

BRIT HIGH COURT SLAPS DOWN US AND BRITISH TORTURE COVERUP

In a stunning and refreshing decision, the British High Court has overruled the British government's attempt to suppress torture evidence on the US and British treatment of Binyam Mohamed. From The Guardian:

David Miliband, the foreign secretary, acted in a way that was harmful to the rule of law by suppressing evidence about what the government knew of the illegal treatment of Binyam Mohamed, a British resident who was held in a secret prison in Pakistan, the high court has ruled.

In a devastating judgment, two senior judges roundly dismissed the foreign secretary's claims that disclosing the evidence would harm national security and threaten the UK's vital intelligence-sharing arrangements with the US.

In what they described as an "unprecedented" and "exceptional" case, to which the Guardian is a party, they ordered the release of a seven-paragraph summary of what the CIA told British officials – and maybe ministers – about Ethiopian-born Mohamed before he was secretly interrogated by an MI5 officer in 2002.

"The suppression of reports of wrongdoing by officials in circumstances which cannot in any way affect national security is inimical to the rule of law," Lord Justice Thomas and Mr Justice Lloyd Jones ruled. "Championing the rule of law, not subordinating it, is the cornerstone of democracy." (emphasis added)

That, ladies and gentlemen, is how it is done. Make no mistake, this is as big of a slap at the United States government as it is the British and Milibrand. The pure fiction that the security relationship between the two countries rested in the lurch has never been anything short of a craven coverup of unconscionable and criminal conduct.

The Brit High Court was not done though:

“In our view, as a court in the United Kingdom, a vital public interest requires, for reasons of democratic accountability and the rule of law in the United Kingdom, that a summary of the most important evidence relating to the involvement of the British security services in wrongdoing be placed in the public domain in the United Kingdom.”

The judges sharply criticised the way Miliband and his lawyers tried to persuade the Obama administration to back the suppression of the CIA material. Lawyers acting for Mohamed, the Guardian and other media organisations pointed out that Obama had himself set up an inquiry into CIA practices and published details of their interrogation techniques.

In the end, Miliband had to rely for help on a CIA letter to MI6 claiming that disclosure of the document would harm the security of the US and UK.

The judges made it clear they did not believe the claim was credible. “The public interest in making the paragraphs public is overwhelming,” they said.

Production of the evidence will be stayed pending a right to seek appeal, but this is an outstanding decision and opinion. A nice and uplifting piece of news to round out the week.

UPDATE: Per MadDog, here is the AP Report on the

High Court's decision, and a tasty quote:

“It cannot be suggested that information as to how officials of the U.S. government admitted treating (Binyam Mohamed) during his interrogation is information that can in any democratic society governed by the rule of law be characterized as 'secret' or as 'intelligence'...”