International Criminal Court may investigate UK military for the first time over 'war crimes cover-up'

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The International Criminal Court (ICC) has said it may investigate the British military for the first time after allegations that war crimes had been committed, it has been reported.

A BBC Panorama programme claims that killings of civilians in Afghanistan and Iraq have been covered up by the state.

The Ministry of Defence (MoD) responded that the allegations are unsubstantiated.

Leaked documents allegedly contain evidence implicating British troops in killing children and the torture of civilians.

The recent BBC/Sunday Times investigation said it had obtained new evidence from inside the Iraq Historic Allegations Team (IHAT), which investigated alleged war crimes committed by British soldiers in Iraq, and Operation Northmoor, which investigated alleged war crimes in Afghanistan.

The Government closed IHAT and Operation Northmoor in 2017, after Phil Shiner, a solicitor who had taken more than 1,000 cases to IHAT, was struck off from practising law amid allegations that he had paid people in Iraq to find clients.

But some former IHAT and Operation Northmoor investigators said Mr Shiner's actions were used as an excuse to close down the inquiries.

All cases investigated by IHAT and Operation Northmoor were assessed by the independent Service Prosecuting Authority (SPA), which decided not to prosecute.

The ICC said it has taken the accusations "very seriously," according to the BBC and said it would independently assess the BBC's findings.

The year-long investigation claims to have found evidence of murders by an SAS soldier, as well as deaths in custody, beatings, torture and sexual abuse of detainees by members of the Black Watch.

A senior SAS commander was referred to prosecutors for attempting to pervert the course of justice, the investigation claims.

Writing exclusively in the Telegraph, General the Lord Dannatt, Chief of the General Staff from 2006 to 2009 said his “heart sank” when he heard of the alleged wrongdoing, saying: “here we go again”.

“It is always easy to make allegations, bit it is very difficult to disprove them,” he wrote.

“Are these the repetition of previous discredited allegations?

“No one is above the law [and] when a credible allegation of wrongdoing is made then it absolutely must be investigated,” the former head of the army said, “but the vast majority of British soldiers are not thugs and murderers”.

Solicitor Hilary Meredith, Visiting Professor of Law and Veterans’ Affairs at the University of Chester, represented several soldiers investigated by IHAT, and provided evidence to the Parliamentary Inquiry which led to its closure.

“The so-called detectives continuing this financially motivated witch hunt against British troops have no credibility whatsoever,” she said.

“Soldiers who left military service many years ago, and had settled into civilian life were subjected to bully-boy tactics by investigators posing as detectives and falsely accused of unlawful killing.

“The real scandal in all of this is the untold anguish it will cause our brave - and entirely innocent - servicemen and women.”

Shadow attorney general Shami Chakrabarti said: "These horrific allegations of child murder and prisoner torture and sexual abuse deserve anxious scrutiny by the International Criminal Court.

"The Tories cynically use the military as an excuse for attacking human rights laws. Now ministers must answer these serious charges that they mislead the public and stifled war crimes investigations by the Royal Military Police."

An MoD spokesperson said “The UK has at all times complied fully with the International Criminal Court’s (ICC) requests for information about its legal processes in respect of alleged war crimes and sees no justification for any further interventions by the ICC.”