

# REDRESS

*Seeking Reparation for Torture Survivors*

## PROSECUTION OF UK SOLDIERS IMPORTANT FIRST STEP

20 July 2005

### NEWS RELEASE

The UK authorities announced yesterday that several British soldiers who were serving in Iraq are to stand trial under the International Criminal Court Act 2001 following allegations of inhuman treatment including the death of an Iraqi civilian. One of the servicemen also faces charges of manslaughter and perverting the course of justice. Additional charges have been brought against two senior officers under the Army Act 1955. All charges are being brought by Courts Martial, rather than in the normal criminal courts.

The prosecutions follow a series of events in Southern Iraq including the death in custody of Baha Mousa, a 26 year old hotel employee, detained with 8 other Iraqi civilians by British soldiers in September 2003. When his body was identified it was reportedly covered in bruises and blood. The other 8 men were allegedly beaten, kicked and humiliated by soldiers, one so badly that he suffered kidney failure.

This new development follows the ruling of the High Court last December, which recognised that the Government is obliged to conduct an effective investigation into the death of Baha Mousa, in line with European Convention standards.<sup>1</sup>

REDRESS welcomes these prosecutions, the first under the International Criminal Court Act, which deals with UK's obligations to investigate and prosecute before UK courts, crimes coming within the jurisdiction of the International Criminal Court (ICC). It is only if states are unwilling or unable genuinely to investigate or prosecute that the ICC in The Hague may become involved.

***"The news of these prosecutions is an important first step for victims, who have a right to know precisely what happened and who was responsible,"*** said Carla Ferstman, REDRESS' Director.

In 1988, torture was made a statutory crime in the UK, regardless of where the torture was perpetrated, giving UK criminal courts jurisdiction to hear such cases. REDRESS hopes to monitor closely the extent to which the current proceedings, which the Attorney General has stated are most appropriately heard by Courts Martial, are capable of providing justice for victims in practice.

**For more information, please contact:**

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<sup>1</sup> For more information, see:

<http://www.redress.org/news/Press%20Release%20AI%20Skeini%2014%20Dec%202004.pdf>.