

Submission to
the Joint Committee on Human Rights
by
the Campaign for the Accountability of American Bases – CAAB

We have been increasingly concerned, over many years about the encroachment of the State in the area of protest. We are mindful of that protest is a legal right. It is also necessary to be vigilant that this right is maintained and that the citizen can exercise this right. The police have a duty to enable the right to protest. We remember that this precious right has been struggled for over centuries by peoples before.

We confine this submission to the remit of the Joint Committee on Human Rights inquiry and will therefore not go into details concerning the campaigning issues which trouble the Campaign for the Accountability of American Bases (CAAB).

We acknowledge that there must be a balance between the right to protest and the duty of the governments to protect people from specified and unspecified dangers. However, we are very concerned that this balance has tipped dangerously and worryingly in favour of the State. We therefore very much welcome this inquiry.

Background information

The Campaign for the Accountability of American Bases (CAAB) evolved out of the long campaign of protest at Menwith Hill, near Harrogate, North Yorkshire in 1992; local people having expressed their concerns at the arrival of the US Army at Menwith Hill in 1951.

We have continued to build on the work and struggles of many people over the years since the arrival, occupation and control by the US Visiting Forces in the UK. Menwith Hill is referred to as RAF Menwith Hill but is in reality occupied and controlled by the American Visiting Forces and their Agencies.

We concentrate on the presence, role and functions of the US Visiting Forces and their Agencies in the UK (also world wide). We are based

in Harrogate and Leeds – therefore much of the work of CAAB focuses on the American base at Menwith Hill and RAF Fylingdales – both bases are in North Yorkshire. However CAAB is also concerned about the increasing and worrying expansion of the US military world wide. Our long term aim is to send the US Visiting Forces and their Agencies back to within their borders.

CAAB campaigns non-violently

- to oppose weapons of mass destruction
- for accountability and public scrutiny concerning the roles, functions and purpose of the US Visiting Forces in the UK and world wide
- for Independence FROM America (with meaningful Parliamentary accountability and scrutiny)
- to reveal the true nature of the American Missile Defense system (aka “Star Wars”) – (CAAB was the first campaign in 1997 to reveal that Menwith Hill (and later Fylingdales) was to be a crucial part of MD)
- accountability of the Ministry of Defence Police Agency (who are paid for and under the operational control of the US authorities – Memorandum of Understanding 1989)

CAAB works to reveal this by.....

- asking questions
- using the democratic process by working with local councillors, MPs and MEPs - asking Parliamentary questions
- taking action through the legal system to change unsafe law - bringing the executive to account through the courts
- regularly monitoring US bases and Planning Departments for developments
- working with researchers, academics, media, peace activists
- submitting information that has been credibly researched and referenced
- using the US and UK Freedom of Information Act
- giving talks round the country about the work of CAAB
- maintaining a website (www.caab.org.uk)
- organizing demonstrations
- taking non violent direct action and civil disobedience

Human Rights and protest

CAAB has organized many demonstrations over the years. There has been a demonstration every Tuesday evening (6-8 pm) at the main entrance to the American base at Menwith Hill organized by CAAB. We have been there every week since 2000. We organize two other main demonstrations - on 4 July (Independence FROM America) and since 2000, in October, we organize a demonstration as part of the international call by the Global Network Against Weapons and Nuclear Power in Space against the American Missile Defense System.

The demonstrations are 'policed' by North Yorkshire Police (NYP), who have jurisdiction outside the base and the Ministry of Defence Police Agency (MDPA) who have to seek permission from NYP to 'police' outside the base.

We have had many struggles to maintain these protests over the years. We have tried to address these problems by setting out our concerns through letters to senior officers and meetings/discussions with NYP and the MDPA. It is a constant struggle.

The people who come to the Tuesday evening demonstrations are all known to the police, in that they attend the demonstrations. Over the years, despite there being a fixed video recording CCTV camera constantly surveilling the demonstration, there has also been an 'evidence gathering' officer operating a hand held CCTV camera. It is often harassing, intimidating and certainly unnecessary. The MDPA must have reams of video recordings which are stored somewhere. We seriously question this practice.

We have always carefully liaised with NYP. The demonstrations have been peaceful and without trouble. We make sure that this has continued.

The police presence at the major demonstrations has been and continues to be excessive, with Home office police forces being 'bused' in from all over North Yorkshire and beyond. They have been accompanied by police horse, officers on quad bikes and pedal bikes. The ratio of police to protestors is sometimes: 1 protestor to 10 officers.

Examples of restrictions to protest

CAAB has used the US flag as a symbol of protest over the years. It is upside down (for specific reasons) and has political, polite and non-offensive statements written on it eg Please do not bomb Iran. We refer the Committee to the authority which sets out the background to this case:

Percy v Director of Public Prosecutions

*Court of Appeal before Lord Justice Kennedy and Mrs Justice Hallett
Judgment December 21, 2001*

We have many examples of difficulties re protest and restrictions imposed but confine this to one example of how the right to protest is being eroded.

Each year, at the two major demonstrations and having carefully liaised with NYP, we have walked round the base at Menwith Hill as part of a general information exercise for people who attend. The police have accompanied us, enabling the protest to happen and have been very helpful in the past. The police have closed roads so that the protestors can proceed and the right to protest upheld.

Last year things were suddenly very different. A month before the demonstration on 4 July 2007, we received a Home Office document entitled 'Organisers Responsibilities' which set out the 'duties' of the organizers. One of the clauses said that the organizers were now responsible for the 'policing' of the demonstration. For example, it was the responsibility of the organizers if roads needed to be closed and this should be done by making an application to the local Highways Department. Since we had only had a months notice ourselves and the Highways Department required three months notice, it was an impossible task.

We had two meetings with NYP and the MDPA who warned us that further conditions would be put on the demonstration. We would not be permitted to walk round the base. The police said that the A59 road was 'too dangerous'. We questioned this at the meeting. as it seemed to us that nothing had changed from previous years. Incidentally there is a wide grass verge abutting the road. We have

always been very mindful of the health and safety of all concerned with the demonstrations.

We were disappointed therefore when conditions were suddenly imposed by NYP and we were prevented from walking round the base which was to be part of the protest on 4 July 2007.

As a result of this action by NYP, CAAB contacted Liberty. We were sufficiently concerned as this seemed to be another erosion of civil liberties and the right to protest. Liberty were also concerned and took up the issues, on behalf of CAAB. The situation is still not resolved one year later. We ask the Committee to contact Liberty for background information and an update as to this situation.

HUMAN RIGHTS ACT 2000

The right to protest is now enshrined in English law. It is a precious right. There is also the right of assembly. Both these Articles have been violated in the experience of CAAB. It has been difficult to uphold these rights and we are constantly having to address these problems with the police.

'STOP AND SEARCH'

There have been many incidents of local people being 'stopped and searched' by the anti-terrorist units that patrol round Menwith Hill (in particular). One of the coordinators of CAAB has been apprehended many times under this law despite being well known to the police. A letter of complaint to the Chief Constable of North Yorkshire finally stopped this intrusive and intimidating practice. However many people have been arbitrarily stopped and searched by the police.

CONCLUSION

CAAB has briefly set out some concerns about the erosion of our human rights and civil liberties that we have experienced. We are concerned that in today's climate of fear and with the threat of terrorist activity, the laws hurriedly passed by the government have been disproportionate and oppressive. We urge the Committee on Human Rights to redress the balance in favour of the citizen.

We are willing and would hope that the Committee on Human Rights will call us to give oral evidence as we feel that we cannot do justice to our concerns in this brief submission.

We surely owe it to future generations to make sure that the civil liberties and human rights, so keenly and persistently struggled for over the centuries are upheld and nurtured. Not to do so diminishes us all.

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