



# Campaign for the Accountability of American Bases

No. 39 February 2009

## Local, National and International News

### *Dear friends*

Millions of people round the world just smiled and celebrated the Inauguration of the first African-American President on that cold, bright, sunny day in Washington. It was a good moment. There was an audible huge collective sigh of relief at the change being made. Barack Obama has inherited an 'IN' tray fraught with difficulties and seemingly intractable problems.

*In his Inauguration speech, he said "We [US] are shaped by every language and culture, drawn from every end of this Earth; and because we have tasted the bitter swill of civil war and segregation, and emerged from that dark chapter stronger and more united, we cannot help but believe that the old hatreds shall someday pass; that the lines of tribe shall soon dissolve; that as the world grows smaller, our common humanity shall reveal itself; and that America must play its role in ushering in a new era of peace."*

However we should not forget that for nearly three weeks, hideous bombs were fired from Israel on Gaza in a frenzy of

*determined destruction of a people; with unconditional backing and support by the US to Israel. It has been shocking and horrific to see what devastation has been done. We do not condone any use of violence.*



*In the first week of Barack Obama's Presidency he signed away Guantanamo Bay, declared the end of torture and secret detention centres, restored a woman's right to choose to have an abortion, made encouraging noises about sustainable energy and appointed the respected Senator George Mitchell as the US envoy to the Middle East; his advice to him - "To listen". Barack Obama needs all the help he can get. Of course he will make mistakes and won't make many of the changes we yearn for. But there is a different tone now coming from the US and that has to be welcomed.*

# Around the US Bases

## NSA MENWITH HILL

(near Harrogate, North Yorkshire)

**Barack Obama Inaugurated as 44<sup>th</sup> President of USA – 20 January 2009:** Some of us were anxious to make the links between the horrific and devastating bombing of Gaza and the persistent and unconditional support of Israel by the US government and the role of Menwith Hill. York Palestinian Solidarity Campaign (YPSC) joined with CAAB on this historic day to hand in a Letter of Hope to Barack Obama – also to highlight the fact that the US is a major supplier of weapons to Israel - with the use of cluster bombs, white phosphorus and DIME bombs in Gaza. (*Read the article by Steve Morris on page 7*).

We had hoped that Mary O'Brien (US Commander at Menwith Hill) would receive the Letter of Hope. However, disappointingly she again (Keep Space for Peace demonstration in October last year) refused to. A message was relayed to us by Brian O'Connell (Ministry of Defence Police Agency – MDPA) to say that because Menwith Hill was an 'RAF base' it would be inappropriate for Mary O'Brien to come and receive the letter. Terry Moody (Inspector) took the letter instead and said that he would make sure she received it. There was not an RAF representative in sight! There was however good media coverage even though the gathering was hastily organised.

### **Tuesday Evening Weekly Demonstration:**

Over the years we have written about the difficulties we have experienced during the weekly demonstration. The 'policing' of these demonstrations can vary from week to week. We always discuss what has happened (good and not good) with the Senior Officer on duty afterwards. However the inconsistencies continue. We asked for a meeting with Roger Phillips (Superintendent - MDPA) but because there are various complaints against officers being investigated we were told that there will be no meeting until these are resolved ... so the inconsistencies continue and the possibility of more complaints arises. It does not make

sense and it goes round and round!

### **Joint Select Committee on Human Rights:**

This Committee are significantly concerned enough to take evidence and produce a report on the issue of 'policing and protest' in the UK and the way it is managed by the police. They have been taking evidence from a selection of groups and individuals. CAAB submitted a paper to the Committee and was then called to give oral evidence (October 2008). Lindis Percy went on behalf of CAAB. We wrote a second submission and are waiting for the Committee to report their findings. [*The written submissions and the live recording of the oral evidence session are on the CAAB website*].

### **Planning Applications for Menwith Hill (since last newsletter):**

There have been three planning applications for more developments at Menwith Hill:

- 1) Formation of skate park (14 November 2008)
- 2) Erection of substation, siting of 2 generators with retaining wall, 1 transformer, relocating of fence and associated landscaping (28 November 2008)
- 3) Installation of 6.5m high antenna with associated hard-standing and cabin control trailer (14 January 2009)

### **Mark Steel in town and Menwith Hill included:**

Skipton (North Yorkshire) was chosen by Mark Steel (comedian and broadcaster) to be the first town to be visited on 22 January 2009. He was appearing at the Mart Theatre (in day time a cattle market) to record his new series for Radio 4. Lindis Percy was invited by Mark to be in the audience to be asked questions by Mark about Menwith Hill ("just up the road"). The series will be broadcast on Radio 4 in March sometime. Mark was one of the speakers at 'Independence FROM America' day on 4 July in 2007 ... with Alan Bennett.

**SBIRS at Menwith Hill:** CAAB has been pursuing a question as to whether Menwith Hill

has received operational certification for the use of the Space Based Infra Red System (SBIRS) and the US Missile Defence system. In an e-letter dated 28 October 2008) from Paul Dale (Directorate of Air Staff – Visiting Forces) he says:

“The use of RAF Menwith Hill for SBIRS, and the use of SBIRS as part of the US BMD system, has been agreed between the UK and US governments. As SBIRS is operated and owned by the US government, the Ministry of Defence holds no information on the operational certification for SBIRS”. [*..but we are told that the UK knows all that goes on on US bases*]

**Court Case:** The legal team representing Lindis Percy successfully appealed her conviction and sentence imposed by Harrogate Magistrates’ Court in July 2008 [*refer to CAAB report no: 220*] at York Crown Court on 16 January 2009. It was heard before a Judge and two Magistrates. In a very short hearing the appeal was allowed and costs awarded to Lindis [*CAAB report no: 226 and account of first trial in last newsletter*].

## ‘RAF’ FYLINGDALES

(near Pickering, North Yorkshire)

**Lunch on the Yorkshire Moors:** Greg Hammond (RAF Wing Commander) kindly hosted a lunch at the base for Dave Webb (Yorkshire CND), Magda Phillips (local resident) and Lindis Percy (CAAB) in October last year. The only American military person at Fylingdales also came after we asked if we could meet him. He is a Chris Koproski (Captain – USAF Liaison officer).

**Operational Certification:** CAAB has been pursuing this question at Fylingdales after Nicky Lovejoy said that the base was waiting for this (following the upgrade in August 2007). Mike McLellan (RAF Business Sec 12 Air Command RAF High Wycombe) replied:

“I can confirm that the position remains as stated in our letter to you of 21 January 2008, which is that the station is still awaiting operational certification for the Missile Defence mission. We expect to receive this by mid

2009, following completion of ongoing system testing. RAF Fylingdales has received operational certification for use of the Upgraded Early Warning Radar for the legacy missions (missile warning, space surveillance and satellite warning)”. [*It’s the US crucial component of the Missile Defense system that is waiting until it works!*]

### **Freedom of Information request by CAAB:**

Numbers of people working at Fylingdales:  
Contractors 142: US personnel 15 (BAES/Raytheon): Ministry of Defence Police and Guarding Service Agency – exempt: RAF personnel 80 (6 temporarily deployed from UK): USAFLO 1: MOD civil servants (non uniformed) 15: Defence Fire and Risk Management 22. – GCHQ – neither confirm or deny present.

## USAF CROUGHTON

(near Brackley, Northants)

### **A Case Of Doing What They Like**

A Report by Lindis Percy

Someone is assaulted and the police try and intervene but are pushed away. They stand by and watch the assault. What is the legal remedy?

Normally we would expect the police not to stand by while an offence of this serious nature was taking place in front of them. The person who was offending would be arrested and probably charged and the due legal process would begin. That’s normally what would happen in the English legal system.

However this is a real case and what actually happened is far from the norm. The difference being that the person who actually assaulted a British citizen is a member of the United States Visiting Forces (USVF) and the police are a very different police force to the Home Office police. They are the Ministry of Defence Police Agency (MDPA) who, when working on US bases in this country, are paid for and under the operational control of the US authorities.

This is an account of how the US Visiting

Forces do what they like when a serious offence is committed by a member of the USVF. It has implications for us all.

The incident happened two years ago at the American base at Croughton near Northampton. A peace campaigner, who was well known to the American authorities as a peaceful person, was researching on this base. She was eventually found, thrown to the ground, handcuffed, intrusively searched and assaulted. Before this she had identified herself and said she would leave. She also insisted that the MDPA be called. The assault was such that she suffered a facial palsy which took 6 weeks to resolve.

There were many US servicemen and women and two MDPA officers present during the incident. American instructions which are mandatory, say that if the 'intruder' is British, peaceful and the MDPA can deal with them, control must be handed over to the MDPA to deal with.

The MDPA were called, one of them did try to take control and get the handcuffs removed but he was pushed away by the American serviceman. He said he could go to jail if he disobeyed orders.

The peace campaigner was eventually served a notice not to return to the base for 3 months. She immediately did so, to ensure that the case came to court. She was charged with 'aggravated trespass'. The case collapsed very early on in the trial because of a technicality. The opportunity to cross examine the players involved was lost.

What next? An offence had occurred and the police did not want to do anything. The remedy therefore was to secure summonses in a private prosecution. This was duly done by the peace campaigner and the summonses carefully drafted. Corby Magistrates' Court refused to issue the summonses. They gave no reasons.

The campaigner applied for a Judicial Review in the High Court, London on this decision by the court. It's not easy when acting in

person. A year later she was successful. The Judges were highly critical of the Magistrates. They were not represented in court and had not responded to any court documents. The Judges ordered the Magistrates to issue the summonses. Costs were awarded to the peace campaigner.

The summonses were eventually issued after several phone calls from the peace campaigner. The case came to Northampton Magistrates' Court earlier last year. Although ordered to attend court, none of the defendants appeared in court; despite protestations by the peace campaigner. The Crown Prosecution applied to the court to take over the case which they can and usually do, when there is a contentious case brought privately and with political implications. The case was then out of the peace campaigner's control.

There was a twist however. The Crown Prosecutor (CP) was the very man who had brought the case against her concerning the same incident at Croughton. Asked by the peace campaigner, on what information he would decide whether to discontinue or continue the case, he said 'from the taped interview you gave when you were charged'. On second thoughts however and in a letter, he did agree that the peace campaigner could give a statement.

There were four hearings altogether. None of the defendants ever appeared in court despite one bench of Magistrates saying that the American must appear at the next hearing. He didn't appear and a warrant backed with bail was issued by the Magistrates. They acknowledged that enforcement might be a problem.

Within days, the CP applied for the warrant to be withdrawn, saying that the court had no jurisdiction to hear the case. The American legal department at the US base at Mildenhall had entered a Certificate, under the Visiting Forces Act 1952, exempting the American of ever being brought to court. The case was discontinued a week later.

There is a process which the court must follow. However the CPS was probably never going to allow this case to proceed. The two tests whether to continue or discontinue, as with any case assessed by the CPS, were not rigorously applied. We are now in the process of going down an alternative legal route.

What happened in Northampton Magistrates' Court, quietly, without much publicity and without the usual processes and procedures of the court being applied, means that the American military, unfettered, do what they like. They do this all round the world.

What needs to happen is a challenge to the Certificate and a good look at the Visiting Forces Act 1952. This Act is out of date and means that, with no accountability or legal remedies for the British citizen, the American serviceman has escaped the scrutiny of the English legal system. A piece of paper waved in the court lets him get away with this offence. As for the MDPA? The test for neglect of duty is deliberately very high.

## USAF LAKENHEATH

(near Brandon, Suffolk)

**Unaccountable and Out Of Control:** The UK Government was one of 107 countries to sign the Convention on Munitions Weapons and who decided to prohibit the use, development, production, stockpiling and transfer of cluster munitions. However it is confirmed (in our possession) that cluster bombs were stored there in 1996. The question is: are they stored there now and were they used recently in the bombardment against Gaza? If cluster bombs are stored at Lakenheath why is the UK Government allowing banned munitions to be stored on UK soil? *[On US bases the land is in the possession of the Secretary of State for Defence – all the rest is the property of the US].* We have asked Colin Challen MP to ask some PQs about this. It is a neat example as to who is actually in occupation and control – with the UK Government virtually having no say in what goes on.

## MOLESWORTH - THE INTELLIGENCE FUSION CENTRE AND THE US EUROPEAN COMMAND JOINT ANALYSIS CENTER

(near Huntingdon, Cambridgeshire)

**AFRICOM Bases Section at Molesworth:** U.S. Africa Command is basing a large section of its fledgling intelligence operation at RAF Molesworth, a base in England that already houses two global intelligence hubs.

Established in October 2008 and based in Stuttgart, Germany, the command has moved about 150 troops to Molesworth and is in the process of hiring another 150 civilian employees for the intelligence site, said Vince Crawley, AFRICOM spokesman.

About 150 personnel based in Stuttgart will round out the command's 450-man intelligence operation when all the positions are filled, Crawley said.

While AFRICOM will share information when appropriate with the NATO Intelligence Fusion Center and the U.S. European Command's Joint Analysis Center at Molesworth, it will work autonomously for the most part, Crawley said.

The existing intelligence infrastructure at Molesworth spurred AFRICOM to establish part of its operation there, Crawley said.

However, AFRICOM will focus on "creating a body of knowledge of African security than can be used by a large number of people vs. classic intelligence," he said. "We're trying to build an understanding and a picture of what's happening in Africa that can be shared within the military, other US. government agencies and the international community."

AFRICOM brings all Defense Department programs on the continent under one umbrella. Missions range from anti-terrorism programs in the Horn of Africa to maritime security initiatives and military-to-military training exercises in about 53 countries.

The influx of AFRICOM personnel to England will also bring an estimated 300 additional dependents, Crawley said.

The 501st Combat Support Wing, based at RAF Alconbury, manages housing, education and other services for Molesworth and five other bases in the U.K.

Barring any unexpected changes, the level of housing, services, dependent education and general infrastructure should be sufficient for the AFRICOM personnel, Col. Kimberly K. Toney, 501st Combat Support Wing Commander said in an e-mail. (Charlie Reed – *Stars and Stripes* 12 January 2009)

## BRIEF SELECTION OF PARLIAMENTARY QUESTIONS

(There has been a Christmas recess since the last newsletter)

### RAF Menwith Hill: Security

**Q: Colin Challen:** To ask the Secretary of State for Defence what the cost to the Ministry of Defence Police was of the policing of the area around RAF Menwith Hill by the Armed Response Team and the Counter Terrorist Unit in each year from 2001 to 2007.

**A: Mr. Bob Ainsworth:** I am withholding the cost of the Ministry of Defence police (MDP) deployed at RAF Menwith Hill for the purpose of safeguarding national security. [21 Oct 2008: Column 193W]

### RAF Croughton

**Q: Colin Challen:** To ask the Secretary of State for Defence what role RAF Croughton plays in the US Missile Defence System.

**A: Mr Hutton:** RAF Croughton plays no role in the US Missile Defence system [23 Oct 2008 : Column 477W].

### Ballistic Missile Defence

**Q: Colin Challen:** To ask the Secretary of State for Defence what direct running costs the UK has incurred to date in the use of RAF Menwith Hill and RAF Fylingdales in the US Missile Defence System.

**A: Mr Hutton:** Running costs at RAF Menwith Hill and RAF Fylingdales associated with the US Missile Defence System are not identified separately from other functions of the station. We do not anticipate the direct

running costs incurred by the UK will increase because of the participation of these stations in the US ballistic missile defence system. {23 Oct 2008 : Column 474W}

### USA: Military Alliances

**Q: Norman Baker:** To ask the Secretary of State for Defence on what date the next stocktake meeting between the Government and the US Administration under the 1958 Mutual Defence Agreement is scheduled to take place.

**A: Quentin Davies:** Arrangement have not been finalised but consideration is currently being given to the next stock take meeting being held in the UK in early June 2009

### USA: Military Bases

**Q: Colin Challen:** To ask the Secretary of State for Defence how many instances of burglary and trespassing there have been at bases occupied and controlled by the United States Visiting Forces in the latest period for which figures are available; and at which bases. [231790]

**A: Mr. Bob Ainsworth:** The number of instances of burglary and criminal trespass, recorded by the Ministry of Defence Police at United States Visiting Forces bases, in each of the last three financial years are shown in the following tables.

To provide the figures for each Home Department police force with a USVF base its region would incur disproportionate cost.

Site	No of:	Burglaries	Trespasses
<i>April 2008 to October 2008</i>			
RAF Mildenhall	0	1	
<i>April 2007 to March 2008</i>			
RAF Mildenhall	1	1	
RAF Menwith Hill	0	1	
RAF Croughton	1	0	
<i>April 2006 to March 2007</i>			
RAF Mildenhall	0	1	
RAF Menwith Hill	1	3	
RAF Alconbury	0	1	
RAF Lakenheath	0	9	

[3 Nov 2008: Column 71W]

## RAF Welford

**Q: Norman Baker:** To ask the Secretary of State for Defence for how long the interim complement of the Ministry of Defence Police Agency will be stationed at RAF Welford. [236361]

**A: Mr. Bob Ainsworth:** The Ministry of Defence Police will not be withdrawn from RAF Welford until the necessary security enhancements have been put in place at the base by the United States visiting force. This includes removing munitions that are currently stored in the open. Officials are monitoring the situation and are in close contact with the United States visiting force. [17 Nov 2008: Column 154W]

## Defence Estates – Military Land Byelaws

**Q: Norman Baker:** To ask the Secretary of State for Defence for what reasons implementation of the Military Lands Act byelaws at his Department's sites has not taken place in accordance with the published timetable.

**A: Mr. Kevan Jones:** Significant delays in the progression of the MOD Byelaws Review have occurred because objectors secured a judicial review of the implementation of the first of the new byelaws at AWE Aldermaston, which came into force on 31 May 2007.

Byelaws work was placed on hold, pending the decision by the High Court. Following the High Court's determination of the judicial review claim, which was substantially in the MOD's favour, the objectors successfully sought leave to appeal the High Court's decision to the Court of Appeal. The Court of Appeal hearing is scheduled for late November. The appeal is limited to issues relating to the manner and form of protests against nuclear weapons, and as a result ministerial approval has been given to restart the byelaw process for non-nuclear MOD sites across the UK.

Reviews have already commenced at some 96 sites including 13 sites designated under the Serious Organised Crime and Police Act 2005 and it is expected that new byelaws will

be submitted progressively for ministerial approval from April next year. An updated version of the project plan reflecting the new revised timetable will shortly be published on the Department's Byelaws Website:

[www.defence-estates.mod.uk/byelaws/internet/intro.php](http://www.defence-estates.mod.uk/byelaws/internet/intro.php)

[6 Nov 2008: Column 671W]

## ISRAEL, USA AND THE UK – THE AXIS OF EVIL?

*by Steve Morris*

During the last few weeks of the Bush Administration was Menwith Hill used in any way by the US to aid Israel during the conflict in Gaza? This is a very important question that I believe we should be asking the British Government presently.

The accountability of US forces in the UK has always been the central theme to CAAB, and so following the genocide of innocent lives in Palestine isn't it high time that some very serious questions relating to potential US involvement in supporting the Israeli strikes are asked in the House of Commons? Potentially any information shared between the US and Israel during the conflict would have involved Menwith Hill, here on our own British soil, near Harrogate, and such a scenario is entirely plausible, because at the time of George Bush's departure, the US was clearly extremely reluctant in voting for a unilateral UN backed ceasefire, deciding instead to abstain and giving the 'Green Light' to Israel to invade. The timing of the Israeli strikes to coincide with the departure of Bush is more than coincidental.

I would like to know, as no doubt you would whether there was any Menwith Hill involvement in the sharing of intelligence with Israel? And whether any such behaviour, if it did occur, could be considered to be 'mutually beneficial' to both the US and the UK? I would argue that such an act conducted by the US is not, and therefore the US has potentially used the base illegally?

I would also like to point out that the crisis in Gaza has again highlighted the UK's direct involvement with Israel. Weaponry is supplied directly to Israel

by the UK, and valued at £24 million in the first two quarters of 2008 (CAAT) alone. UK arms are also supplied via the US as components and subsystems of weaponry such as F-16 aircraft and Apache helicopters (CAAT). CAAB supporters should be made aware of these facts as we are certainly an anti-war movement, and should not be seen as a group working in isolation, and for that, we should also support any group like 'Smash EDO' that is making public the links between Israel and the UK. It is incredible that the ITT/EDO MBM arms factory in Moulescombe, Brighton is used to make arms, including the 'zero retention force arming units' and 'ejector release unit 151' which the Smash EDO/ITT campaign says are supplied to the Israeli Air Force.

More information about UK arms sales to Israel is readily available on the CAAT (Campaign Against the Arms Trade) website [www.caat.org.uk](http://www.caat.org.uk). From there you can also link through to the Stop Arming Israel site – collaboration between several organisations including CAAT, War on Want and the Palestine Solidarity Campaign.

The CAAT website also links to a petition on the No10 website calling on Prime Minister Gordon Brown to impose an arms embargo. You can also order postcards calling for an arms embargo – to be sent to MP's form the CAAT office. Do this by emailing: [Claire@caat.org.uk](mailto:Claire@caat.org.uk) or by telephone on 020 7281 0297.

I would also ask – that if you do decide to send any postcards to your MP you do also take the opportunity of asking for clarification of any Menwith Hill involvement during the recent crisis. (Steve Morris is a teacher in Barnsley and a supporter of CAAB)

*CAAB has and does ask many PQs through MPs. This is one of the ways we work - from experience however some of these PQs would not be allowed under the guise of 'national security' - Ed.*

## FINALLY...

We are delighted that Martin Butcher (Independent Security Consultant and adviser to Acronym) has agreed to do some research for CAAB on US bases. It is important to CAAB that information we put out is credible, informative and well researched.

### Talks by CAAB since last Newsletter:

Ilkley Meeting  
The European Humanist Forum - Milan

### Press and Interviews

Hull University researcher  
Stray FM  
Radio York  
Calendar News  
More 4 News  
Yorkshire Post  
Yorkshire Press  
Researcher for possible programme on Radio 4  
Interview on Mark Steel Comes to Town – live recording for Radio 4  
Radio Leeds

### Meeting for Worship:

Continue outside various US bases – contact CAAB for details

**Message from the Treasurer:** I have been doing 2008 CAAB accounts and have listed the many kind friends who regularly support us with payments to our Cooperative Bank account. Some of you have been so doing since the account was opened in 1997. I would like to especially thank you for providing a consistent income to help pay for the many expenses incurred in this struggle. The extra donations towards the legal fund were heart-warming. Thank you all again for dispelling 'Court blues'!

A few supporters have asked me, "Why isn't CAAB a charity?" The following extract from the Charity Commissioners' rules explains why: "... a charity cannot exist for a political purpose ... or for securing or opposing a change in the law, policy or decisions either in this country or abroad."

Should anyone of you like to take over as the Hon. Treasurer, I would be happy to hand over the books, especially to someone in the Harrogate area. With bright hopes for a Obamatic future, and love to you all.

*Christine Dean, Hon Treasurer*

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