANTANAMO
DETAINEES

REF: A) LONDON 1199 B) STATE 43389 C) LONDON 12833

Classified By: Ambassador Robert H. Tuttle for reasons 1.4 (b,d)

1. (U) This cable contains an action request. Please see
paragraph 6.

[Redacted]

B1

[Redacted]

B1 B1

Please advise
whether the USG would consider releasing these individuals
for transfer, and whether we can share information on these
detainees with HMG in order to move forward HMG consideration
of this option.

B1

[Redacted]

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

UNCLASSIFIED

B1

B1

[Redacted]

After the return of Guantanamo detainee Al-Rawi to the UK at the end of March, we put the number of UK residents (i.e., non-UK citizens who hold residency claims in the UK) in Guantanamo at eight.

B1

5. (S/NF) HMG policy toward Guantanamo and its obligations to residents will likely be subject to review as HMG transitions from a Blair administration to (a likely) Brown administration, an event likely to take place between late June and to the end of August. The Blair government suffered some embarrassment over Al-Rawi's detention, whose alleged working relationship with the British security services (MI5) has been made public. There is sure to be increased pressure from the public and parliament on HMG to exert the same effort expended on Al-Rawi on the other residents held in Guantanamo.

B1

UNCLASSIFIED

6. (S//NF) It is the stated goal of HMG and the Prime Minister to seek the eventual closure of Guantanamo. The Embassy believes that HMG, although unwilling to take on nationals with no ties to the UK, could be persuaded to take back its own former residents: an act which would serve its stated interests. Depending on the current threat posed by the former UK resident detainees, it could also serve ours. If we can share threat information on the UK resident detainees being held in Guantanamo and indicate the USG is prepared to discuss the possible transfer of these detainees, subject to satisfactory and agreed security mechanisms, we

can move forward on this potentially shared interest. This would allow HMG to review the security threat of each individual, to develop an appropriate set of restraints against that threat should the individuals be returned, and determine whether the program required - in light of competing security resource priorities - is appropriate and achievable. It could also give those who will inform ministers the green light to put such an option before them. Please advise.

Visit London's Classified Website:

<http://www.state.gov/p/eur/london/index.cfm>

Tuttle

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ACTION EUR-00

INFO	LOG-00	EEB-00	AID-00	AMAD-00	<input type="text"/>	INL-00	DOEE-00	B3 OTHER
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	NEA-00	NSAE-00	NIMA-00	OPR-00	PA-00	PM-00	GIWI-00	
	SCT-00	DOHS-00	SP-00	SSO-00	SS-00	TRSE-00	NCTC-00	
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	G-00	SAS-00	FA-00	SWCI-00	/001W			

-----001E7E 281531Z /38

O 281506Z AUG 07
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 TO SECSTATE WASHDC IMMEDIATE 5119
 INFO NSC WASHDC IMMEDIATE
 SECDEF WASHDC IMMEDIATE
 JCS WASHDC IMMEDIATE
 EUROPEAN POLITICAL COLLECTIVE
 AMEMBASSY AMMAN
 AMEMBASSY RIYADH

RELEASED IN PART
NR, B1, 1.4(B), 1.4(D), B3, NSA50, B6

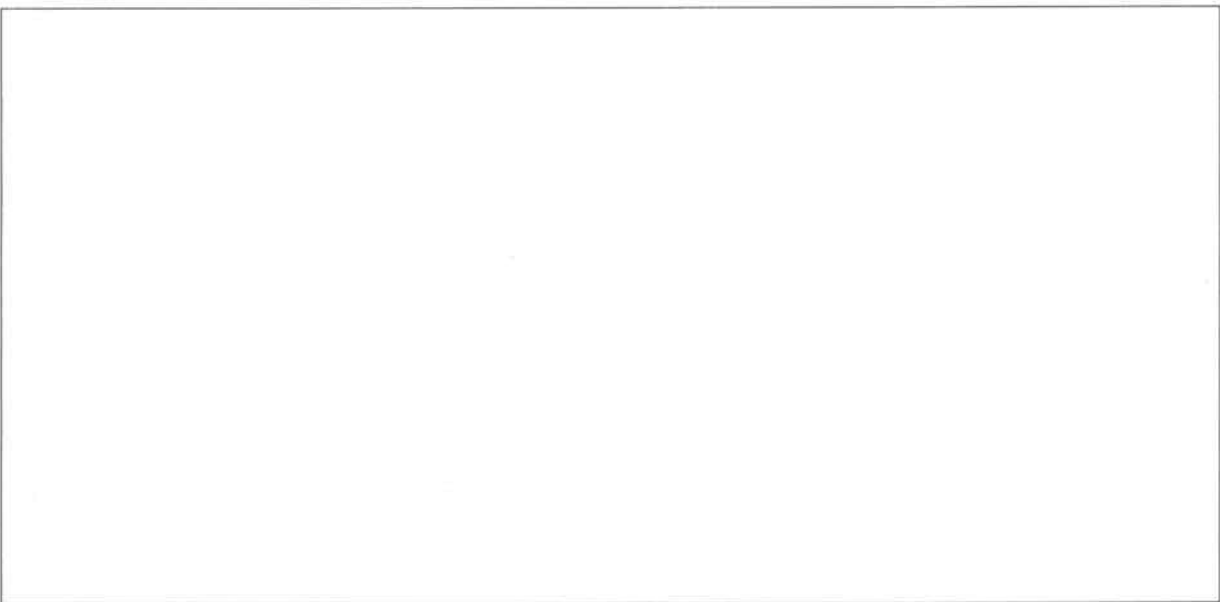
S E C R E T LONDON 003302

NOFORN

E.O. 12958: DECL: 08/22/2027
 TAGS: PREL, PTER, PHUM, UK
 SUBJECT: DISCUSSIONS WITH THE FOREIGN OFFICE ON BRITISH
 REQUEST FOR GUANTANAMO DETAINEES

REF: (A) LONDON 3111 (B) LONDON 3264

Classified By: Charge d'Affaires Richard LeBaron for reasons 1.4 (b,d)



B1

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

UNCLASSIFIED

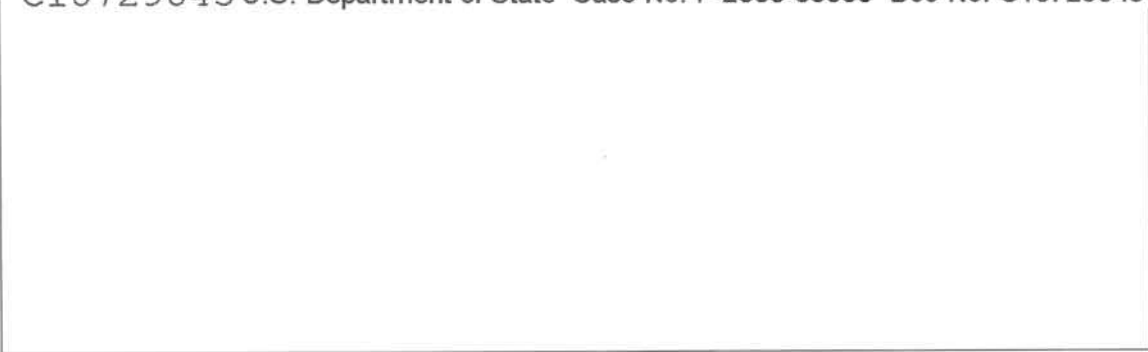
2. (U) S/WCI Ambassador Williamson, Charge, and Poloff met August 21 with

B6

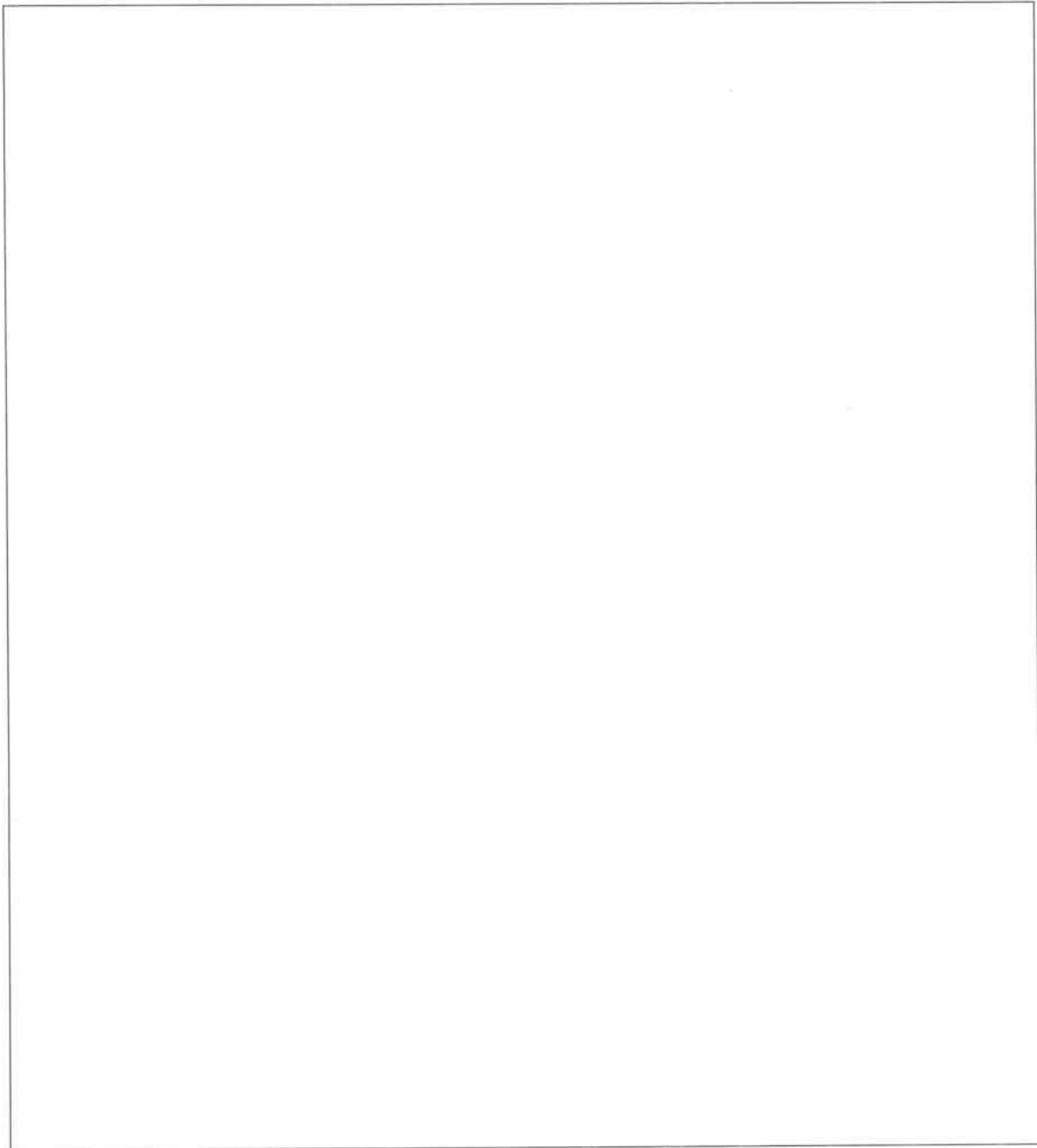
B1

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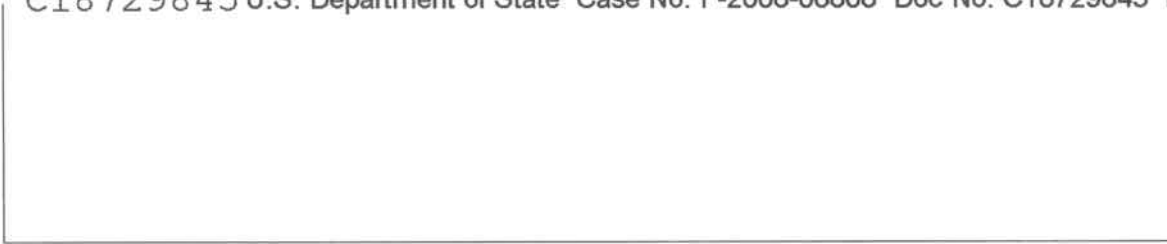


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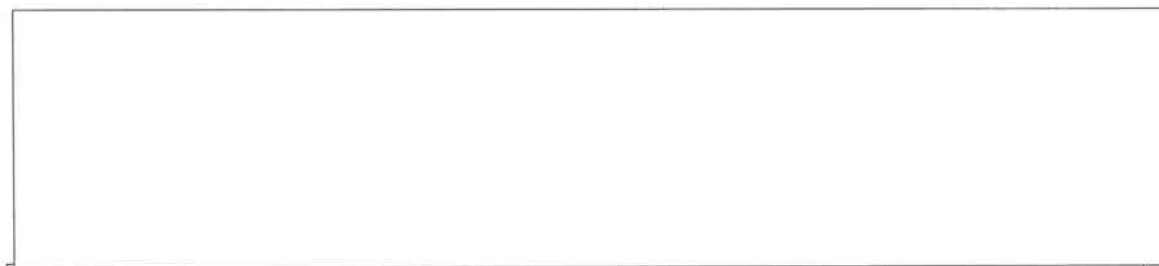
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NR



NR



LeBaron

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ACTION EUR-00

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	NEA-00	NSAE-00	ISN-00	NIMA-00	OPR-00	PA-00	GIWI-00	
	SCT-00	ISNE-00	DOHS-00	SP-00	SSO-00	SS-00	TRSE-00	
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-----3071B4 211251Z /38

O 211248Z NOV 07
 FM AMEMBASSY LONDON
 TO SECSTATE WASHDC IMMEDIATE 6379
 INFO EUROPEAN POLITICAL COLLECTIVE
 AMEMBASSY RIYADH
 HOMELAND SECURITY CENTER WASHINGTON DC
 JCS WASHDC
 NSC WASHDC
 SECDEF WASHDC

RELEASED IN PART
 B1, 1.4(B), 1.4(D), B3, NSA50, NR

S E C R E T LONDON 004320

NOFORN

E.O. 12958: DECL: 11/16/2017
 TAGS: PGOV, PREL, PTER, PHUM, SP, UK
 SUBJECT: GUANTANAMO: S/WCI WILLIAMSON AND BRITISH
 OFFICIALS DISCUSS TRANSFER OF DETAINEES AND EUROPEAN
 ATTITUDES

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

REF: (A) OSBOURNE - RICCI/PADMANABHAN/SCHULZ NOVEMBER
 16 E-MAIL

Classified By: Political Minister Counselor Maura Connelly for reasons
 1.4 (b,d)



B1

Classification Extended on : 01/31/2012 ~ Class: SECRET ~ Authority: DSCG 11-1 ~ Declassify on: 11/21/2032

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B1

NR

(C) Discussions on Detainee Transfer

2. (S/NF) S/WCI Ambassador Williamson, accompanied by his staffer Matthew Lavine and Poloff, met November 16 with FCO Director of Defence and Strategic Threats Simon Manley and FCO Counter Terrorism Policy Department Guantanamo officer Nicola Freedman.

B1

B1

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NR

[Redacted]

B1

[Redacted]

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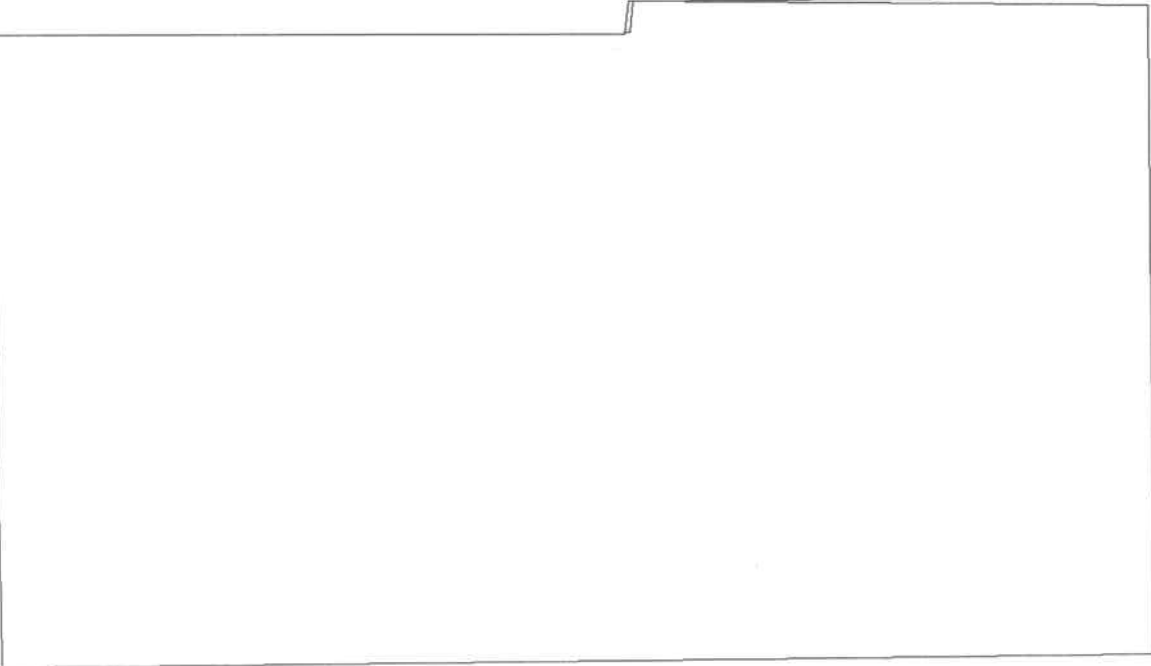
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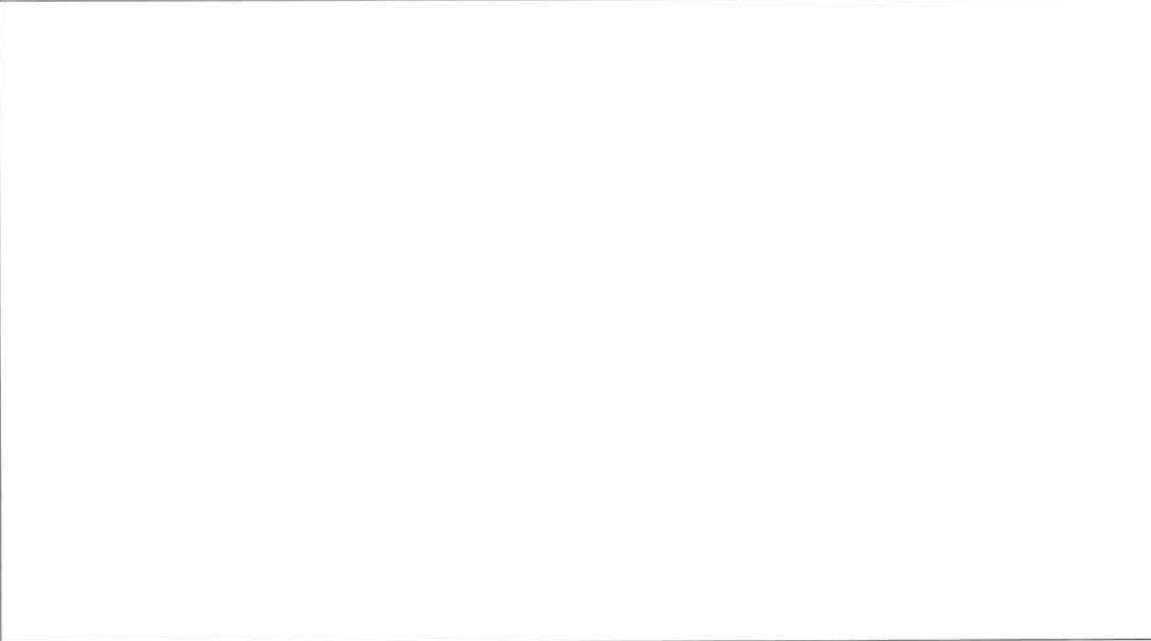
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B1



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Tuttle

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ACTION DS-00

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	VCI-00	H-00	TEDE-00	INR-00	IO-00	LAB-01	MOFM-00	
	MOF-00	VCIE-00	DCP-00	NSAE-00	OIC-00	OMB-00	NIMA-00	
	PA-00	MCC-00	PM-00	GIWI-00	SCT-00	DOHS-00	FMPC-00	
	IRM-00	SSO-00	SS-00	STPD-00	TRSE-00	NCTC-00	ASDS-00	
	CBP-00	SCRS-00	PMB-00	DSCC-00	PRM-00	DRL-00	G-00	
	SCA-00	SAS-00	FA-00	SWCI-00	/001W			

-----511F9F 241620Z /38

P 241615Z JAN 08
 FM AMEMBASSY LONDON
 TO SECSTATE WASHDC PRIORITY 7119
 INFO EUROPEAN POLITICAL COLLECTIVE
 AMEMBASSY BOGOTA
 AMEMBASSY COLOMBO
 AMEMBASSY KHARTOUM
 AMCONSUL BELFAST
 NSC WASHDC
 USMISSION USUN NEW YORK
 USMISSION UN ROME
 USMISSION GENEVA

RELEASED IN PART B3 NSA,1.4(D)

C O N F I D E N T I A L LONDON 000222

DEPT FOR DS, AF, S/WCI, L, S/CT AND EUR

E.O. 12958: DECL: 01/22/2018
 TAGS: PREL, PGOV, PTER, PHUM, KISL, SU, CE, AG, NO, UK
 SUBJECT: HOME SECRETARY LAUNCHES KING'S COLLEGE CENTER ON
 RADICALIZATION

REF: REF:07 LONDON 4471

Classified By: Political Minister Counselor Maura Connelly for reasons 1.4 (b,d)

1. (C) Summary: Home Secretary Jacqui Smith gave the keynote address as London's King's College launched its Center for the Study of Radicalization and Political Violence with a conference January 17-18. HMG officials described her remarks as "a detailed presentation of what HMG is doing to prevent radicalization" but security journalists thought it "revealed nothing new." Smith hinted that Prime Minister Brown would bring new counterterrorism legislation before Parliament soon, but not reveal any detail on the proposed legislation (Note: Smith is to present the legislation to Parliament January 24. End note). Speaking at the

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

C18729849 U.S. Department of State Case No. F-2008-06808 Doc No. C18729849 Date: 06/13/2014
conference, former head of MI6 Sir Richard Dearlove said HMG's "Prevent" policy (preventing radicalization to terrorism) was ambitious; he questioned the ability of the government to fulfill its goals and emphasized the need to engage in a theological debate to counter extremism. Former UN High Commissioner for Human Rights Mary Robinson addressed human rights issues and was critical of U.S. detention and rendition policy. Privately, we informed Robinson of the recent transfer of Guantanamo detainees to the UK and asked her to keep such transfers in mind when discussing Guantanamo with European officials. Two British Muslims explained how they had been radicalized; one of them knew the Glasgow Airport terrorists, the other Bin Laden. CNN journalist Peter Bergen said the shooting in Sudan of a USAID official was the work of Al Qaeda and that he believes the risk of terror attacks on humanitarian workers in Darfur will increase. Former national leaders from Ireland, Norway and Colombia gave their views on whether governments should negotiate with terrorists to end violence. End Summary.

Home Secretary's Address

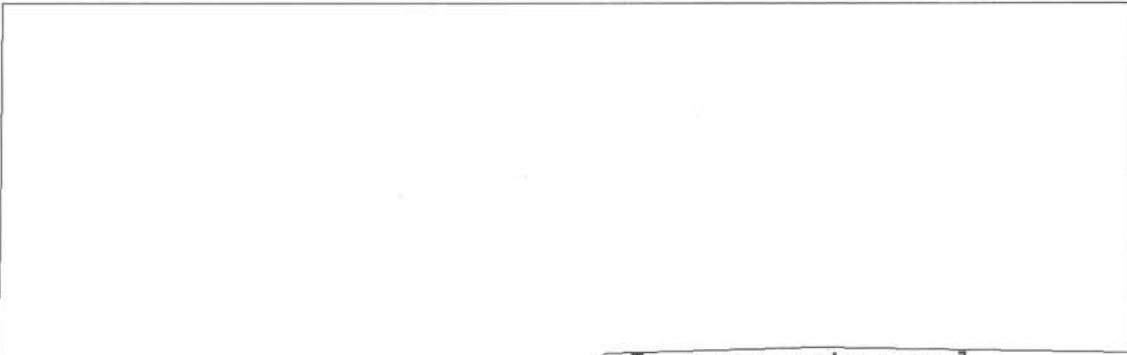
2. (C) Home Secretary Jacqui Smith gave the keynote address at the conference convened by King's College, which has opened a "Center for the Study of Radicalization and Political Violence" in conjunction with other universities world-wide, including the University of Pennsylvania. Smith's remarks were widely previewed in the British press where it was suggested she would unveil new plans to stop radicalization via the internet. As it turned out, this headline was exaggerated. Smith declared that violent jihadist propaganda on the net should be removed and referred to successful British efforts to bring charges against pedophiles for their use of pedophilia sites, but she did not provide specific details on how the Home Office intends to stop radicalization and recruitment to extremism via the internet.

3. (C) Smith's speech was a detailed explanation of HMG's counterterrorism policy. She emphasized the need to increase work under the "Prevent" (preventing radicalization) stream of the policy (known as "Contest"), called on the public to do its part in this endeavor and explained how HMG is seeking to expand its efforts by embedding "Prevent" work in local government authorities and through the "soft delivery" agencies of the Government. She spoke at length about the need for the education system and other social sectors of the Government to counter radicalization through outreach programs to all local communities and training programs for

scale to spot radicalization. Her call to academia to report on individuals suspected of becoming terrorists or of radicalizing others was delivered with the caveat that she did not intend to muzzle free speech. Smith was less willing to preserve freedom of association. Delineating the depth of planning HMG has undertaken on the "Prevent" agenda, Smith explained how the Metropolitan Police has been tasked to counter radicalization by bringing back the old "bobby-on-the-beat" practices. Likewise, she mentioned HMG's efforts to stimulate self-regulation from the Mosques and Imams through the nascent MINAB association (ref a). In her remarks, Smith said HMG intended to increase powers to stop terrorism and hinted that Prime Minister Brown would bring forward new terror legislation in the near future. She did not provide any of the detail to be contained in the legislation, such as for how long the Government would seek to expand the legal period for detention without charge of

terrorism suspects. (Note: In the event HMG has proposed extending from 28 to 42 days the length of detention without charge for terrorism suspects. End note.)

Mixed Views on Remarks



1.4(D)

In a separate panel discussion after Smith's remarks, former head of MI6 (the overseas intelligence agency) Sir Richard Dearlove ("C" from 1999 - 2005), said he thought HMG's counterterrorism goals were good ones, if "ambitious." Dearlove, who also went on record at the conference to state categorically that Iraq had not possessed WMDs in advance of the 2003 invasion, said he was not certain HMG could deliver on its ambitions and raised what he thought was central to addressing the challenge of radicalization -- meeting it head on "theologically."

Human Rights - Guantanamo

5. (C) At a session of the conference dedicated to Human Rights, Terry Davis of the Council of Europe criticized USG rendition and detention policy. He was followed by former Irish President and UN High Commissioner for Human Rights Mary Robinson who delivered more lucid and contemporary remarks, but those remarks also contained criticism of USG detention policy at Guantanamo. Robinson's remarks were cast as part of a broader call for a renewed international commitment to universal human rights. She said she was working to advance that cause this year, on the 60th anniversary of the Universal Declaration of Human Rights. In a private conversation, Poloff asked Robinson if she was aware of the transfer of three detainees formerly held in Guantanamo Bay facilities to the United Kingdom in December, 2007 at the request of the HMG. Poloff asked Robinson to consider that the situation was not static in her future remarks in front of other European audiences.

1.4(D)

Stories of Radicalization

6. (C) British national Shiraz Maher, who knew one of the Glasgow bombers, and Algerian Abdullah Anas, who fought as a mujahid in Afghanistan, gave accounts of their own radicalization. Maher, of Pakistani ethnic origin but born in Britain, said he had spent time in the company of Hizb-ut-Tahir members as the organization proselytized on British campuses. Maher said he had never joined H-u-T. He viewed the organization as being responsible for "setting the mental framework" for young British Muslims of Pakistani origin to hold themselves apart from British society. Maher claimed to have known one of the Glasgow airport bombers who, he said, had not been radical in his teens but had become more radicalized over time. Maher attributed the phenomena of "homegrown radicalization" in Britain to the espousal of extremist views by prominent preachers in the UK in the 1990s. They were the (now well-known) preachers from the Middle East -- e.g. Abu Hamza and Abu Qatada -- who are now in prison in Britain or elsewhere. Maher said it was the second and third generation British youth of Pakistani and Bangladeshi background who were inculcated with extremist views. It was now this population, not imams or preachers from the Middle East, who continued to hold and spread extremist views in Britain. Maher did not say why he moved away from extremism. He said that he and Ed Hussein, author of *The Islamist*, planned to create a website to promote views countering the extremist message being embraced by some of Britian's Muslim youth. Maher claimed only the likes of himself and Hussein would be able to counter the radicalizing

7. (C) Abdullah Anas said he had gone to fight in Afghanistan in the 1980s with the "promise of Paradise" foremost in his mind. Anas said his mindset at the time was that there was a war between Islam and the West (in this case the Soviet Union), and that it was only when he arrived in Kabul after the Soviets were driven out that he began to see the world, and politics, in a more complex light. Once he witnessed factionalism in Afghanistan, with Muslim fighting against Muslim, he began to question his own views and actions. Anas knew Usama Bin Laden well in the early 1990's but had come to view Bin Laden as a man "whose mind had been poisoned" by the more extremist views of others. Now residing in London as a political asylee and British national, Anas maintains some tie to the Algerian political party, the Islamic Salvation Front. When he was confronted with the conflict within Algeria, "where Sunni fights with Sunni," Anas became even more aware that his original viewpoint, that Islam was under attack from the West, was far from the political reality of his own country. Anas said it was his changing understanding of the political realities in Muslim countries which moved him away from contact with, and sharing the views of, Usama bin Laden and what became Al Qaeda.

Bergen Attributes Sudan killing to AQ

8. (C) CNN Terrorism correspondent Peter Bergen, who has met Usama Bin Laden and written two books about him, told the conference he believed Al Qaeda was responsible for the killing of a USAID official in Khartoum. Bergen said Usama Bin Laden had called for a "long war" in Sudan in his remarks of April, 2006 and Bergen viewed the murder in Khartoum as a product of Bin Laden's remarks. Bergen takes the general view that AQ's actions can be predicted by the subtext in Usama Bin Laden's messages, that is, the specific directives he issues beyond the general statements he makes espousing antagonism to Western powers, Zionism or the Crusades. Bergen said he also believes that humanitarian workers engaged in relief efforts in Darfur are at an increased risk of attack from Al Qaeda. Poloff spoke with Bergen to ask about his views and whether Bergen had shared them with the Department or the UN. Bergen said the USAID official was killed after the first day of the transfer of authority to the UN peacekeepers in Sudan and that this, to him, was evidence of AQ's planned involvement in the killing. Bergen said he had written a report which he shared with the

Negotiating with Terrorists:

Irish; Sri Lanka; Colombia Models

9. (C) The conference included a panel on "getting to the end game" of terrorism and stopping political violence. Former leaders of Ireland, Norway, Colombia and Canada participated. The guests acknowledged that their experience of terrorism and terrorist organizations was distinct from the threat of AQ-led, or inspired, terrorism the subject to which the bulk of the conference was dedicated. Former Irish PM Garret FitzGerald went further, arguing that the Northern Ireland experience was sui generis. He described it as unique in that it was "a conflict in which two governments had an interest" (the Irish and the British) and described his view of history. He said the interests of the Government of Ireland had changed over time -- from staking a claim to Northern Ireland -- to wanting, above all, to keep HMG from a precipitous pull-out. That change in interests, said FitzGerald, also had to be kept secret. He said one of the greatest challenges of the period was waiting for HMG to realize that the British Government and the Irish Government shared the same goal. He said a key to the process was isolating the IRA and changing the reward system for their behavior. He lamented the egregious behavior of British authorities and British military in aiding and abetting Protestant paramilitary behavior but he also praised PM Tony Blair for putting in the years of hard work which made possible the current political arrangement.

10. (C) Former Norwegian Prime Minister Kjell Magne Bondevik spoke about Norwegian efforts to broker a peace-deal in Sri

Lanka. He said that, ultimately, Norway had been able to "establish a cease-fire" but not a peace agreement. He attributed this to the leadership of the LTTE being solely a "military organization," unwilling or unable to conceive of a political goal. Bondevik said "the LTTE is extremely hierarchical" and has "no democratic tradition" which made it difficult, if not impossible, for the LTTE to behave as a political organization. Bondevik spoke briefly about Norway's role in the Oslo Accords, when a member of the audience asked about the role of "spoilers" to a peace process, arguing that Hamas had been the spoiler to Oslo (which Bondevik neither confirmed nor denied). Pointing to

Norway's initial contacts with Arafat and the PLO as well as with the LTTE, Bondevik advocated that governments develop contacts with terrorists, arguing that a cease-fire or a political agreement could not be reached without doing so and that to speak with them was not to agree with them. He said this had been done in Oslo via "informal contacts" which all parties had agreed were not formal.

11. (C) Former Colombian President Andres Pastrana spoke of his personal decision to meet with the head of the FARC. In what he called "the greatest drama of my life," Pastrana had been kidnapped by terrorists. He added that the real penalty for his efforts had been the loss of his own political power when the FARC failed to make any accommodation to advance a cease-fire or peace deal before the Colombian people lost faith in the process and in Pastrana's capacity to broker a peace plan. Despite the loss of the Presidency, Pastrana said his decision to meet with the FARC was the right one. He also praised Plan Colombia and lamented the hold narcotrafficking has on Colombia's economy, saying that, if it were listed on the Fortune 500, the cocaine trade would outrank Disney, Coca Cola, and Microsoft in monetary value. Pastrana told his audience that 50 representatives in Colombia's congress are in prison on corruption charges and he expects this number to rise.

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<http://www.state.gov/p/eur/london/index.cfm>

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REVIEW AUTHORITY: Martin McLean, Senior Reviewer

E.O. 12958: DECL: 05/16/2018
TAGS: PREL, PGOV, PTER, PHUM, UK
SUBJECT: BRITISH GOVERNMENT LETTER REGARDING GUANTANAMO
DETAINEE BINYAM MOHAMED'S ALLEGATIONS OF TORTURE

REF: (A) LONDON 29 (B) LONDON 646

Classified By: Political Counselor Richard Mills, Jr. for reasons 1.4 (b,d)

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Classification Extended on :2/2/2012 ~ Class: CONFIDENTIAL ~ Authority: DSCG 11-1 ~ Declassify on:5/19/2033

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ATTACHMENTS; LETTERS FROM CLIVE STAFFORD SMITH

4. (U) STAFFORD SMITH LETTER ONE

December 9, 2007

Rt. Hon. David Miliband
Secretary of State
Foreign & Commonwealth Office
c/o House of Commons
1 Parliament Street
London SW1A 2NE

Re: Photographic evidence of the
Use of Torture against Binyam Mohamed

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Dear Mr. Miliband,

I am writing concerning Binyam Mohamed, the British resident from Kensington who the U.S. apparently plans to continue holding in Guantanamo Bay and who I am here representing in his habeas corpus proceedings.

I should say first that I appreciate your government's support for Reprieve's clients in Guantanamo, and I know that your colleagues are working to secure justice for Mr. Mohamed. There are several matters of urgent concern but this is so fundamental that it merits a separate letter.

As you know, the only purported basis for the US holding Mr. Mohamed is an allegation that he is an ('illegal') enemy combatant. Five and a half years after his initial seizure, he is not currently charged in a military commission (the proceeding deemed 'kangaroo courts' by Lord Justice Steyn and properly rejected categorically as unfair by your government), and he has never been offered a fair trial.

As you are aware, Mr. Mohamed was rendered to Morocco by the Central Intelligence Agency and tortured for 18 months in a way that was medieval. There can be no rational dispute that this is true. We have the CIA flight records which precisely match Mr. Mohamed's version of events. He has nothing to do with Morocco, and he was not taken there by the CIA for a Club Med vacation.

Mr. Mohamed was supposedly found to be an 'enemy combatant' at a Combatant Status Review Tribunal (CSRT) in 2004. These are proceedings that fall even further short of basic due process than the military commissions - holding people based on secret allegations, and admitting torture evidence. He strongly repudiates this finding as false.

I have been privy to materials that allegedly support the finding that Mr. Mohamed should be held, and while I cannot discuss some here (due to classification rules), I can state unequivocally that I have seen no evidence of any kind against Mr. Mohamed that is not the bitter fruit of torture.

In this regard, one, the U.S. has not complied with its most basic obligations under the Convention Against Torture. Under Article 15, the United States 'shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made.' United Nation

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Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, art. 15, Apr. 18. 1988, Sen. Exec. Rpt. 101-30, 1465 U.N.T.S. 85 (ratified Oct. 21, 1994).

The US concedes that this applies to any CSRT finding. 'Article 15 of the Convention is a treaty obligation of the United States, and the United States is obligated to abide by that obligation in Combatant Status Review Boards and Administrative Review Boards.' U.S. Dept. of State, Legal Advisor John B. Bellinger III, US. Delegation Oral Responses to Article 15 Committee Questions, Geneva, Switzerland (Question 42) (May 5, 2006) (available at <http://www.state.gov/g/drIfrlsl>).

Given the opportunity, we can prove that the evidence was the fruit of torture. Indeed, we can prove that a photographic record was made of this by the CIA. Through diligent investigation we know when the CIA took pictures of Mr. Mohamed, s brutalized genitalia. We know the identity of the CIA agents who were present including the person who took the pictures (we know both their false identities and their true names), and we know what those pictures show.

We will be seeking the agents, prosecution as a party to these savage events. You will have heard in the past week the news of the CIA cover-up, whereby the CIA is destroying photographic evidence of crimes committed in violation of the CAT. Presumably this illegal policy will include destruction of the pictures in Mr. Mohamed, s case.

I am therefore requesting that you urgently make the following representations to the US:

One, that they preserve evidence of crimes committed against Mr. Mohamed, as required by law.

Two, that they immediately comply with the Convention Against Torture by allowing a new CSRT where there are adequate charges, where the evidence is not secret, and where his lawyers are permitted to challenge the torture evidence used against him.

Three, that he not be subjected to a military commission procedure that your government has condemned, and that itself violates the CAT.

I am also asking that you seek the assistance of the Attorney

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----- -- negotiate directly with the US, as Lord Goldsmith did under identical circumstances with our earlier two British clients, Moazzam Beg and Feroz Abbasi.

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I realize how shocking it is that the closest ally of the UK has been committing this kind of crime. I am copying this letter to the US authorities, as it is well past time that these crimes came into the light of day.

I would be grateful for an urgent reply.

Yours sincerely

Clive Stafford Smith

cc. (by e-mail) Simon Mustard, British Embassy
Lt. Col. Yvonne Bradley, USAF
Prof. Joseph Margulies
Hon. Condoleeza Rice, Secretary of State
Hon. Robert Gates, Secretary of Defense

STAFFORD SMITH LETTER TWO

5. (U) December 17. 2007

Rt. Hon. David Miliband
Secretary of State 1
Foreign & Commonwealth Office
c/o House of Commons
1 Parliament Street
London SW 1A 2NE
By Fax & I-land: 020 72194780

Re: Mental Health deterioration of Binyam Mohamed

Dear Mr. Miliband,

There is an urgent need for humanitarian intervention on behalf of Binyam Mohamed, the British resident from Kensington who the U.S. apparently plans to continue holding in Guantanamo Bay, and who I am representing in his habeas corpus proceedings.

As we hope to see three British residents home in the next few days, Mr. Mohamed's plight becomes ever more stark. I am sure that you are aware that Mr. Mohamed has suffered torture and abuse by U.S. foederati in Pakistan and Morocco. and by U.S. personnel themselves in the Dark Prison of Kabul and in

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by itself. That the Bush Administration continues to deny its role in the torture and inhuman treatment of prisoners such as Mr. Mohamed is, sad to say, simply dishonest.

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To give you just a taste of what Mr. Mohamed has been through:

He was abused in mans, ways in Pakistan, including being interrogated with a gun to the head.

He was abused for 18 months in Morocco, his torture running the gamut from a razor blade to his genitals, to extended periods of forcible drug administration.

He was subjected to five months of torture in the Dark Prison in Kabul, including cacophonous noise for 24 hours a day in a freezing Afghan winter, psychological abuse that was designed to deprive him of his sanity.

These three brief paragraphs do not begin to describe the horrors that Mr. Mohamed endured in 29 months almost 900 days and nights of torture. Once he got to Guantnamo Bay, far from receiving the palliative care that this history of torture would call for, he has faced on-going mistreatment -- held in solitary confinement in a Supermax prison, physically abused, and deprived of any meaningful treatment. Please do not let the U.S. military public relations delude anybody, as the prison he is in is harsher than any of the many Death Row prisons I have visited in the past 25 years.

Commonsense suggests what the expert treatises confirm: That anyone who has been through this would suffer from some variation of torture victim syndrome. Sadly, this is true in Mr. Mohamed,s case. He exhibits all of the classic signs of someone who has been through such abuse.

The urgency is underlined today because Mr. Mohamed has been repeatedly smearing his cell walls with faeces. This is not because Mr. Mohamed is trying to violate the rules (as the U.S. military apparently believes), but because of his mental instability. The military,s response is to cut the water to his cell off, compounding an obvious health hazard.

The image of this man sitting in an isolation cell with faeces all over the wall should tell you all you need to know. However, we have a preliminary, opinion from Dr. Daniel Creson, a respected psychiatrist from Texas who has extensive experience in the treatment of the victims of torture. Unsurprisingly, he diagnoses Mr. Mohamed as suffering from severe depression and PTSD:

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The prevailing sense of hopelessness and the growing pessimism in the materials I reviewed indicate that Mr. Mohamed is suffering from severe depression.

The descriptions of torture and Mr. Mohamed's psychological responses to these experiences meet the necessary clinical criteria for a diagnosis of Post Traumatic Stress Disorder.

Again unsurprisingly, Dr. Creson views Mr. Mohamed's faecal smearing as an indicator of someone who is reaching the end of his psychological tether. Faecal smearing, Dr. Creson reports, most likely reflects someone who has: repeatedly tried to maintain some sense of autonomy and a degree of control over aspects of their lives in very restrictive circumstance and have repeatedly failed to be able to do so. Fecal smearing in such individuals is a last ditch effort to assert their individuality their personhood.

Dr. Creson emphasizes the urgency of the situation: Based on the material that I have been able to review, I believe either suicide and/or an overt paranoid psychotic break is a real risk now or in the near future.

Dr. Creson had to do his evaluation based on my interviews with Mr. Mohamed, and my own administration of a mental health questionnaire. This is obviously far from satisfactory, and additionally provides Mr. Mohamed with no treatment.

With my colleagues, I have tried to secure basic mental health assistance for Mr. Mohamed.

(This means independent medical assistance, not doctors who the U.S. military requires to violate their medical ethics, whether by force feeding prisoners against their will, or by reporting what their patients may say to their military superiors. It is obviously not sufficient for the U.S. military to agree to send a military psychiatrist to see Mr. Mohamed. Mr. Mohamed will not -- given his history of torture be able to trust or work with such a person.)

We have obtained the assistance of Dr. Emily Keram, a U.S. psychiatrist who has a security clearance, and who has been allowed to assist in the case of Salirn Hamdan, a Yemeni national in the military commissions process at the Base. We have agreed to pay all her costs ourselves. She is due to be in Guantnamo in early January to see Mr. Hamdan. Despite this, the U.S. military has just flatly refused to allow us

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This is intolerable, inhumane and irrational.

Your government's intervention on behalf of the British residents in Guantanamo has been welcome. Perhaps my other three clients will spend this festive season at home with their families, after many years of incarceration without trial. Mr. Mohamed will spend it in a cell smeared with faeces. There is no prisoner in Guantanamo who has suffered more than Mr. Mohamed, and I am very concerned that, without rapid intervention, he will only leave that terrible place in a casket.

Please intervene urgently and forcefully to secure access for this independent mental health expert * we are willing to conduct the evaluation under the precisely same conditions imposed upon Salim Hamdan, which surely robs the U.S. military of any principled objection.

I doubt either you or I ever thought we would be dealing with the consequences of torture committed by the U.S. on someone from Britain. It is sad that this is the case, but our horror must motivate us into vigorous action.

I am copying this letter to the US Secretaries of State and Defense, as the senior authorities often seem not to know what is happening in Guantanamo.

I would be grateful for an urgent reply.

Yours sincerely

Clive Stafford Smith

cc. (by e-mail) Simon Mustard, British Embassy
Lt. Col. Yvonne Bradley. USAF
Prof. Joseph Margulies
Hon. Condoleeza Rice, Secretary of State
Hon. Robert Gates, Secretary of Defense

STAFFORD SMITH LETTER THREE

6. (U) March 26, 2008

Rt. Hon. David Miliband
Secretary of State
Foreign & Commonwealth Office
do House of Commons

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Re: Binyam Mohamed & the 'Military Commissions'

Dear Mr. Miliband,

I was in Guantanamo Bay recently visiting Mr. Mohamed. His US military counsel, Lt. Col. Yvonne Bradley USAF, saw him immediately after my own visit. It is my understanding that the US is still seeking to bring charges against Mr. Mohamed in the military commissions, or to press him into taking an involuntary plea agreement such as took place in the case of Australian David Hicks. We need your help as a matter of great urgency to convince the Bush Administration that this is a very, very unwise idea.

First and foremost, this would be a nightmare for our client, who has surely suffered enough in the torture chambers of Morocco and Kabul, as well as the marginally less medieval conditions he has experienced in Guantanamo.

Second, however, this would be a tragedy for the reputation of the US. As we have previously discussed in correspondence, the 'evidence' against Mr. Mohamed has all (to my knowledge) been the bitter fruit of coercion and torture of a most shocking kind. Sensible people only have to ask how many times a razor blade would have to be taken to their genitals before they would make up anything the torturer wanted to hear. Mr. Mohamed has nothing he can testify to against the 'big name' people (indeed, the US military is extraordinarily misguided if they think it would be a good idea to present a 'witness' who would only be able to deny the veracity of various statements, and detail several years of torture as the reason he gave them).

Third, this gambit by the US stands to embarrass the UK deeply as well. Given all the abuse he has been through and continues to suffer, it would be reasonable to expect Mr. Mohamed to plead guilty to being the Pope if that were the only way he could secure his liberty from Guantanamo Bay. He would enter such an agreement only if guaranteed the right to return to the UK at once. And the moment his return took place, we would inevitably challenge the guilty plea, as being involuntary. There is no court in Europe that would uphold such a plea, and the British government would be put in an unenviable position: Either confess error and embarrass our US allies, or defend the conviction, and provoke a lengthy and graphic hearing where we put Mr. Mohamed, s

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If Mr. Mohamed is forced to go to 'trial' in the military commissions, the agony for both the US and the UK will be even greater. The trial will be of the US and its uncivilised torture and rendition policies over the past six years. I doubt anyone has suffered more than Mr. Mohamed during this time.

At the same time, the UK would be called upon, publicly and as often as necessary, to provide the exculpatory evidence that we know is in UK possession. This would include, but not be limited to, the following:

Evidence concerning the meeting (which Jack Straw has admitted took place) between Mr. Mohamed and UK agents in Pakistan, where they told him that he was about to be rendered.

Evidence concerning the flights, and the personnel on board, that flew through British territory (especially the September 2002 flight through Diego Garcia) which went on to Morocco on at least three occasions while Mr. Mohamed was being tortured there. The UK, under its own rules, has to have the manifests for those flights, which would have the names (or pseudonyms) of the US personnel on board. We have a system for identifying the real names of such people, and they will be needed as witnesses during the proceedings.

Evidence concerning the trail between UK law enforcement and the Moroccan torturers (we can prove from the Morocco end that the torturers had been supplied with evidence that could only have come from the UK * intentionally or recklessly).

And so forth. I know that it is the UK policy not to cooperate with the Guantnamo proceedings, because of

concerns about their legitimacy. I understand that this extends to cooperating with either side. While it is entirely proper not to help in an unfair prosecution, to withhold exculpatory evidence from an innocent victim of torture would not be acceptable to the British people, and their sense of fair play, particularly when that victim is a British resident.

The military commissions are as flawed as they have ever been * indeed, according to their own prosecutors, more so in light of this election year. You will have noted the

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Recently made by Colonel Morris Davis, upon his resignation as Chief Military Prosecutor in the Military Commissions. For example, on February 27th, 2008, the New York Times reported as follows:

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(Col. Davis) told one newspaper that top defense officials discussed the 'strategic political value' of putting prominent detainees on trial before the 2008 presidential election. He told another that he had been pressed to hold hearings in closed courtrooms. He wrote op-ed pieces saying General Hartmann had reversed his policy of refusing to use evidence derived through torture. He told The Nation that the general counsel of the Pentagon, William J. Haynes II, informed him 'We can,t have acquittals' at Guantanamo.

In other words, the chief prosecutor resigned, saying that tribunals such as Mr. Mohamed,s would be a political, rigged trial, held partially in secret, using torture evidence, It is sad that this is the case, and nobody who believes in due process can fail to condemn them.

Over four years ago, when the same issue came up for two other men from Britain (Moazzam Begg and Feroz Abbasi) then facing military commissions, Attorney General Lord Goldsmith worked very actively to prevent such a 'kangaroo court' (Lord Steyn,s description of the process) from being applied against them. Indeed, the July 18, 2003,

Downing Street press release is as follows:

As announced in the statement following the discussions between President George Bush and the Prime Minister, the Attorney General, Lord Goldsmith, will lead a high-level delegation to Washington from 20 to 22 July to discuss with the US Administration the legal issues surrounding the nine UK detainees at Guantnamo Bay, including our strong reservations about the Military Commissions. The Attorney General will be accompanied by legal advisers and officials from his own department, the Foreign and Commonwealth Office and Home Office.

This work ultimately prevented these trials from going forward against the two men, and both returned home to the UK.

Human rights are, of course, for all human beings, and the government has committed itself strongly (and justifiably) towards the repatriation of Mr. Mohamed to this country. Mr. Mohamed has suffered the most horrendous torture over the past six years, as detailed in many reports. His condition in Guantnamo Bay continues to cause great concern.

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I would be grateful if you would raise in cabinet the need to have negotiations at the highest level (perhaps between the Attorney General and the US authorities, as happened with Lord Goldsmith, s admirable intervention on behalf of Mr. Begg and Mr. Abbasi), to take up the cause of due process and fair trials with the US Administration. Your assurances in this regard would be much appreciated.

I would be grateful for an urgent reply.
Yours sincerely

Clive Stafford Smith

cc. (by e-mail) Simon Mustard, British Embassy

Karen Buck MP

Lt. Col. Yvonne Bradley, USAF

Hon. Condoleezza Rice, US Secretary of State

Hon. Robert Gates, US Secretary of Defense

Binyam Mohamed

& as before

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STATE FOR L/BELLINGER; S/CT NORMAN; S/WCI/WILLIAMSON; AND
EUR/WE/UK/YODER; NSC BRADLEY
DOD FOR DETAINEE AFFAIRS

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

E.O. 12958: DECL: 10/23/2018
TAGS: PTER, PGOV, PREL, UK
SUBJECT: COURT DEFERS DECISION ON DETAINEE CASE PENDING
U.S. HABEAS REVIEW; CRITICIZES USG DECISION

REF: A. LONDON 2105
B. EMBASSY LONDON DAILY 23 OCT 2008

Classified By: Political Minister Counselor Greg Berry for reasons 1.4 (b) and (d).

1. (SBU/NF) The UK High Court on October 22 issued a stay in the matter of Guantanamo Bay detainee Binyam Mohamed, while leveling a critical rebuke at the USG's refusal to provide potentially exculpatory documents to Mohamed's defense counsel. The core question before the court was whether to compel UK authorities to provide classified U.S. documents in its possession to assist Mohamed (a former UK resident) in his defense. The ruling, the full text of which is found at [www.judiciary.gov.uk/whatsnew archive.htm](http://www.judiciary.gov.uk/whatsnew_archive.htm), asserted that there was "no rational basis" for the U.S. refusal to provide documents the court claimed provided the only independent evidence capable of assisting Mohamed and his defense counsel. The ruling recalled previous court conclusions that the UK Government had "facilitated the interrogation of"

Classification Extended on :02/02/2012 ~ Class: SECRET ~ Authority: DSCG 11-1 ~ Declassify on: 10/23/2033

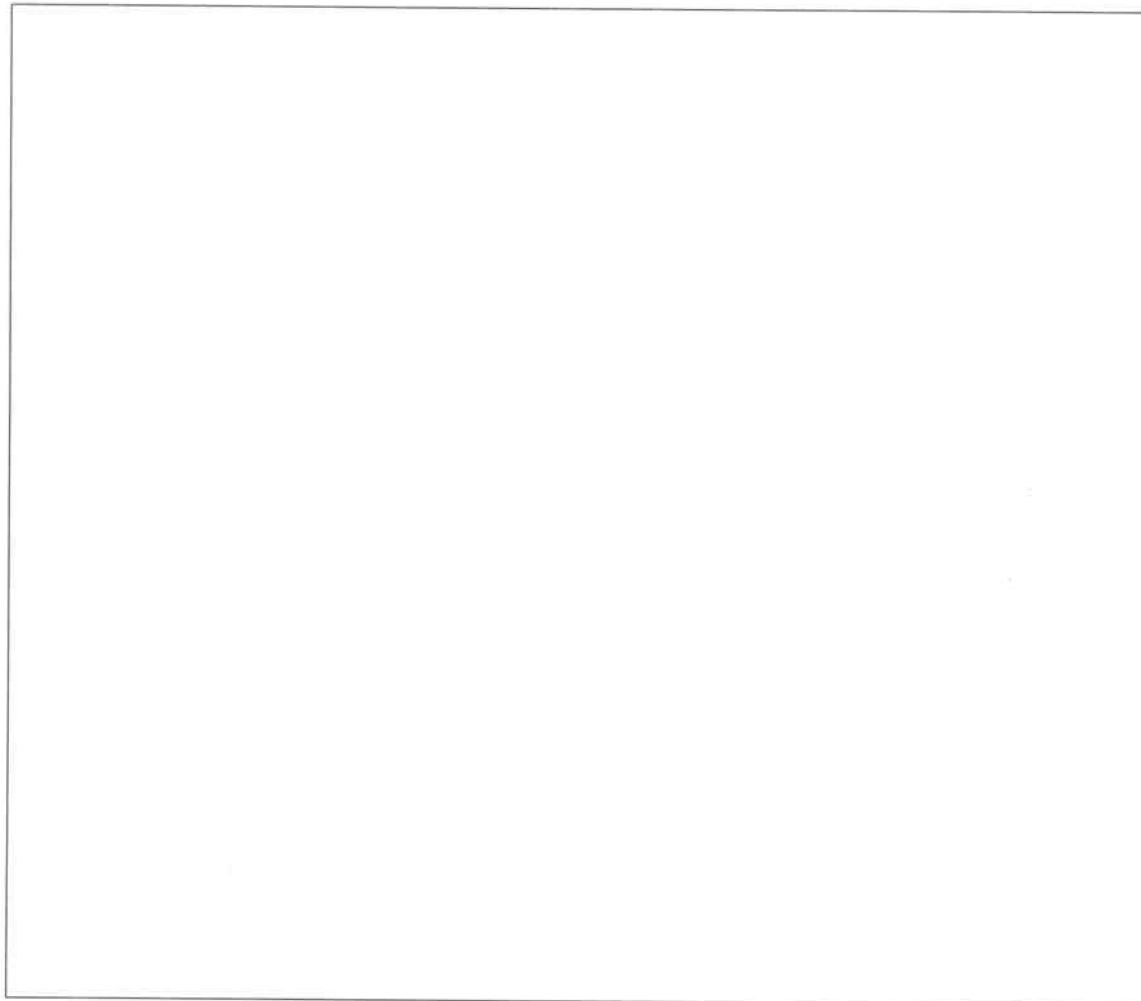
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Bayan Mohamed and that the USG "was using confessions made after a two year period in which he was unlawfully detained."

The High Court decided to stay the matter, or defer its final judgment, pending habeas corpus proceedings before U.S. District Court Judge for the District of Columbia Emmet Sullivan, which are scheduled for October 30.

2. (C/NF) UK press attention on the case has been robust and some UK media reporting has focused on allegations that the U.S. refusal to hand over relevant documents was born out of fears that they would prove Mohamed was mistreated in U.S. custody. We expect press and public attention on the case to remain high in the coming days, in anticipation of Judge Sullivan's October 30 habeas review and driven by advocates of Mohamed's in the UK, notably the NGO Reprieve.

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