

Iraq denies captives were abused in jail

By Kirk Sample

Ramadi: The Iraqi interior ministry insisted on Tuesday that none of the 625 prisoners discovered last week in an Iraqi detention centre had been tortured or abused, despite assertions by US officials to the contrary.

The declaration by the ministry official was delivered as early voting began in Iraq's election for a full, four-year parliament, as soldiers, hospital patients and prison detainees across the country cast their ballots in advance of the rest of the electorate, which goes to the polls on Thursday.

The exact nature of the maltreatment of the 13 hospitalised prisoners re-

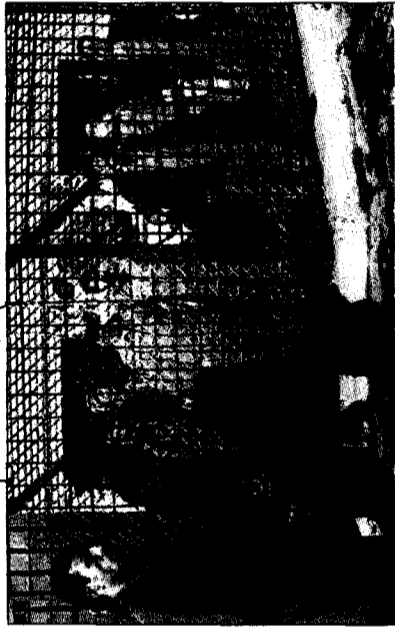
ained unclear. In an interview, Sami Al Anbagi, director general of the interior ministry, said there had been "no mistreatment or torture".

"Only a few guys were slapped on their faces," Anbagi said. "The prisoners who were taken to the hospital didn't have any injuries. They suffered from headaches only."

A spokesman for the American command disputed Anbagi's account, saying the physical condition of the prisoners who were hospitalised was worse than what Anbagi had described.

In recent weeks, Sunni Muslim Arabs have charged that commando units working for the interior ministry

9-14
14/11



Iraqi prisoners stand behind bars as they wait from their turn to cast their vote inside their prison in Samawa

have been carrying out killings and illegal abductions, and that they are abusing and torturing prisoners. Some Sunni leaders contend that the interior ministry has incorporated large numbers of Shiite militiamen into the police forces, and that those men

are waging a campaign of terror in Sunni areas.

While the threat to the election on Thursday is generally expected to be lower than in previous elections, the country's insurgent groups, including Al Qaida in Mesopotamia, remain a deterrent to voters.

On Monday, five militant groups, including Al Qaida in Mesopotamia, issued a rare joint statement on the internet in which they denounced the elections as a "crusaders' project" in violation of Islamic law.

But unlike statements before elections in January and the referendum in October, the message did not threaten disruption of the polls. NYT News Service

CHEMICAL WEAPONS

America Violated International War Norms

By BIBHUTI BHUSAN NANDY

In the run-up to the US-led coalition's invasion of Iraq, the American and British governments systematically lied to the world and manipulated intelligence to make out a credible case for attacking that country. Bush and his neo-conservative cronies thought dethroning of Saddam Hussein a must for them to gain absolute control over Iraq's oil reserves, but to mask their sinister intent they gave a different dimension to their anti-Saddam propaganda blitz.

To justify a military expedition against Iraq they stressed three reasons: (i) Saddam Hussein accumulated biological and chemical weapons of mass destruction (WMD) that Baghdad might use against any other nation; (ii) Iraq was linked to the international Islamic terrorist network led by Al Qaeda; (iii) the Iraqi people needed to be liberated from Saddam's oppressive regime, which, among other crimes, had used chemical weapons to kill them. In a well orchestrated move, the warmongers — Bush, Tony Blair, Colin Powell et al — roundly condemned Saddam's gassing of the Kurds in 1998 and accused all who opposed them of not caring for the welfare of the Iraqis.

Claims trashed

Before the launching of war in March 2003, all efforts by UN inspectors failed to trace any WMD in Iraq. The sustained search by US forces and the CIA during and after the war also trashed all Anglo-American claims regarding existence of WMD arsenals in Saddam Hussein's Iraq. Instead, hard evidence has emerged from a variety of sources that the US troops had made premeditated use of internationally prohibited chemical weapons against both Iraqi civilians and combatants as late as last year.

Ever since the US military assault on Fajallah in November 2004 rumours swirled widely that the Americans had used chemical weapons on the city, but Washington dismissed all such allegations as "wild myths". One year through the Fajallah operation, earlier this month an Italian state TV channel presented a documentary — captioned *Fajallah: The Hidden Massacre* — accusing the US of using chemical weapons in bombarding the civilian population. It claimed that American troops had fired white phosphorous (WP) at Iraqi insurgents and civilians in Fallujah with devastating effect in terms of killing and injuring

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Iraqis and producing great psychological trauma on the population. It further alleged that besides WP, the Americans used in Iraq a new Naplam device called MK 77.

A 1980 UN treaty forbids the use of incendiary substance on civilians, whereas another treaty that the US signed in 1997 bans the use of chemical weapons. The Italian TV documentary accused Washington of having systematically attempted to

missions at the insurgents, using WP to flush them out and HE to take them out".

In a recent article *Al Jazeera* reported that Dr Khaled Shaykhili, an Iraqi health ministry official had revealed at a Baghdad press conference that the US military had used internationally banned chemical weapons including nerve gas. The US information service described the story of Dr Shaykhili as "fabricated", claiming that the



destroy filmed evidence of the use of chemical weapons in the attack on Fallujah last year. It offered video and photographs to prove that WP was used indiscriminately on both insurgents and civilians, showing corpses, whose clothes had remained largely in tact, but whose skin had been dissolved by the shells, clearly suggesting use of WP. In a denial mode, Washington cryptically rejected the documentary as "disinformation".

White Phosphorous

While there could be scope for doubt whether the contents of the documentary amounted to a conclusive proof of use of white phosphorous, some US military documents have established that American troops had indeed deployed that banned noxious substance on Fallujah last year. The March 2005 edition of *Field Artillery* quotes officers from the 2nd Infantry's fire support unit as having confirmed its use. They stated: "White Phosphorous proved to be an effective and versatile munition. We used it for screening missions at two breeches and, later in the fight, as a potent psychological weapon against the insurgents in trench lines and spider holes when we could not get effects on them with HE (high explosive). We fired "shake and bake"

press conference had never taken place.

Despite all these denials, in the face of persistent reports from different sources confirming that the US did use WP, a Pentagon officer confessed to the BBC: "White phosphorous was used as an incendiary weapon against enemy combatants, it is not a chemical weapon, nor is it outlawed or illegal".

Most of the mainstream western media seems to have accepted this argument, with *The Times* saying that UN conventions "ban its use on civilian, but not on military targets". But since the word "civilian" does not occur in the chemical weapons convention, the use of the chemical's toxic properties as a weapon is illegal, regardless of its target. Pentagon, nonetheless, brazenly argues that WP burns people rather than poison them and America is covered only by the protocol on incendiary weapons, which the US has not signed.

According to Washington, as white phosphorous is not listed in the schedules of the Chemical Weapons Convention, its use to illuminate the battlefield, or to produce smoke to hide troop movements from enemy is not illegal. But it becomes a chemical weapon as soon as it is used directly against people, which can cause death,

temporary incapacitation or permanent harm.

The US State Department initially maintained that American forces used white phosphorous shells "very sparingly in Fallujah to illuminate enemy positions at night, not at enemy fighters", but in the face of new evidence, it has climbed down from that stand. It now says: "We have learned that some of the information we were provided is incorrect. White phosphorous shells, which produce smoke were used in Fallujah not for illumination but for screening purposes, i.e. obscuring troop movements and, according to *Field Artillery* magazine, as potent psychological weapons against insurgents in trench lines and spider holes". The article states the US forces used white phosphorous rounds to flush out enemy fighters so that they could then be killed with high explosives. In other words, the US government appears to admit that white phosphorous was used in Fallujah as a chemical weapon.

Against the law

The US army knows that use of WP is illegal. The *Battle Book* published by the US Command and General Staff College at Fort Leavenworth, Kansas, says: "It is against the law of the land warfare, to employ WP against personnel target". What is more deplorable, despite its ban, top echelons of the US defence establishment most cynically planned to use incapacitating bio-chemical weapons in the invasion of Iraq.

In an article in *Counter Punch* dated 7 February 2003 Edward Hammond of the anti-war Sunshine Project reported that Defence Secretary Ronald Rumsfeld and Chairman, Joint Chiefs of Staff General Richard Myers revealed the said plan in a testimony on 5 February 2003 before the House Armed Services Committee. In other words, chemical weapons were used on Iraq by the US in pursuance of cold-blooded, premeditated conspiracy.

The invasion of Iraq in March 2003 and assault on Fallujah in November 2004 were illegal acts of aggression. Under international law, these military operations and the use of chemical weapons are high war crimes. Saddam Hussein, who has been accused of murder, torture, false punishment and use of chemical weapons, may be sentenced to death.

But, as George Monbiot has commented in the *Guardian* recently, Saddam is certainly guilty on all counts, but so, it is now clear, are all those who overthrew him.

Anger and red faces in Europe over CIA flights

Hasan Suroor

NOT SINCE the uproar over Guantanamo Bay and the Abu Ghraib prison scandals has there been such outrage in Europe over American actions. The current row was sparked by allegations that, in the wake of 9/11, the CIA operated hundreds of covert flights, using European airports, to ferry suspected terrorists to secret interrogation centres where they might have been tortured to extract information.

Under international law, it is illegal to send prisoners to places where they are likely to face torture. Inevitably, questions are being asked whether countries whose airspace was used by the CIA for this purpose were aware of it. And, if so, did they do anything to stop it?

Britain was one of them and, according to reports that have not been denied, more than 200 such flights – dubbed the “torture” flights – landed at various British airports. Indeed, Britain has been described as the second biggest “transit hub” for CIA planes, next only to Germany. Others whose airports or airspace were utilised for transferring prisoners to torture chambers in third countries include France, Italy, Spain, Ireland, Portugal, the Netherlands, Hungary, Poland, and Romania.

At least two East European countries are suspected to have allowed the CIA to set up secret jails on their territory in violation of the European Union’s founding principles of democracy, rule of law, and human rights. Both have denied this, but the European Council has set up an inquiry and the EU Justice Commissioner, Franco Frattini, has warned of “extremely serious” consequences if the allegations are proved.

Allegations about secret flights and “American gulags” first surfaced in September following a report in *The Guardian*. The full scale of the alleged CIA operation has emerged only in recent weeks with details of the flights – including

The Blair Government especially is under pressure over allegations that it allowed CIA covert flights to ferry suspected terrorists to secret interrogation centres.

names of the countries and the airports where they landed – being published in the media after independent investigations by human rights campaigners and plane-spotters.

Governments on both sides of the Atlantic have been accused of evading the issue, and of resorting to “stone-walling” and “obfuscation.” The U.S. Government has refused to confirm or deny the allegations. The British Foreign Office has claimed that it is “not aware” that U.K. territory or airspace might have been used for the purpose of “extraordinary rendition” (the euphemism used by Americans to send prisoners to third countries for interrogation).

Straw writes to Rice

British Foreign Secretary Jack Straw has been forced to write to U.S. Secretary of State Condoleezza Rice seeking details after MPs insisted on being told all the facts. The human rights group Liberty set a two-week deadline for the Government to investigate the allegations failing which it threatened to take the issue to court. (The U.S. Government is facing a similar threat from an American civil liberties organisation). Mr. Straw has said that in his letter he has expressed “concern” on behalf of all EU countries.

In a sign of a gathering storm ahead of Ms. Rice’s visit to Europe this week, European leaders have said they plan to challenge her

on the issue while members of the European Parliament have launched a campaign to get at the truth.

“The allegations are now beyond speculation. We now have sufficient evidence involving CIA flights. We need to know who was on these flights, where they went,” Sarah Ludford, a British MEP, demanded amid reports that German MEPs were pressing their country’s new Chancellor Angela Merkel to take up the matter with President George W. Bush.

While the European Union and the European Council have already announced separate investigations, there is growing pressure on individual governments also to act. In Britain, the Government has been accused of “complicity” and MPs have set up a cross-party group to press for “full disclosure.”

“If, in fact, people are being moved from a jurisdiction where torture is illegal to a jurisdiction where torture is permissible, that seems to me to be wholly contrary to international law. If we are allowing facilities for aircraft carrying out those actions, then we are at the very least facilitating it, we may even be complicit in it,” Menzies Campbell, the deputy leader of the Liberal Democratic Party, and a member of the group said.

One senior Labour MP, Chris Mullen, agreed that it was important for the Government to come clean even if there was no direct evidence that it had been complicit in any illegal operation.

“There’s no doubt some sort of secret gulag exists which is controlled by the Americans into

which people disappear for months at a time. And there’s also no doubt that the Americans have for some time been franchising out torture to countries that are rather less scrupulous than ourselves, and indeed the Americans, about the use of torture,” said Mr. Mullen though he did not think that the Government had a case to answer.

But critics argue that it is inconceivable that such a large number of non-commercial flights of another country could have passed through British airports without the Government’s knowledge. Officials at some level – most probably the intelligence services – must have known what was going on, and the Government cannot absolve itself of complete responsibility just because the Ministers may not have been told about it. Indeed, in the past British civil servants are known to have deliberately withheld potentially embarrassing information from Ministers so that they are not seen to lie to Parliament when they say that the Government was not aware of it. No wonder, the House of Commons committee on foreign affairs has called the Government’s claim that it had no evidence of what the CIA had been up to as one of “obfuscation.”

Experts point out that it is not enough for the Government to condemn torture or claim that there was no evidence to suggest its complicity. The crucial question is: did it make any attempt to investigate the allegations when they were first made as it is obliged to do as a signatory to the Convention against Torture?

They say the very fact that Mr. Straw has now written to his American counterpart, though the allegations had been swirling for at least two months, shows the government made no effort to find out the truth. Its failure to do so may not have been a deliberate act of looking the other way while something illegal was happening on its own territory. But by not investigating, the Government had made its position vulnerable under the Torture Convention, according to legal experts.

“The Torture Convention requires states to begin an investigation wherever there is ‘reasonable ground’ to believe that an act of torture has been committed on its territory,” said Elizabeth Wilmshurst, a former Foreign Office lawyer who resigned over the legality of the Iraq war.

Even if a person was not tortured on British territory, the mere fact that he or she was being transported through Britain to a place where they could be tortured was enough to attract the provisions of the Torture Convention.

“The ban on torture applies not just to the act itself but also prohibits sending people to countries where there are substantial grounds for believing that they would be in danger of being tortured ... Even if the persons concerned never leave a plane on the tarmac at a British airport they are covered by the law,” Ms. Wilmshurst pointed out. The litmus test, she wrote in *The Independent*, was whether there was anything that could have been done by the Government in relation to the alleged flights.

“Should the Government have known about any detainees on board and could these flights have been stopped,” she asked. In other words, by keeping quiet the Government had rendered itself open to the charge of complicity.

This is not the first time, since the grand Blair-Bush alliance came into being four years ago, that the British Government finds itself in an embarrassing situation because of American actions. But what is new on this occasion is that its own role in the whole affair does not appear to be above suspicion. And if it turns out, as its critics darkly hint, that there was even a suggestion of official backing for what one newspaper described as the CIA’s “vile” project it will deal another blow to Prime Minister Tony Blair’s credibility and increase pressure on him to stop playing second fiddle to the Bush administration. More critically, it will diminish faith in Britain’s commitment to human rights and the rule of law.

CARTOON

05 DEC 2005

THE HINDU

Salem can be charged in 8 cases only

Vijay Thakur in New Delhi

Nov. 28. — Extradited gangster Abu Salem and Monica Bedi will not be put on trial for the cases they have not been extradited for. Salem will get the benefit of "intricacies in the legal procedure" as police cannot charge-sheet him in the remaining 48 criminal cases he is wanted in without getting approval from the Portuguese government again.

This benefit will also go to Monica as police may not be able to prosecute her for "criminally conspiring with Salem".

"So far, we have come to know of Monica Bedi's indirect role in over half a dozen cases, but since the legal procedure is long, we have to think twice before chargesheeting him," said a senior official interrogating the Mumbai don.

While Salem is wanted in 56 criminal cases, the Portuguese government extradited him for eight criminal cases. Monica was extradited in two cases of forged passport, but during investigations, her role in a criminal conspiracy with Salem became highlighted. As per the extradition pact, India can prosecute a per-

son only in the cases he has been extradited for from Portugal. "And if we have to put him on trial for other crimes, the Indian government will have to go through a similar procedure again to seek permission from Portugal government. Now it is up to the government to decide whether to seek permission or not," said the senior CBI official. He added: "I do not think there is any point in contacting the Portugal government. We have enough cases to put Salem behind bars for the rest of his life."

At present, investigating agencies are focusing on the 1993

Mumbai blasts, the murder of developer Pradip Jain in 1995 and Ahit Dewani in 2001 and the murder of cassette king Gulshan Kumar in 1997. "There is no point in diverting our energy to other cases when we have enough to fix him," the CBI official said.

The CBI is the nodal investigating agency to seek extradition of criminals on behalf of Indian investigating agencies. "It had received over 56 cases from all over the country to initiate the extradition. However, after going through each case, the CBI decided to pursue only eight cases as there was sufficient

proof to get him extradited," the official further said. After a two-year-long exercise, the agency succeeded in getting Salem extradited in all the eight cases it pursued — three cases of extortion registered by Delhi Police, two cases registered with Mumbai Police and three by the CBI.

"But we will still use Salem in the remaining cases for prosecuting others involved in the crimes. Besides, he has revealed details of many other crimes in which we might not be able to prosecute him, but can put his associates on trial," said a senior police officer.

Portugal pact shrinks legal pitch

54 cases to his name, but Salem will be tried for only 8

RAJNISH Sharma and **ARCHIS Mohan**
New Delhi, November 13

THE PORTUGAL commitment has queered the legal pitch for Indian courts. For all those griping about the government's undertaking to the Portuguese government that Abu Salem will not be given a death sentence or a prison term that exceeds 25 years, here is more.

Salem will not be tried for two cases of murder and a case of attempt to murder. These include the murder case of T-Series owner Gulshan Kumar and the bid on the life of producer Rajiv Rai.

This is because the Indian government did not include the three cases when it tried to obtain the Portuguese government's consent to extradite Salem and his partner Monica Bedi. The government submitted a list of eight cases, including the Mumbai serial bomb blasts, the conspiracy hatched to eliminate Babloo Srivastava, some cases of extortion and passport forgery.

Sources said the Indian government only sent details of cases where they had clinching evidence against Salem, and investigation was in an advanced stage. "Our stress was to tell the world that this man is a terrorist, not just another mafia don", said a source. That is, Indians did not want to repeat the mistake they had committed while negotiating with the US in trying to extradite Salem from that country. US, before 9/11, had treated Salem as a criminal.

Apart from the eight cases, there is another case of passport forgery, which has been brought to the notice of the Portuguese government. Salem and Bedi had obtained a fake passport each from Bhopal", said CBI's DIG (STF) O.P. Chatwal.

DON IN DOCK



Narco-analytical tests

The CBI may consider using narco-analytical or brain mapping tests to check the veracity of Salem's confessions. "The possibility can't be ruled out," DIG (STF) of CBI, O.P. Chatwal, said. However, he said, such information has little evidential value.

Azamgarh contacts

The police in UP's Azamgarh district, Salem's home town, have begun tracing his current local links as well as his role in the hawala business. There are reports that over a dozen people still have "strong" links with him in his home district.

Bollywood links

The Mumbai police have prepared a list of film producers suspected to have close links with Salem. Salem's involvement in film financing and distribution will be a major area on which investigators are likely to focus during his interrogation.

CASE FILES

Eight cases Salem will be tried for

- Mumbai bomb blasts of 1993 (with CBI)
- Conspiracy to murder Babloo Srivastava (with Delhi Police)
- Extorting Rs 5 crore from businessman Ashok Gupta (Delhi Police under MCOCA)
- Extorting Rs 1 crore from businessman Rajat Nagrath (Delhi Police)
- Ajit Deewani (Manish Koirala's secretary) murder (Mumbai Police)
- Fake passport case in Lucknow (passport issued in the name of Aqeel Ahmed Azmi)
- Fake passport case in Hyderabad (passport issued in the name of Ranil Kamil Malik and Monica is called Sana Malik)
- Pradeep Jain murder (Mumbai Police)
- CBI awaiting approval by Portuguese government on a ninth case relating to passport fraud in Bhopal (passports for Salem and Monica issued in the name of Danish Baig and Fauzia Usman)

CASES HE WON'T BE TRIED FOR

1. Gulshan Kumar murder
2. Rajeev Rai murder
3. Attempt to murder Rakesh Roshan

WHY

Because India did not include these three cases when it tried to obtain the Portuguese government's consent to extradite Salem and Monica Bedi

In the course of the day

- Salem told interrogators that he had decided to quit crime and had spoken into Portugal in September 2002 with Bedi to start a new life
- The CBI also hopes to make Bedi an approver. She is now lodged in the general ward of the woman's prison in Hyderabad

GRAPHIC: PRANAB

ARREST TO EXTRADITION



Full Name **Abu Salem Gayyum Ansari**
Originally a resident of Saral Mir,
Azamgarh District (U.P.)

- September 18, 2002: **Abu Salem and companion Monica Bedi arrested in Lisbon, Portugal, for travelling on fake passports**
- September 22, 2002: **Lisbon court rules out deportation of Abu Salem to India**
- Feb. 20, 2003: **Portugal agrees to hand over Abu Salem to India**
- July 13-19, 2003: *** Salem appeals against extradition efforts
* A Portuguese court turns down CBI plea for extradition of Monica Bedi**
- Nov. 28, 2003: **They are sentenced to four years in jail by the Portuguese High Court for entering the country on forged documents**
- Feb. 3, 2004: **Portugal High court orders Abu Salem's deportation**
- Feb. 19, 2004: **Abu Salem appeals in Supreme Court against High Court order**
- April 12, 2004: **Portugal refuses asylum to Monica Bedi**
- July 14, 2004: **High Court orders extradition of Monica Bedi**
- July 19, 2004: **High Court orders extradition of Abu Salem**
- Feb. 24, 2005: **Portuguese Constitutional Court dismisses Monica Bedi's plea to stay extradition**
- July 18, 2005: **Constitutional Court of Portugal rejects Abu Salem's appeal against extradition**
- Nov. 11, 2005: **Abu Salem, Monica Bedi deported to India**

Source: PTI

A big day for the CBI

The operation was on since October 19

Vinay Kumar

NEW DELHI: It was a big day for the country's premier investigating agency. And, understandably so, as the Central Bureau of Investigation (CBI) top brass by Friday morning knew that the two-week-old "secret operation" to bring home one of India's most wanted criminals, Abu Salem and his companion Monica Bedi, a Bollywood starlet, from Portugal had culminated successfully.

"It is my parting gift to the CBI. It was a tremendous effort by the agency, the Government and our Ambassador in Lisbon, Lata Reddy, which resulted in the successful extradition of Abu Salem and Monica Bedi," said a visibly happy CBI Director Uma Shankar Misra. His two-year-term as the bureau chief ends on December 6 and it was on September 6, 2002, he had joined the agency as one of the Additional Directors, nearly two weeks before the detention of the Salem-Bedi duo in Lisbon.

The operation to bring them back got under way ever since the CBI was informed on October 19 of the Portuguese authorities' readiness to hand them over to India. Minute details during the past fortnight were monitored by the CBI Additional Director M.L. Sharma and the agency's team was readied by the Joint Director (Special Crimes) Vivek Dubey.

"Big catch"

The Prime Minister and the Home Minister were informed on Thursday when the CBI team in Lisbon got the custody of Abu Salem and Monica Bedi. Though the CBI, in the recent past, has managed to get Aftab Ansari, key accused in the Kolkata shooting incident, extradited from the Gulf and also bring Bablu Srivastav, a gangster of Uttar Pradesh, from Sin-

• "It was a tremendous effort by the agency, the Government and our Ambassador in Lisbon, Lata Reddy"

• The Prime Minister and the Home Minister were informed on Thursday

gapore, Abu Salem was the "big catch" and the first successful case of extradition of an accused involved in terror attacks, murders and extortion cases.

Though it took 38 months for the CBI to bring back the duo, the concrete groundwork to set the extradition process in motion was done by the then CBI Director P.C. Sharma and Additional Director Vijay Shankar. While Mr. Sharma visited Lisbon twice to push India's efforts for extraditing the two, Mr. Shankar was the one who had visited the Portuguese capital in the initial phases to understand their legal system and prepare the CBI case in keeping with the requirements of the police and courts in Lisbon.

It was in November 2003 that the underworld don and his companion were held guilty of charges of forgery and continued use of forged documents. Their conviction and jail sentences marked a major success for the CBI.

The CBI had focussed on the compatibility of the Indian and Portuguese laws. One such area was criminal profile and identity of Abu Salem which the agency had been able to establish "beyond doubt." Another area was a provision in Section 34(c) of the Extradition Act of India which empowers the Government to make certain concessions in order to secure the custody of a fugitive. The formal request for extradition of Salem and Bedi was made to Portugal on December 13, 2002.

Abu Salem remanded to CBI custody

Mumbai special court abuzz with activity

Staff Reporter

MUMBAI: Abu Salem, one of the main accused in the Mumbai serial bomb blasts, was produced before the designated Terrorist and Disruptive Activities (Prevention) Act (TADA) court, here on Friday and remanded to CBI custody till November 23, 2005.

The special court situated on the premises of the Arthur Road Jail in central Mumbai that was established specifically for the Mumbai blasts trial, was abuzz with security, media and bystanders crowded on the pavement. Neatly dressed in a light coloured striped T-shirt, jeans and shoes, a clean-shaven Abu Salem was brought to the court amidst tight security at

2.45 p.m. Designated judge P.D. Kode asked a few questions to CBI prosecutor C.S. Sharma before hearing the arguments regarding remand of Abu Salem. Advocate Sharma pressed for a 30-day CBI custody. He submitted that investigations about the charges against the accused would require time.

However, the court gave 12 days custody till November 23.

Prosecutor C.S. Sharma told the court that Salem had been extradited on the condition that he would not be awarded the death penalty and in case of life sentence, the term would not exceed 25 years. However, Judge P.D. Kode objected to that and said an accused could not be produced in a court with preconditions.

Lynndie England gets 3-year jail for Abu Ghraib abuse

Notorious US Reservist Blames It On Soldier Boyfriend

*11-1
out-kiss*

Fort Hood (Texas): Army Pfc Lynndie England, who posed for some of the most infamous pictures of detainee abuse at Baghdad's Abu Ghraib prison, was sentenced to three years behind bars.

The jury of five army officers needed about 90 minutes on Tuesday to determine their sentence for England, the most recognisable of the nine low-ranking reservists charged in the scandal that severely damaged America's image in the Muslim world and tarnished the US military at home and abroad. The charges against the 22-year-old reservist from rural West Virginia carried up to nine years, but prosecutor Capt Chris Graveline asked the jury to imprison her for four to six years. The defence asked for no time behind bars.

England, who was convicted on Monday on six of seven counts involving prisoner mistreatment, spent some time with her 11-month-old son, Carter, before being escorted out of the Fort Hood courthouse. Her reddened eyes stared straight ahead as she made her way to a waiting van.

Neither prosecutors nor defence lawyers would speak with reporters after the sentence was announced. England apologised earlier on Tuesday for appearing in the photos taken in late 2003, saying she did so at the behest of Pvt Charles Graner Jr, the boyfriend who she said took advantage of her love and trust while they were deployed in Iraq. "I was used by Private Graner," said England, who has said that Graner fathered her son. "I didn't realise it at the time."

In some of the pictures, England is shown holding a naked prisoner on a leash, posing with a pyramid of naked detainees and pointing at the genitals of a prisoner while a cigarette hangs from the corner of her mouth.

England, speaking in response to questions from a defence lawyer, said she was embarrassed by the photos. She apolo-

gised to the detainees and their families, as well as to American soldiers who may have suffered in Iraq for her misguided actions.

"I heard attacks were made on coalition forces because of the photos," she

senior, developed as they prepared for deployment to Iraq with the 372nd Military Police Company in 2003.

"He was very charming, funny and at the time it looked to me like he was interested in the same things I was...He made me feel good about myself," she said. "I trusted him and I loved him...Now I know it was just an act to lure me in."

Graner and another former guard were also convicted at trial, while six other soldiers struck plea bargains. Graner was sentenced to 10 years. No officers have gone to trial, though several received administrative punishment. Graner's testimony on Tuesday supported that of a defence expert witness who said officers in charge at Abu Ghraib failed to control the guards, creating stressful conditions that disoriented England and led her to take part in the mistreatment. Graner said he, England and others who worked the overnight shift in a high-security section of Abu Ghraib had scant supervision. "It seems like the junior soldiers were on their own," he said. "We had little leadership." Graner said he told officers about detainee maltreatment, which he claimed was done by order of military intelligence personnel. At times, he said, military intelligence officers actually were present for the abuse.

"I nearly beat an MI detainee to death with MI there," he said before Col James Pohl, the judge, interrupted his testimony.

Stjepan Mestrovic, a sociology professor at Texas A&M University called as an expert witness by the defence, testified that England should be punished lightly because of the "poisonous environment" that existed at Abu Ghraib. "She was caught up in this chaotic situation like everyone else," said Mestrovic, who also testified that officers at Abu Ghraib "knew or should have known what was going on." AP



SHACKLED: Lynndie England is escorted out of the courthouse handcuffed in Fort Hood, Texas

said. "I apologise to coalition forces and their families that lost their life or were injured because of the photos."

England's defence contended she is a compliant person who took part in the detainee maltreatment to please Graner, who prosecutors said was the ringleader of the abuse by a group of US troops.

In a calm voice, she recounted how her relationship with Graner, 14 years her



REUTERS

Lynndie England arrives at the Texas court on Tuesday.

Abu Ghraib: Lyndie convicted

*MF-13
2009*

ASSOCIATED Press
Texas, September 27

John Kent

LYNNIE ENGLAND'S case moves to the sentencing phase on Tuesday. She was convicted on Monday of taking part in abusing detainees at Abu Ghraib prison in Iraq. She faces up to nine years in prison.

Army Pfc. England, the 22-year-old reservist who appeared in photos smirking amid naked prisoners at Baghdad's Abu Ghraib prison, stood at attention as she learned of her conviction. Wearing her dark green dress uniform, England showed no obvious emotion after the jury foreman read the verdict. Asked for comment afterward, defense lawyer Capt. Jonathan Crisp said, "The only reaction I can say is, 'I understand.'"

Her case now moves to the sentencing phase beginning Tuesday and will be heard by the same jury of five male Army officers. It was unclear whether England would testify on her own behalf.

England became the most recognizable of the nine Abu Ghraib soldiers charged in the prison scandal.

28 SEP 2005

THE WASHINGTON POST

UK, Pak to sign extradition pact

VIJAY Dutt
London, September 10

THE UK is very close to having its first formal extradition treaty with Pakistan. The agreement is expected to make it easier for Britain to bring terror suspects to trial in this country. It has been found so far that most of those suspected of being involved in the London attacks have reportedly been either trained in terror camps in Pakistan or are still living in its northwest regions.

The home office confirmed that it was negotiating an "all embracing" agreement with Pakistan that would cover terrorist and serious non-terrorist offences.

Intelligence agencies concerned with counter-terrorism believe that a number of terror suspects here have links with Pakistan and it is well known that some of the 7/7 sui-

cide bombers — who were of Pakistani origin — had visited their home country just before the attacks. In fact, intelligence agencies have definite proof that the 7/7 London attacks were planned in Pakistan, possibly in Rawalpindi.

So far the two countries have been seeking extraditions on an ad hoc basis and since both are signatories to the UN Terrorist Bombing Convention, it means they are obliged to prosecute or extradite bombing suspects.

Sources, however, say there is very little chance of British courts extraditing a terror suspect, or any suspect for that matter, to Pakistan because of concerns about its human rights record.

Meanwhile, it is reported that seven suspects linked to the 7/7 bombers could be extradited from Pakistan under a deal made by British officials.

Portugal HC may allow extradition of Monica Bedi

New Delhi
9 AUGUST

CLEARING the decks for bringing back underworld don Abu Salem's girlfriend Monica Bedi, the Portuguese High Court has passed an order allowing her extradition to India, CBI sources said here on Tuesday.

In the order passed recently, the Portuguese High Court has removed another hurdle in her extradition in a case relating to forgery of passport in Bhopal, the sources said. The little-known Bollywood actress can now approach the Supreme Court and then the constitutional court of Portugal challenging the extradition order, the sources said. They added that the agency would oppose any such move.

The CBI has alleged that Bedi had got a passport made for herself from Regional Passport Office of Bhopal in the name of Fauzia Usman. According to extradition laws, India will have to seek Portugal court's consent in every heinous crime cases.

A similar case of passport forgery from Madhya Pradesh was pending against Abu Salem, wanted in connection with the 1993 Mumbai serial bomb blast case, in the Portugal High Court. The constitutional court has already cleared the decks for Salem's extradition to India to stand trial in the 1993 Mumbai serial blasts case. While seeking their extradition, Indian government had given an executive assurance

to Portuguese government that Salem would not be awarded death sentence if found guilty of the charges against him.

Monica Bedi's extradition has already been cleared in a similar passport forgery case of Hyderabad by the constitutional court of Portugal on February 24 this year.

The CBI had sought her extradition from Portugal so that she could stand trial in connection with the possession of a forged passport in the name of Sanha Kamal Mallick from Hyderabad. The agency also sought Bedi's extradition for obtaining a fake travel document. She

was caught in Portugal with the same passport and detained on September 18, 2002 along with Salem and two other companions. A formal request for her extradition was made by the government on December 27, 2002.

The CBI's petition, filed by the Portuguese prosecutor general, seeking directions to keep Bedi in custody till her extradition case was finalised, was also accepted by the high court. In a desperate attempt, Bedi appealed to President APJ Abdul Kalam and Prime Minister Manmohan Singh, requesting for cancellation of extradition proceedings against her and allow her to go to Norway where her parents were settled.

In her handwritten letter, Bedi sought pardon and cancellation of all criminal proceedings against her initiated by the CBI and wanted a "second chance."

—PTI



CBI wins round against Monica

HT Correspondent
New Delhi, August 9

Court grants Extradition

A PORTUGUESE high court recently rejected Monica Bedi's appeal against extradition to India. The highest legal authority in Portugal, the constitutional court had earlier rejected her plea in a similar case after a protracted legal battle.

After securing the clearance for her extradition in a case of passport forgery registered in Hyderabad, the CBI moved the Portuguese authorities with a second case of passport forgery — this one from Bhopal.

CBI sources admitted that India was mounting pressure on Lisbon by way of evidence against underworld don Abu Salem and his second wife, Monica Bedi. In the Bhopal passport forgery case, however, Bedi will have the option of appealing before the Portuguese supreme court and, subsequently, the constitutional



Monica Bedi

court challenging the high court verdict.

In the Bhopal case, the CBI alleged that Bedi got a passport made for herself, claiming her name was Fauzia Usman. A similar case from Madhya Pradesh is already pending in Portugal for extradition against Salem, too, though the Portuguese constitutional court had cleared his extradition to India for trial in the 1993 serial blasts case.

While seeking their extradition, the Indian government had given an executive assurance to Portuguese government that Salem would not be awarded a death sentence if found guilty of charges against him. Salem is wanted for trial in major offences, such as the Mumbai serial blasts in 1993, which left 257 dead.

Abu Salem and Monica Bedi were caught in September 2002 by the Portuguese authorities with fake passports and other travel documents, following which India was alerted as Interpol had issued a red-corner notice for Salem's arrest.

Portugal Court rejects Salem's plea

Extradition may be delayed pending disposal of Madhya Pradesh police plea

Vinay Kumar

NEW DELHI: India's efforts to get underworld don Abu Salem extradited from Portugal got a shot in the arm as the Constitutional Court of Portugal has turned down his appeal.

CBI sources said the Constitutional Court rejected his appeal on July 18, clearing virtually all legal hurdles in his extradition. Earlier, the Supreme Court of Portugal had also rejected a similar appeal of the underworld don.

However, his extradition may be delayed for some more time, as an additional request for his extradition made in the case of the Madhya Pradesh police is pending consideration in the High Court of Lisbon.

Abu Salem, prime accused in the 1993 Bombay serial blasts case, was the subject of a Red



Abu Salem

Corner notice issued in 1995.

The Indian government had submitted a formal request for his extradition to the Government of Portugal in three cases of CBI, four cases of Delhi Police and two cases of Mumbai Police.

• **Subject of Red Corner notice in 1995**

• **Request for deportation in three CBI cases**

• **Found holding Pakistani passport**

In the case of Monica Bedi, his accomplice and a former Bollywood starlet who was also arrested along with him in 2002 in Lisbon, extradition was sought in a passport forgery case of Hyderabad.

The High Court of Lisbon had earlier granted Abu Salem's extradition in July last year only for the charges not punishable with death or life imprisonment. He filed an appeal.

The Supreme Court of Portugal rejecting it, accepted the plea of the CBI and authorised his

extradition for all the crimes included in the Indian request.

It was another appeal from Abu Salem before the Constitutional Court that was rejected on Monday, according to the CBI spokesperson here.

Audio tape row

Abu Salem's name figured in the recent audio tape controversy allegedly involving Bollywood celebrities Salman Khan and Aishwarya Rai.

On tape Salman Khan is allegedly heard boasting of his links with the underworld and threatening Aishwarya Rai with dire consequences if she did not participate in a show, organised by Abu Salem.

The tapes were reportedly recorded in 2001 and the transcript was carried last week by a Mumbai-based English newspaper but a question mark still

hangs over their authenticity.

At the time of his detention on September 18, 2002 in Lisbon, Abu Salem was found in possession of fake travel documents. He was holding a Pakistani passport in the name of Arsalan Mohsin Ali but his finger prints available with CBI fixed his identity.

He was prosecuted for the offence of forged documents and convicted by a Sessions Court in Lisbon to undergo a prison term of four and a half years on November 12, 2003 and he continues to be in detention.

Monica Bedi was found to be in possession of a passport issued by the Regional Passport Office, Hyderabad, in the name of Sana Malik Kamal. She was convicted by the Sessions Court of Lisbon for the offence of use of forged documents in Portugal and was awarded a prison term of two years.

U.K. soldiers face war crime charges

2/7 49:11
LONDON: Three British soldiers will be tried before a court martial on war crimes charges for the inhuman treatment of detenus in Iraq, the Government said. One of them is also charged with the manslaughter of an Iraqi civilian.

The troops face charges under the International Criminal Court Act 2001 in connection with events surrounding the death of Baha Mousa, the Attorney General, Lord Goldsmith, announced in a statement on Tuesday.

Mousa was a 26-year-old Basra hotel receptionist who died in Sept. 2003 after being arrested along with other Iraqi civilians and taken to a British military base.

Cpl. Donald Payne (34) of the Queen's Lancashire Regiment, is charged with Mousa's manslaughter and with the war crime of treating him inhumanely, according to a charge sheet released by Mr. Goldsmith's office.

Cpl. Payne is also charged with inhumanely treating eight other Iraqi detenus and with perverting the course of justice.

Lance Cpl. Wayne Crowcroft (21) and Pvt. Darren Fallon (22), both of the Queen's Lancashire Regiment, are also charged with the war crime of inhumanely treating detained Iraqi civilians.

Lesser charges

Four other soldiers face lesser charges relating to the same operation. Lord Goldsmith also announced that four soldiers would face a court martial charged with the manslaughter of 17-year-old Iraqi civilian Ahmed Jabbar Kareem Ali. British troops arrested Kareem Ali and three others for suspected looting in Basra on May 8, 2003. The soldiers allegedly punched and kicked the suspects and forced them to swim in a canal. Kareem Ali could not swim and drowned. — AP

2 • JUL 2004

THE HINCU

Bagram prisoner abuse: report implicates top military brass

Evidence of connivance of senior American officers, says leaked document

Julian Borger

WASHINGTON: A report on a military investigation into two killings of detainees at a U.S. prison in Afghanistan has produced new evidence of connivance of senior officers in systematic prisoner abuse.

The investigation shows the military intelligence officers in charge of the detention centre at Bagram airport were redeployed to Abu Ghraib prison in Iraq in 2003, while still under investigation for the deaths of two detainees months earlier.

Despite military prosecutors' recommendations, the officers involved have yet to be charged.

The Bagram case also suggests that some of the prison guards were given little if any training in handling detainees, and were influenced by a White House directive that "terrorist" suspects

did not deserve the rights given to prisoners of war under the Geneva convention.

The prosecution dossier from the army's investigation into Bagram, leaked to the *New York Times*, deals with the deaths of detainee Dilawar and Habibullah (both, as is common for Afghans, taking a single name).

Dilawar was a taxi driver who appears to have driven past a U.S. military base soon after a rocket attack. Habibullah was handed over to the U.S. by an Afghan warlord, and was identified as the brother of a Taliban commander. Both men were seized in late 2002, interrogated, beaten and killed in a hangar used for holding detainees who were being vetted for dispatch to Guantanamo Bay.

Chained, beaten

The two were chained to the

ceilings of their cells for days at a time and beaten on the legs. They had been subjected to a blow known as the "common peroneal strike", aimed at a point just below the knee and intended to disable. Coroners in the Habibullah case said his legs "had basically been pulpified" and looked as though they had been run over by a bus.

Last October, the army's criminal investigation command found probable cause to charge 27 officers and enlisted soldiers with offences ranging from dereliction of duty to maiming and involuntary manslaughter in the Dilawar case. Charges were also recommended against 15 of them for the Habibullah case.

Only seven soldiers have been charged, all junior ranks.

John Galligan, a Texas lawyer defending one of them - Private First Class Willie Brand - told

the *Guardian*: "It happened over a period of time and involved a large number of individuals. To turn around and charge PFC Brand fails to take account of the environment and standard operating procedures. What is particularly offensive to me is that senior officials have gone unscathed."

Revelations

Asked about the latest revelations, President George Bush said: "I think about over 20 per cent of the people thus far that have been held to account as a result of the Abu Ghraib issue have been officers. I'm comfortable that we're getting to the bottom of the situation. And I know we're doing so in a transparent way."

Sergeant James Leahy told investigators that after February 2002 directive from Mr. Bush

that the Geneva convention did not apply to Al-Qaeda or Taliban fighters, interrogators believed they "could deviate slightly from the rules."

The Pentagon denied that the Abu Ghraib scandal could have been prevented if the Bagram abuses had been investigated faster. Carrying out an inquiry in Afghanistan was bound to take longer. But John Sifton, an Afghanistan expert at Human Rights Watch, said this was "a convenient excuse".

"The White House always put forward, that Abu Ghraib was an exception, just some rotten apples," he said. "But U.S. personnel in Afghanistan were involved in killings and torture of prisoners well before the Iraq war even started."

"The story begins in Afghanistan." - ©Guardian Newspapers Limited 2005

Prisons of abuse

516
1975
S. Subraman International Law
Newsweek retracts Koran report

The respected news magazine *Newsweek*, has retracted its report alleging abuse of the Koran by US troops at the American army base in Guantanamo Bay, Cuba, saying that the source has "backed away" from his original account. The source was a government servant who claimed he saw an internal military investigation report which said that some soldiers had placed the Koran on toilet seats and even flushed one down as part of psychological torture to get detainees to talk. It should be noted that the retraction comes a full eleven days after the event and, more to the point, after killings and other forms of violent widespread protests.

In the changed climate, since President Bush came to power, one is driven to the conclusion that there was official pressure to retract. Seventeen people were killed and many more were injured in protests across the Muslim world, including Saudi Arabia, which has been a staunch ally of the US and has never ventured to comment, no matter what the provocation. Either the event happened or it did not happen, it is not open to the magazine to plead the subsequent violence for retracting it.

America's track record when it comes to dealing with prisoners of war from Iraq has been thoroughly dismal, as proven by substantiated stories and horrendous photographs of sexual and mental abuse by American units of soldiers in Iraq. The detention camp in Guantanamo Bay is a scandal, being operated to avoid penalties for misconduct under American law and jurisprudence. It has been argued that even the Geneva convention does not apply because of territorial constraints. Detainees here have not been given Prisoner of War status and are kept in conditions of abuse and shame that have been made public under protest.

It is time for Americans to wake up and take their President to task for shamelessly abusing the provisions of international law, consciously practising abuses prohibited by international law, by the simple expedient of keeping them outside the territorial limits, to avoid calls for justice. That the country of the First Amendment should behave so shabbily is beyond reason and beyond any condemnation that mere words can convey. However, President Bush preaches democracy and good governance to the rest of the world and there seems no one to say him nay.

This is indeed the shameful state of the world today. And we are now engaged in arguing whether to increase the membership of the United Nations Security Council and whether to allow veto powers to the new members! Do we know well enough that all this while, the US government does not apply its own laws? Or any laws for that matter! Are we content to live with this? Evidence of these widespread abuses is not lacking, it is plentiful, final and not subject to argument. What is lacking is international decency and honour.

19 MAY 2005

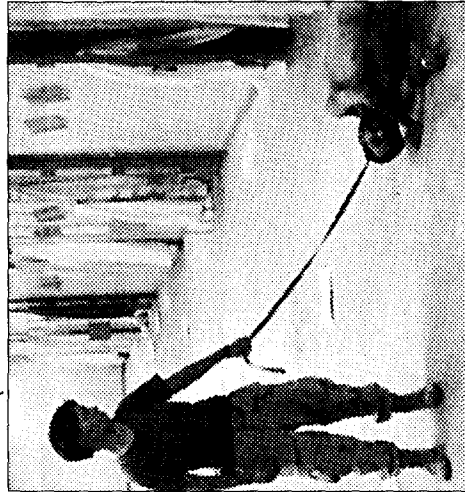
Abu Ghraib woman to plead guilty

Associated Press
San Antonio, April 30

PFC. LYNN DIE England, the army reservist shown in some of the most notorious photos in the Abu Ghraib prison scandal, will plead guilty to abusing Iraqi detainees in a case that sparked global outrage against the US and its military.

England, 22, faces a maximum sentence of 11 years in prison as part of the plea deal, which still must be accepted by a military judge, her attorney Rick Hernandez said. She had been facing up to 16 years. The plea deal came four days before England was scheduled to go on trial in a military court in Fort Hood. "This is in her best interests," Hernandez said.

England was one of seven members of the Maryland-based 372nd Military Police Company charged with humiliating and assaulting Iraqi detainees at the prison near Baghdad. She became a focal point of the scandal after photos of her surfaced, including one that showed her smiling and posing with nude prisoners stacked in a pyramid. In another picture, she is smiling and pointing at a naked detainee's genitals while



a cigarette dangles from the corner of her mouth. A third picture shows her with a naked detainee on a leash (**picture above**).

England will plead guilty on Monday to seven of the nine counts against her: two counts of conspiracy, four counts of maltreating prison-

ers and one count of dereliction of duty, Hernandez said. The other charges — committing indecent acts and failure to obey a lawful order — will be dropped, he said.

Top military officials first became aware of the Abu Ghraib abuses in January 2004. The scandal after the pictures became public tarnished the military's image worldwide and sparked investigations of detainee abuses.

England's lawyers have argued that she and others in her unit were acting on orders from military intelligence to "soften up" prisoners for interrogations. But army investigators testified during hearings last summer that England said the reservists took the photos while "they were joking around, having some fun."

A panel of soldiers will determine England's punishment. Hernandez said the defence would present evidence that England has severe learning disabilities and mental health problems. He also said the defence plans to call Pvt. Charles Graner Jr, a former Abu Ghraib guard and the reputed ringleader of the abuses, as a defence witness. Graner, said to be England's ex-boyfriend and father of her infant son, was convicted in January.

149-18
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U.S. quits accord on detained foreigners

WASHINGTON, MARCH 11. The United States has withdrawn from a Vienna Convention protocol which gave the International Court of Justice the right to intervene in the cases of foreigners held in U.S. jails — particularly on death row, officials said.

The protocol requires signatories to let the international court make the final decision when detained foreigners say they have been illegally denied access to a diplomat from their country.

Activist groups have widely used the protocol — which was first proposed by the U.S. — to fight the cases of foreigners on death row in U.S. jails.

The U.S. move, confirmed by the Secretary of State, Condoleezza Rice, during a visit to Mexico, followed a February 28 decision by the world court that 51 Mexicans on death row in the U.S. jails should get a new hearing.

The U.S. President, George

W. Bush, has decided the country will comply with the ruling and review the 51 cases, Dr. Rice said.

But the withdrawal will mean the U.S. does not have to bow to the international court in such a case again, experts said.

Committed to protocol

"We remain committed and parties to the Vienna Convention which includes consulate notification," Dr. Rice told reporters.

"We consider consulate notification is extremely important."

The U.S. proposed the protocol in 1963 and ratified in 1969 with the rest of the Vienna Convention on Consular Relations. The optional protocol lets the International Court of Justice intervene when suspects are denied the right to see a home-country diplomat when jailed abroad.

The Deputy State Depart-

ment spokesman, Adam Ereli, made it clear that Washington was angered by the ruling on the Mexicans.

"The decision that the ICJ handed down is a decision, frankly, that we don't agree with," said Mr. Ereli.

"When we signed up to the optional protocol, it was not anticipated that cases that would be referred to the ICJ and the optional protocol would be used to review cases of domestic criminal law."

Mr. Ereli also highlighted how 70 per cent of countries that are signatories to the Vienna Convention have not signed up to the optional protocol.

"I don't think anybody should conclude by our decision to withdraw from the optional protocol that we are any less committed to the international system or that we are in any way walking back from international commitments," he emphasised. — AFP

Legal hurdles cleared for Monica Bedi's extradition

By Our Special Correspondent

NEW DELHI, FEB. 26. Legal hurdles have been cleared for extradition of Monica Bedi, a former Bollywood starlet, from Portugal to India.

She was arrested on September 18, 2002 by the police in Lisbon along with underworld don Abu Salem Ansari and was found in possession of a forged passport.

Abu Salem is the key accused in the March 1993 Bombay serial blasts case.

The Constitutional Court of Portugal has unanimously dismissed the appeal of Ms. Bedi on February 24 filed against its preliminary decision of January 18, 2005, the Central Bureau of Investigation said in a release here today.

The passport she held was issued by the Regional Passport Office, Hyderabad, in the name of Sana Malik Kamal. A criminal case was registered against her by the CBI in the case. A request for her extradition was made by the Government to the Ministry of Foreign Affairs, Portugal, on December 27, 2002. After the request was examined by the Attorney-General, Portugal, and Ministry of Justice, it was forwarded to the High Court of Lisbon for judicial examination.

Ms. Bedi was convicted by the Sessions Court of Lisbon for the use of forged documents in Portugal and was jailed for two years. She has completed the period of sentence.

THE HINDU

27 FEB 2005

Guantanamo detentions illegal: World churches

Geneva: The World Council of Churches (WCC), the main global body uniting non-Catholic Christians, has accused the United States of violating international law in its treatment of detainees at its Guantanamo naval base.

The Council, which includes many US churches in its 342-church membership, also called on the administration of President George Bush to grant full legal rights to the some 600 foreign nationals detained at a camp on the base in Cuba.

The prisoners there "are held without due process and in total violation of the norms and standards of international humanitarian and human rights law," a statement issued by the Council's Central Committee said.

The statement was supported by the US National Council of Churches (NCC), which links 36 Protestant, Orthodox and Afro-American communities across the country and has been campaigning for the detainees to be granted due legal process.

Bush is a fervent Christian, and the backing of evangelical Christians in several key states helped secure his re-election last November.

The Council statement also called on the administration to allow the NCC to visit the detainees—many held since the end of 2001 as part of the administration's 'war on terror.' The WCC also called for international talks on ending the presence of the US-led military coalition in Iraq. Reuters

Graphic: Arpit Sharma

40-16
19/12

New evidence of prisoner abuse at Bagram

By Suzanne Goldenberg
and James Meek

WASHINGTON, FEB. 18. New evidence has emerged that U.S. forces in Afghanistan engaged in widespread Abu Ghraib-style abuse, taking "trophy photographs" of detainees and carrying out rape and sexual humiliation.

Documents obtained by the London-based *Guardian* newspaper contain evidence that such abuses took place in the main detention centre at Bagram, near the capital Kabul, as well as at a smaller U.S. installation near the southern city of Kandahar.

The documents also indicate that U.S. soldiers covered up abuse in Afghanistan and in Iraq — even after the Abu Ghraib scandal last year.

A thousand pages of evi-

dence from U.S. army investigations released to the American Civil Liberties Union after a long legal battle, and made available to the *Guardian*, show that an Iraqi detained at Tikrit in September 2003 was forced to withdraw his report of abuse after soldiers told him he would be held indefinitely.

Mock executions

Meanwhile, photographs taken in southern Afghanistan showing U.S. soldiers from the 22nd Infantry Battalion posing in mock executions of blindfolded and bound detainees, were purposely destroyed after the Abu Ghraib scandal to avoid "another public outrage", the documents show.

In the dossier, the Iraqi detainee claims that three U.S. interrogators in civilian clothing dislocated his arms, stuck an

unloaded gun in his mouth and pulled the trigger, choked him with a rope until he lost consciousness, and beat him with a baseball bat.

"After they tied me up in the chair, then they dislocate my both arms. He asked to admit before I kill you then he beat again and again," the prisoner says in his statement.

"He asked me: Are you going to report me? You have no evidence. Then he hit me very hard on my nose, and then he stepped on my nose until he broken and I started bleeding."

The detainee withdrew his charges on November 23 2003. He says he was told: "You will stay in the prison for a long time, and you will never get out until you are 50 years old."

— ©*Guardian Newspapers Limited 2005*

THE HINDU

19 FEB 2005

Portugal Supreme Court clears extradition of Abu Salem

H10-1
28/11

International
News

By Our Staff Reporter

NEW DELHI, JAN. 28. The Central Bureau of Investigation has inched closer to bringing back Abu Salem, accused in the March 1993 Mumbai serial blasts, with the Portugal Supreme Court passing an order recently granting his extradition to India.

According to a CBI official, the agency had moved the Supreme Court against the order of the High Court of Lisbon in July last granting Salem's extradition for trial only in minor cases of offence and not in the Mumbai serial blasts.

After hearing the arguments, the Supreme Court of Portugal observed that the Indian Government had already promised that Salem would not be awarded capital punishment and granted his extradition for trial in all the cases in which he was involved. It is learnt that Salem's counsel had also moved an application challenging the High Court's decision but it was turned down.

Now that the CBI has been granted his extradition, Salem is expected to move the Portuguese Constitutional Court to challenge the Supreme Court

order. "It will take us some more time to secure his custody," said the CBI official. In case he moves the Constitutional Court and his application is turned down again, the Portuguese government would then decide his fate.

Salem along with Monica Bedi was arrested in Lisbon in September 2002 and was sentenced to four-and-half years imprisonment on different charges. In July last, the High Court of Lisbon had also granted the extradition of Ms. Bedi on the condition that she would be tried only in the passport forgery case.

29 JAN 2005

THE HINDU

Speedy Gonzales & the rule of law

Ethics, in today's America, primarily refers to sex: no Presidential fooling around, no sanctioning of homosexual love. But what about the appointment as Attorney General of a person for whom the Geneva Convention is 'obsolete' and 'quaint', asks HUCK GUTMAN

WHAT does it mean that Alberto Gonzales is about to be approved as Attorney General of the USA? That this particular appointee of President George W Bush will become the chief law enforcement officer of the American nation?

The President's advisors and spin doctors proclaim his elevation from the President's counsel to his current position, as a moment of historic magnitude. For the first time in American history, a Hispanic will occupy one of the four highest administrative offices in the nation. They cite his story, the rise from rags to riches, as proof that democracy and egalitarian opportunity are alive and well in the world's sole superpower. Even the often-pugnacious Democratic Senator Patrick Leahy, the ranking member of the opposition party on the Judiciary Committee which vetted and will vote on the nomination, recently said: "The road you've travelled, from being a 12-year-old boy, just about the age of your oldest son, selling soft drinks at football games, all the way to the state house in Texas and our White House is a tribute to you and your family."

Bush is no doubt mindful of the Latino success story that Gonzales embodies. Hispanics, according to exit polls, gave 44 per cent of their votes to Bush in the just-concluded presidential election. Gonzales' appointment is a matter of pride for many Hispanics, even among those who didn't support or vote for Bush.

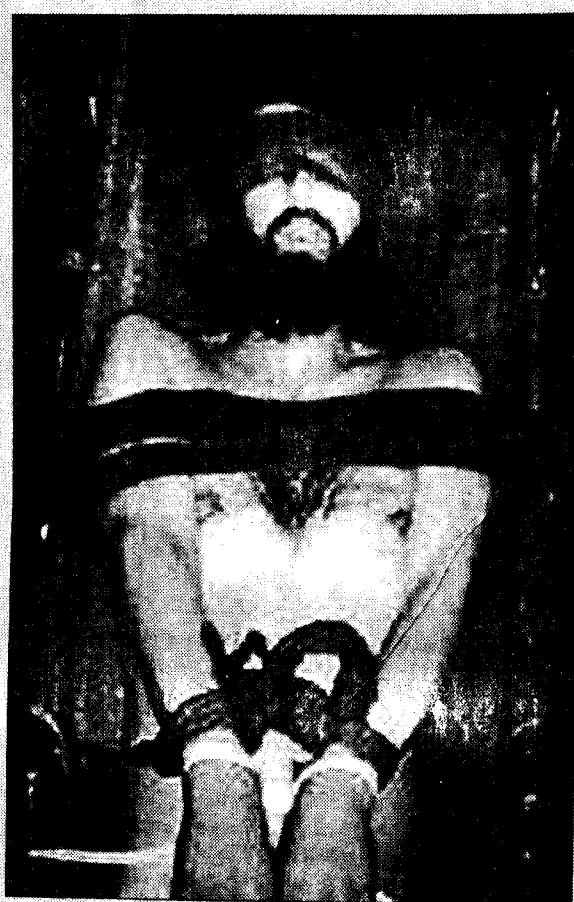
But something other than identity politics and cultural pride are at stake in the Gonzales appointment.

More than any other event, this appointment, and the ease with which it will pass the Senate without significant opposition, reveals the extent to which the USA is moving expeditiously, and without significant complaint, along a road that leads to what one can only, uncomfortably, call fascism.

Gonzales stands as the apostle of torture in the administrative councils of the American polity. When it appeared that questioning of "suspects" held as possible informants about the murderous attack on the Twin Towers in New York on 11 September 2001 might violate the Geneva Convention, international law and American law, Gonzales asked Department of Justice attorneys for a definition of what constitutes torture, and to whom the prevailing legal restrictions on torture might apply.

On 25 January 2002, a memorandum from Gonzales to Bush stated that "the war against terrorism is a new kind of war" which "renders obsolete Geneva's strict limitations on questioning of enemy prisoners and renders quaint some of its provisions." The prohibition against torture was thus found to be "obsolete" and "quaint", as if it were a hand-cranked phonograph in our day of stereos and portable CD players.

Much was made of the USA's previous President, Bill Clinton, and his dalliance with a young intern, Monica Lewinsky. Again and again, conservative critics called him "immoral". Let there be no doubt: there is something morally wrong about breaking marriage vows and about using the perquisites of power and age to take advantage of a young wo-



The Geneva Convention makes it illegal for prisoners of war to be shown and pictured and humiliated. And it's something that the United States does not do. — Donald Rumsfeld, 23 March 2003.

Images of prisoner abuse in Abu Gharib.



man. But the fate of a nation scarcely swung on some sexual escapade in the White House, however distasteful and upsetting the incident may have been. Such is not the case with Gonzales and his unethical work in the White House.

It is more difficult to talk about ethics than we often imagine. Philosophers do it, religious sages do it, but in daily life we are more likely to talk about other things: sports, cinema, political intrigues, celebrities. When we talk about ethics, we often fall back on morality, on the codes that have been handed down to us by our parents, our religion, our schooling or (more and more in today's world) what pundits tell us in the mass media.

But ethics goes to the very deepest concerns of human life. It inquires into how we will live together with others — sometimes those immediately around us, sometimes those of that larger world of community or town or nation or even world — in a way that is compassionate, fair, just and responsible.

What does it mean to be a "good" man or woman? That is the central question addressed by ethics, the very core of ethical inquiry.

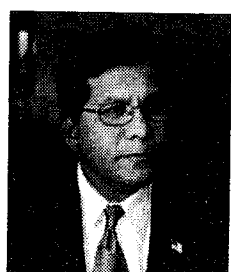
Whatever answer one moves toward in defining what comprises a "good" human being, we can be certain that the answer does not include condoning the torture of other human beings.

Yet, at this moment the USA is poised to anoint as its chief law enforcement official a man who counsels and condones the use of torture.

Nor was his January 2002 memo

aberrant, an accident. Six months later, in August 2002, Gonzales cleared a Justice Department memo that stated bluntly that both international treaties such as the Geneva Convention and US law do "not apply to the President's detention and interrogation of enemy combatants." Simple reasoning, but terrifyingly strange: If you're not an American, then it is OK for the American authorities to torture you.

That memo, which is addressed to Gonzales, opens with the words "You have asked for our Office's views regarding the standards of conduct under the Convention Against Torture and Other Cruel, Inhuman



Alberto Gonzales

He should have said torture is heinous, and when carried out systematically, it is a crime against humanity. Instead, he looked for ways to justify torture.

and Degrading Treatment or Punishment." It states that Americans acting under the President's authority can inflict "cruel, inhuman or degrading" treatment to prisoners without violating laws and treaties against torture. Torture can properly be claimed, according to the memo prepared by Assistant Attorney General Jay Bybee, only when there is severe pain of "an intensity akin to that which accompanies serious physical injury such as death or organ failure." If you aren't dead or close to it, it isn't torture.

Mark Danner, the author of *Torture and Truth: America, Abu*

Gharib and the War on Terror, recently wrote with admirable clarity of Gonzales: "He is unfit because, while the Attorney General is charged with upholding the law, the documents show that as White House counsel, Gonzales, in the matter of torture, helped his client to concoct strategies to circumvent it."

In his opening testimony before the US Senate, which continues to consider his nomination, Gonzales claimed he was only soliciting opinions, that this was his job as counsel.

Wrong. Wrong. Wrong. In the first place, he passed along opinions over his signature, so that those opinions carried his implicit, and likely his explicit, consent.

In the second place, choosing to ask if torture is legal, and asking if it can be narrowly defined as only the most harrowing of conduct, are not innocent acts: they presume that extant prohibitions against torture might and probably should be weakened. His request was to cast about for legal loopholes rather than to seek to clarify fundamental principles of the rule of law. And, in fact, Gonzales' staff played a role in preparing the memo which found those loopholes: Timothy E Flanigan, his deputy counsel, talked about a draft of the memorandum with lawyers at the Office of Legal Counsel before it was finalised. (It should be noted that when the memo became public, and only then, the administration repudiated it.)

But the worst offence is one which the Senators — who, not wanting to offend Hispanic voters, will end up overwhelmingly approving Gonzales

as Attorney General — refuse to address.

The purpose of legal counsel is not merely to tell one's employer what is legal. The purpose of a counsel is to "counsel": to offer sound advice, not just about narrow constructions of legality, but about the rightness of proposed courses of action. "This might be legal," a counsel should advise his client, "but it is the wrong thing to do." It may be wrong because it is impractical, or because it has negative operational consequences, or because it is costly, or because it opens one to litigation by those who challenge its legality. But it may also be wrong because it is unethical.

The fact that Gonzales solicited and then passed along advice which defined prohibitions against torture as quaint and obsolete is not as egregious as the fact that he passed that advice along without saying, "This is a legal opinion, but anyone can offer an opinion. This opinion is wrong, both because it is too narrow legally, and more importantly, because it is unethical." He should have informed Bush that the Geneva Convention protects people everywhere from unjust and inhumane treatment, and that its abrogation would have severe consequences for the conduct of nations — and specifically, in the diminishing of protection for US troops abroad. (Secretary of state Powell submitted a memo to the President saying exactly that. But then, Powell is now on the way out, and Gonzales is now on the way in.)

He should have said torture is heinous, and when carried out systematically, it is a crime against humanity. Instead, he looked for ways to justify torture.

Later he, like everyone in the Bush administration, professed amazement that American soldiers tortured prisoners at Abu Gharib prison in Iraq. (Well, they weren't dead and didn't have organ failure, so maybe it wasn't really torture?) (But I should not jest, not even parenthetically: We are speaking of torture, here.)

Such a man as Gonzales should not be walking the streets. He should be brought up for trial on the basis of enabling war crimes. Instead, he is the soon-to-be confirmed next Attorney General of the USA. Its chief law-enforcement officer.

Ethics seem irrelevant in the USA today, despite much talk by pollsters that ethical issues have an effect on elections. (That sort of ethics refers primarily to sex: no Presidential fooling around, no sanctioning of homosexual behaviour through "gay marriage".) Meanwhile, Bush is determined to use his power to get what he wants, even if what he wants is wrong. Even if what he wants is to torture suspects and to appoint a possible war criminal to head up the legal functions of the US government.

And the American people? A lassitude has set in. There is work, there is shopping, there are television and video games and popular music. Ethics seem, for many, too difficult a burden to shoulder. Maybe in the 22nd century. But not now, in this time, in this place.

(Huck Gutman is former Fulbright Visiting Professor of English at Calcutta University. He is a Professor at the University of Vermont, USA.)

How much freedom does a man need?

AND then there came a day of fire," Bush said during his second inaugural, indirectly referring to terrorists' attacks that pulled the USA out of a long slumber. Rather too soon, the end of Communism had brought about a sense of complacency, a grand illusion as if it were the end of history seen as struggle in the Hegelian sense, and the final triumph of freedom. As Francis Fukuyama prematurely gushed after the collapse of the Soviet Union, "What we are witnessing is not just the end of the Cold War, or a passing of a particular period of postwar history, but the end of history as such: that is, the end point of mankind's ideological evolution and the universalisation of Western liberal democracy as the final form of human government."

Of course that did not happen. It did not happen in Russia after the Soviet Union dissolved; and it did not happen in China in spite of the 1989 Tiananmen Square pro-democracy protests and in spite of rapid economic growth and broadening prosperity under state controlled market capitalism. China has been growing at the rate of 8-9 per cent for more than a decade and is on the path to become an economic and military superpower in the next few decades. If the authoritarian rule has not hindered China from growing at a phenomenal rate to which there seems to be no end, one might wonder: How could they do it without civil liberties? How much freedom does a

man need?

Democracy did not happen in the Muslim-Arab world where Islamic fundamentalism, partly as a reaction to the Soviet Communism and partly due to the Israel-Palestinian conflict, has been taking hold of the hearts and minds of the people. In fact, after the collapse of the Soviet Union, worldwide tyranny might have increased, if metrics were available. China has ceased to be an imminent threat as its economic growth became increasingly tied up with exports to the USA and foreign direct investments. Along with that human rights, including Tibet, ceased to be an issue in US-China relations. Between the USA and Saudi Arabia or other pro-American Arab countries in the region where Islamic fundamentalism has been holding a long sway, human rights and freedom were seldom an issue. After the 2001 terrorists attacks, the USA clasped Pakistan with financial and military ties to make it an ally against the Taliban and Al-Qaida terrorism. And to maintain its hold over Pakistan, the USA overlooked even the black-marketing of nuclear technology by one of its most revered scientists, AQ Khan. Unselected generals rule the land.

Is this diplomatic paradigm shift from the realpolitik of supping with the devil to the messianic fervour of universally spreading

freedom for real? Or was the inaugural rhetoric of liberty a latter-day rationale for the invasion of Iraq where though weapons of mass destruction couldn't be found, the tyrant had to be removed nonetheless for the spread of liberty?

Bush said the USA would remain vulnerable to terrorism so long tyranny and hate ideology prevailed abroad and for which there's no other solution except to expand freedom.

"The survival of liberty in our land increasingly depends on the success of liberty in other lands. The best hope for peace in our world is the expansion of freedom in all the world... Across the generations, we have proclaimed the imperative of self-government because no one is fit to be a master and no one deserves to be a slave." Bush has come to the same conclusion as Abraham Lincoln had reached at the time the Civil War, "I believe this government can't endure permanently half slave and half free." So the ultimate guarantee for freedom at home is to end tyranny abroad by supporting "the growth of democratic movements and institutions in every nation and culture..." But what about poverty and disease?

Bush is not going to challenge every authoritarian nation: Democratise or else. He may not push guns for freedom but he is certainly

not going to give up what he has already undertaken. With Iraq in mind, Bush said: "Our country has accepted obligations that are difficult to fulfill, and would be dishonourable to abandon. Yet, because we have acted in the great liberating tradition of this nation, tens of millions have achieved their freedom."

Elections in Afghanistan and the Palestinian Authority have kindled some hope that eventually elections and sharing of power might bring about the beginning of law and order in Iraq too. And keeping in mind the forcefulness and tenor of his inaugural address, Bush cannot run away from his commitment to establish a semblance of democratic regime in Iraq. The 30 January elections in Iraq in many ways would be a momentous event to watch, probably another bloody day to which the world has become used to do, nonetheless, a new day when millions of Iraqis would exercise their freedom.

But a free country too could harbour terrorists. Nor does freedom mean the end of poverty and unemployment, a fertile ground for terrorism. The Bush freedom package must include economic aid including preferential trade for poor countries.

(ND Batra is Professor of Communications, Norwich University, Vermont. He can be blogged at <http://corporatopower.blogspot.com>.)

cyber age
ND BATRA

Abuse defence: orders from above

Associated Press

OSNABRUECK (Germany), Jan. 20. — One of three British soldiers on trial for alleged mistreatment of Iraqi detainees was following orders to get tough with captured looters, his lawyer said.

In the first case of alleged abuse by British troops to go to trial, defence lawyers also suggested yesterday that soldiers were poorly prepared to deal with common criminals as the army

Ultras execute two foreigners

DUBAI, Jan. 20. — The Al-Qaida linked Army of Ansar al-Sunna today claimed it had murdered a Briton and a Swede in Iraq, in a statement posted on a website. The Army of Ansar al-Sunna "kidnapped two agents... working for an intelligence service of the infidel forces in the region of Basra" and executed them, said the statement, whose authenticity could not be verified. — AFP

shifted from war to policing after the US-led invasion of Iraq.

The mistreatment allegedly happened in May 2003 at a humanitarian aid warehouse compound outside Basra where the three soldiers were posted after

British forces moved into southern Iraq.

Corporal Daniel Kenyon, the highest-ranking defendant, was acting under the warehouse commander's order — known as Operation Ali Baba — to make captured looters

"work hard" as a deterrent, his lawyer Mr Giret said. "The whole reason he is in the dock stems from those who gave the order to implement Ali Baba," Mr Giret told the seven-member military jury. Prosecutors maintain that the order was unlawful, a point the defence cited yesterday.

But Lt Col Nicholas Mercer, an army lawyer stationed in the region at the time, argued that trained soldiers had to know that mistreating captives was wrong.

ইরাকে ব্রিটিশদের 'আলিবাবা' অত্যাচার

লন্ডন, ১৯ জানুয়ারি: কখনও এক বন্দিকে জাল দিয়ে জড়িয়ে ঘুঁষি মারা হচ্ছে। কখনও জোর করে মাটিতে শুইয়ে গায়ে জল ঢেলে দেওয়া হচ্ছে। চলছে যৌন নির্যাতন। আবু গ্রাইবের পরে আবার ইরাকি বন্দিদের উপরে ভয়াবহ অত্যাচারের ছবি দেখল গোটা বিশ্ব।

তবে মার্কিন সেনার পরে অভিযোগের কাঠগড়ায় এ বার ব্রিটিশ সেনারা। আর কোনও কারাগার নয়, ইরাকের একটি সাহায্য শিবিরেই চলছে এই বীভৎস অত্যাচার। ইরাকি বন্দিদের উপরে অত্যাচারের অভিযোগে জার্মানির একটি আদালতে তিন ব্রিটিশ সৈন্যের বিচার চলছে। সেই সময়েই এই অত্যাচারের একাধিক ছবি দেখানো হয়।

একটি স্টুডিওতে ছবিগুলো ডেভেলপ করাতে নিয়ে গিয়েছিলেন ব্রিটিশ এক সেনাই। স্টুডিওরই এক কর্মী ওই ছবি দেখে পুলিশকে ফোন করলে বিষয়টি জানাজানি হয়। কী দেখা যাচ্ছে ছবিতে? বলা যায়, আবু গ্রাইবে অত্যাচারের ছবিগুলিই প্রতিক্রম। খালি বদলে গিয়েছে স্থান-কাল-পাত্র। অত্যাচার হয়েছে একটি সাহায্য শিবিরের ভিতরে, একেবারে অসামরিক লোকজনের উপরে।

সাদ্দামের পতনের পরে ২০০৩ সালের মে মাসে 'আলিবাবা' অভিযান চালান বীর ব্রিটিশ সেনারা। বসরার কাছে 'ব্রেড বাস্কেট' নামে একটি সাহায্য শিবিরে নাকি খাবারদাবার চুরি করছিল ইরাকিরা। তাঁদের শাস্তি দিতে তাই 'আলিবাবা' ও চল্লিশ চোরের 'অনুকরণে' 'আলিবাবা' অভিযান চালায় ব্রিটিশ সেনারা।

কেমন সেই 'আলিবাবা' শাস্তি! ছবিতে দেখা যাচ্ছে, আবুগ্রাইবের ঢঙে ইরাকি



দড়িবাঁধা ইরাকি বন্দিকে ব্রিটিশ সেনার মার। — এ পি

বন্দিদের উপর যৌন অত্যাচার চালাচ্ছে যুবক সৈন্যেরা। কখনও বা জাল দিয়ে জড়িয়ে এক বন্দিকে ঘুঁষি মারছেন অন্যতম অভিযুক্ত মার্ক কুলি। জোর করে মাটিতে শুইয়ে গায়ে জল ঢেলে দিচ্ছেন আর এক অভিযুক্ত ড্যানিয়েল কেনিয়ন।

অভিযুক্ত সেনারা অবশ্য দোষ অস্বীকার করেছে। কেনিয়নের এক সঙ্গী অফিসার আবার দাবি করেছেন, কেনিয়ন মোটেই দোষী নন। বরং তিনি রীতিমতো বীর যোদ্ধা। যুদ্ধের নায়কও বলা যেতে পারে। ইরাক যুদ্ধে তিনি নাকি বহু সহকর্মীর প্রাণ বাঁচিয়েছেন। সব দোষ ওই ক্যাম্পের দায়িত্বে মেজর টেলরের। তিনিই নাকি ক্যাম্পে লুণ্ঠরাজ ঠেকাতে ইরাকি বন্দিদের একটু 'কড়কে' দেওয়ার নির্দেশ দিয়েছিলেন।

এই নির্যাতনের ছবি ব্রিটেনের কাগজে ছাপা হওয়ার পর গোটা দেশে নিন্দার ঝড় উঠেছে। "আমরা অসুস্থ বোধ করছি,"

বলেছে দেশের প্রথম সারির একটি কাগজ। অধিকাংশ সংবাদপত্রই বলেছে, এতে যে কেবল সারা বিশ্বে ব্রিটিশবাহিনীর ভাবমূর্তি নষ্ট হবে তা নয়, আরব দুনিয়ায় এর ফল হবে সুদূরপ্রসারী ও ভয়াবহ।

"আমি স্তম্ভিত, বিস্মিত।" ব্রিটিশ সেনাদের কীর্তির ছবি দেখে নাকি এমনটাই বলেছেন প্রধানমন্ত্রী টনি ব্লয়ার। তবে এই ঘটনা ব্যতিক্রম। অধিকাংশ ব্রিটিশ সেনা এ'রকম নয়— এ কথা জানিয়ে দিতেও তিনি ভোলেননি।

নিন্দুকেরা অবশ্য বলছেন, ব্রিটিশ সেনা বাহিনীর এ হেন কীর্তিকলাপ আগামী মে-মাসের সাধারণ নির্বাচনে কোনও ছাপ ফেললে বুশের 'প্রিয় বন্ধু'টিকে আরও বেশি বিস্মিত হতে হবে।

— রয়টার্স

Photographs of British Abu Ghraib dog Blair

Vijay Dutt & Agencies
London, January 19

IRAQ RETURNED to haunt Prime Minister Tony Blair on Wednesday as pictures of British soldiers apparently abusing Iraqis were splashed over newspapers in an echo of last year's Abu Ghraib prison scandal.

As a court martial of three British soldiers continued in Germany, front-page pictures showed naked Iraqi prisoners appearing to be forced to simulate anal and other sexual acts under "Shame" and "Shock" headlines.

A British soldier stands on a trussed and terrified Iraqi civilian as a comrade takes his picture. Other appalling shots, 22 in all, provide illustration of physical and sexual abuse, like simulating punching, kicking, forc-

ing two Iraqis to strip naked and forcing detainees to stimulate two different sex acts.

The images are the most damaging to emerge since photographs of Iraqis being mistreated by American soldiers at Abu Ghraib prison. No wonder the latest set of photographs that form the centrepiece of the military trial of three soldiers has been described as "Britain's Abu Ghraib".

Just four months before an expected election, Blair will be forced yet again to defend his decision to side with President Bush and lead Britain into the deeply unpopular Iraq war.

Questions over the reasons for war and failure to find any weapons of mass destruction in Iraq have led to a slump in Blair's personal trust ratings.

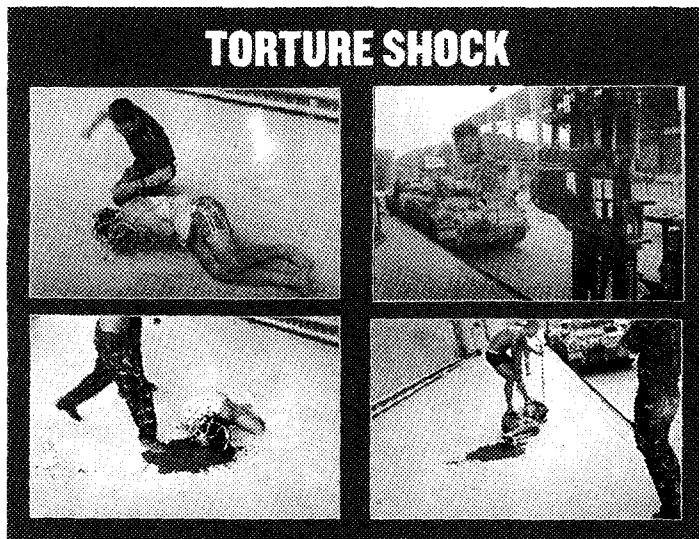
But in the last few months Blair, tipped to win the election albeit with a reduced majority, had steered political debate back onto domestic issues.

"There is obviously a certain amount of damage because Blair is associated with the policy in Iraq," said Wyn Grant, politics professor at Warwick University.

As photographs were flashed around the world, there were fears of immense propaganda value to the fundamentalists less than a fortnight before the Iraqi polls. The trial was also a leading story on the Arabic television channels.

Defence chiefs got so alarmed that the Chief of General Staff Gen Sir Mike Jackson issued an unprecedented statement. He condemned any abuse of prisoners. "We condemn utterly all acts of abuse. Where there is evidence of abuse this is investigated immediately." "Some 65,000 servicemen and women have served in Iraq. Only a small number are alleged to be involved in incidents of this type." So far military police has investigated 160 cases of death, injury and ill-treatment of Iraqis.

The three now standing trial inflicted shocking and appalling physical abuse on defenceless Iraqi, the court martial hearing in Germany on Tuesday. The accused face possible imprisonment and dismissal in disgrace. The prosecutor Lt Col Nick Clapham told a seven-man panel of senior officers that it could not be said that the photographs depict images that are anything but shocking.



Prison abuse leader gets 10-year jail

J. H. S.
10-11

FORT HOOD (TEXAS), JAN. 16. A military jury sentenced Spc. Charles Graner to 10 years in prison yesterday for his leading role in the 2003 Abu Ghraib torture of Iraqi prisoners, five years less than the maximum sentence possible.

The sentencing at a central Texas military base came a day after a jury found Graner guilty on 10 counts related to the abuses, many of which were documented in photographs that included naked prisoners stacked into a pyramid and being forced to masturbate.

Graner showed no reaction when the sentence was read and appeared calm before he was taken off to prison. Asked if he regretted abusing prisoners, Graner paused, then said: "Maybe you missed that there's a war on. Bad things happen in war. "Apparently I followed an illegal order."

In his first public remarks on the scandal earlier in the day, Graner told the 10 jurors he had

acted wrongly, but said he complained repeatedly to superiors and was told to continue rough treatment.

"I didn't enjoy anything I did there. A lot of it was wrong, a lot of it was criminal," said Graner, 36, the first soldier to go on trial in the abuse case.

80 detenus freed

The U.S. military on Sunday freed about 80 prisoners held in Afghanistan, and the country's most senior judge said the Government was negotiating for the release of hundreds more Afghans from American custody.

In a move which could help a reconciliation drive with former Taliban, two buses brought the 80 Afghan men to the Supreme Court in Kabul, where they were received by the Chief Justice.

Fazl Hadi Shinwari congratulated them on their freedom and told them to be grateful to return to their families for the Muslim feast of Eid al-Adha, on January 20. — Reuters

Abu Gharib scandal trial

US abuser convicted

PRESS TRUST OF INDIA

WASHINGTON, Jan. 15. — A military jury found a US soldier guilty of abusing Iraqi prisoners at Abu Gharib prison, the first such conviction stemming from the scandal which shocked the world after photographs of detainees being maltreated came to light.

Charles A Graner Jr (36) was convicted for five counts of assault, maltreatment and conspiracy in connection with the beating and humiliation of detainees at the Iraqi prison by the 10-member jury in Fort Hood, Texas, yesterday. He now faces up to 15 years in a military prison. The jury spent less than five hours deliberating and rejected Graner's defence that he was just following orders.

Graner, one of the key persons accused in the case, had been charged with hitting inmates with steel rods and forcing naked men to simulate sexual acts. Photographs of the abuse were published by news organisations, sparking worldwide outrage and sullied the



Charles A Graner Jr

BODIES FOUND

BAGHDAD, Jan. 15. —

The bodies of 18 Iraqis shot dead were found dumped on roadsides in central Iraq today, underscoring the power of insurgents operating in the region ahead of the elections at the end of the month. Thirteen corpses, including that of a young woman, were discovered near Latifiyah, 40 km south of Baghdad. Also south of Baghdad, the corpses of four Iraqis working with a foreign company, were discovered near Kut. North of Baghdad, US soldiers recovered the body of a man from a river. — AFP

USA's image.

Graner stood in attention and looked straight ahead, showing no emotion, as the verdict was announced. His parents Mrs Irma Graner and Mr Charles Graner Sr hugged each other tightly on the spectator bench of the military courtroom.

Graner was, however acquitted of some of the specific allegations within the charges.

The defence maintained that Graner, who was a corporal and has since been demoted, and the other low-ranking enlisted soldiers indicted in the case were "scapegoats" set up by the army to deflect blame from senior officers in charge of the prison.

In another development, the US Justice Department is conducting its own investigation into FBI allegations of prisoner abuse at the US naval base at Guantanamo Bay, Cuba and at Abu Gharib prison, an official said.