

UK Court Case: Victims of Libya Torture and Rendition Sue Her Majesty's Government, British Secret Service, Attorney General

New court documents detail abuse of pregnant woman in UK-US Libya renditions

By [Global Research News](#)

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Reprieve

Region: [Europe](#)

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As a High Court hearing on UK involvement in torture and rendition enters its third day, documents released detail the ordeal faced by the pregnant wife of a Gaddafi opponent during her 2004 'rendition.'

Fatima Boudchar and her husband Abdul-Hakim Belhadj are bringing a claim against the Government, MI6 and then-Foreign Secretary Jack Straw over their role in the kidnap and forcible transfer of the couple to Gaddafi's prisons - in what has been described as the secret counterpart to Tony Blair's 'Deal in the Desert' with the Libyan dictator.

Court documents released today, prepared by the couple's legal team and human rights charity Reprieve, describe how Ms Boudchar - who was heavily pregnant at the time - was blindfolded, taken to a cell and "chained to the wall by one hand and one leg," before being "taped to a stretcher tightly making her fear for her baby" and forced on board a CIA jet.

"Upon arrival in Tripoli," they go on to say, "the First Claimant [Mr Belhadj] was beaten again. The Second Claimant [Ms Boudchar] could no longer feel her baby move in her womb and was concerned that he had died. Both Claimants were taken to Tajoura prison, a detention facility operated by the Libyan intelligence services."

The documents detail MI6's part in the operation, noting that "On 18 March 2004, the Second Defendant sent a letter to Moussa Koussa, the head of the Libyan External Security Organisation, warmly congratulating him on the successful capture, kidnap and abduction of the First Claimant."

MI6's part in the operation is highlighted in a now-infamous fax from Sir Mark Allen (who is also a defendant in the case along with Jack Straw), which states that: "Amusingly, we got a request from the Americans to channel requests for information from [the First Claimant] through the Americans. I have no intention of doing any such thing. The intelligence about [the First Claimant] was British. I know I did not pay for the air cargo. But I feel I have the right to deal with you direct on this and am very grateful to you for the help you are giving us"

The court documents, which set out the argument being made in today's hearing by the couple's lawyers, also point out that the Government's attempt to get the case thrown out is

“incompatible with the rule of law and has grave constitutional implications,” adding that, “If the Defendants are correct, it will leave anyone who is a victim of torture without any remedy if another state was involved in some way in the conduct.”

They also point out that the Government’s case contradicts claims ministers made when seeking to introduce new secret courts earlier this year under the Justice and Security Act: “The Defendants’ position is also incompatible with the Government’s recent programme of legislative reform. The Justice and Security Act 2013 included provisions for closed material procedures to deal with what was said to be the problem of claims such as the instant one. This was predicated on the basis that such claims would proceed. The Defendants now ask the Court to do what they did not seek to do in Parliament.”

Commenting, Reprieve’s Strategic Director, Cori Crider said: “Britain’s collusion in the kidnap and abuse of a pregnant woman shows just how far we strayed from our principles in the so called ‘War on Terror.’ It is now clear that the renditions of Abdul-Hakim Belhadj and Fatima Boudchar were the dark underside to Tony Blair’s deal in the desert, yet neither he, then-Foreign Secretary Jack Straw nor the current Government are prepared to give our clients the apology they deserve. Instead they are running a specious and immoral argument that British Courts cannot judge British officials when they are said to have conspired with foreign torturers. Moussa Koussa was MI6’s co-conspirator, not a get out of jail free card.”

Annex

Claim No. HQ12X02603
IN THE HIGH COURT OF JUSTICE
QUEEN’S BENCH DIVISION
MR JUSTICE SIMON
BETWEEN:

ABDUL-HAKIM BELHAJ
FATIMA BOUDCHAR

Claimants

RT HON JACK STRAW MP
SIR MARK ALLEN CMG
THE SECRET INTELLIGENCE SERVICE
THE SECURITY SERVICE
THE ATTORNEY GENERAL
THE FOREIGN & COMMONWEALTH OFFICE
THE HOME OFFICE

Defendants

See Complete Court Transcript at [Reprieve’s website](#)

Ms Boudchar’s treatment is detailed from paragraph 2.2.12 onwards of the skeleton argument.

For further information, please contact Donald Campbell in Reprieve's press office: +44 (0) 207 553 8166 / donald.campbell@reprieve.org.uk

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