

Compensation for Guantánamo Bay detainees proposed

Last week's announcement that a handful of Guantanamo Bay prisoners are to receive millions of pounds in compensation from the British government has proved highly controversial amongst Government Ministers and officials

By [Rebekah Phiri](#)

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Guantanamo Bay prisoner Image Credit:
USMarine0311

Last week's announcement that a handful of Guantánamo Bay prisoners are to receive millions of pounds in compensation from the British government has proved highly controversial amongst Government Ministers and officials.

The Court's decision was viewed as a way of settling ongoing cases brought to the High Court against five government departments including MI5 and MI6. Former detainees at Guantánamo Bay claimed that the United Kingdom's intelligence and security services were fully aware that they were being transported through the UK to places where they faced the risk of torture.

Evidence of this began to emerge as early as 2002. Although British officials, including Tony Blair and Jack Straw, denied any knowledge of these detainees being transported through Britain, CIA intelligence documents revealed by the Appeals Court indicated differently. These documents specifically detailed MI5's knowledge that one of the detainees, Binyam Mohammed, was subjected to "cruel, degrading and inhumane" treatment.

In an effort to avoid a prolonged and costly legal battle, Justice Secretary Kenneth Clarke stated that he preferred a settlement, fearing that legal costs would approach 50 million pounds. He also believed it would be very difficult to ascertain what evidence could, or indeed should, be admitted publicly. As the Prime Minister intimated, vetting the 500,000 documents would take up "huge amounts of time and resources" for MI5 and MI6. The British security and intelligence services stated that settlement is not an admission of culpability and Clarke stressed this by declaring that both sides had agreed to a "sensible and mediated" settlement and he stated that "no one should read into this admissions of liability."

However, not all are pleased with the outcome of this case or the government's unwillingness to reveal certain key pieces of information to the public. Although Shadow Justice Secretary Sadiq Khan asked for details of the payments, stating it was in the "public interest" for the sums to be known, the government's

response indicates that nothing is to be made public, including the amount each individual is to receive in compensation. Some human rights campaigners have also expressed some frustration that details of the cases will not be revealed in court.

The Prime Minister will call upon retired Senior Court of Appeal judge, Sir Peter Gibson, to lead an independent inquiry into alleged British complicity in torture following the end of the settlement cases. Shami Chakrabarti, the Director of the human rights group Liberty, said in a statement earlier this week that the enquiry “must distinguish between national security and embarrassment; between clean and cover up.”



One comment

Nick Clegg's U-Turn...

28 Nov '10 at 7:32 pm

A very informative, well written piece on what is both a sensitive and contentious subject. Any UK complicity with the torture of Guantanamo Bay detainees has to be correctly addressed; the mere hint of a suggestion of involvement is, in my opinion, a disgrace. No, I don't welcome the thought that alleged terror suspects will be receiving money from the British government but neither do I advocate the use of corporal punishment; it is intrinsically a wrong and immoral act. The perpetrator is placing themselves in the same category as the detainees by carrying out the depraved deed. Two wrongs don't make a right; David Cameron knew there was no alternative and that is why he gave his permission for the negotiations to ensue earlier this year. Let's hope lessons can be learnt from this whole debacle.

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