

I continued to refuse to resign and in the end was found Not Guilty of all the allegations against me, but given a formal warning for not having kept the allegations secret. Following a parliamentary and media campaign in my favour, I returned as Ambassador to Tashkent.

In July 2004, following the Abu Ghraib revelations, I yet again went back to argue with London that we should not be receiving intelligence from the Uzbek torture chambers. We were, I said, "Selling our souls for dross". This telegram was leaked to the Financial Times, leading the FCO to tell the Uzbek government (before they told me) that I had been withdrawn as British Ambassador to Tashkent

Craig Murray
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CONFIDENTIAL
FM TASHKENT
TO IMMEDIATE FCO

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SUBJECT: RECEIPT OF INTELLIGENCE OBTAINED UNDER TORTURE

SUMMARY

1. We receive intelligence obtained under torture from the Uzbek intelligence services, via the US. We should stop. It is bad information anyway. Tortured dupes are forced to sign up to confessions showing what the Uzbek government wants the US and UK to believe, that they and we are fighting the same war against terror.
2. I gather a recent London interdepartmental meeting considered the question and decided to continue to receive the material. This is morally, legally and practically wrong. It exposes as hypocritical our post Abu Ghraib pronouncements and fatally undermines our moral standing. It obviates my efforts to get the Uzbek government to stop torture they are fully aware our intelligence community laps up the results.
3. We should cease all co-operation with the Uzbek Security Services they are beyond the pale. We indeed need to establish an SIS presence here, but not as in a friendly state.

DETAIL

4. In the period December 2002 to March 2003 I raised several times the issue of intelligence material from the Uzbek security services which was obtained under torture and passed to us via the CIA. I queried the legality, efficacy and morality of the practice.
5. I was summoned to the UK for a meeting on 8 March 2003. Michael Wood gave his legal opinion that it was not illegal to obtain and to use intelligence acquired by torture. He said the only legal limitation on its use was that it could not be used in legal proceedings, under Article 15 of the UN Convention on Torture.
6. On behalf of the intelligence services, Matthew Kydd said that they found some of the material very useful indeed with a direct bearing on the war on terror. Linda Duffield said that she had been asked to assure me that my qualms of conscience were respected and understood.
7. Sir Michael Jay's circular of 26 May stated that there was a reporting obligation on us to report torture by allies (and I have been instructed to refer to Uzbekistan as such in the context of the war on terror). You, Sir, have made a number of striking, and I believe heartfelt, condemnations of torture in the last few weeks. I had in the light of this decided to return to this question and to highlight an apparent contradiction in our policy. I had intimated as much to the Head of Eastern Department.

8. I was therefore somewhat surprised to hear that without informing me of the meeting, or since informing me of the result of the meeting, a meeting was convened in the FCO at the level of Heads of Department and above, precisely to consider the question of the receipt of Uzbek intelligence material obtained under torture. As the office knew, I was in London at the time and perfectly able to attend the meeting. I still have only gleaned that it happened.

9. I understand that the meeting decided to continue to obtain the Uzbek torture material. I understand that the principal argument deployed was that the intelligence material disguises the precise source, ie it does not ordinarily reveal the name of the individual who is tortured. Indeed this is true – the material is marked with a euphemism such as "From detainee debriefing." The argument runs that if the individual is not named, we cannot prove that he was tortured.

10. I will not attempt to hide my utter contempt for such casuistry, nor my shame that I work in an organisation where colleagues would resort to it to justify torture. I have dealt with hundreds of individual cases of political or religious prisoners in Uzbekistan, and I have met with very few where torture, as defined in the UN convention, was not employed. When my then DHM raised the question with the CIA head of station 15 months ago, he readily acknowledged torture was deployed in obtaining intelligence. I do not think there is any doubt as to the fact

11. The torture record of the Uzbek security services could hardly be more widely known. Plainly there are, at the very least, reasonable grounds for believing the material is obtained under torture. There is helpful guidance at Article 3 of the UN Convention; "The competent authorities shall take into account all relevant considerations including, where applicable, the existence in the state concerned of a consistent pattern of gross, flagrant or mass violations of human rights." While this article forbids extradition or deportation to Uzbekistan, it is the right test for the present question also.

12. On the usefulness of the material obtained, this is irrelevant. Article 2 of the Convention, to which we are a party, could not be plainer:

"No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture."

13. Nonetheless, I repeat that this material is useless – we are selling our souls for dross. It is in fact positively harmful. It is designed to give the message the Uzbeks want the West to hear. It exaggerates the role, size, organisation and activity of the IMU and its links with Al Qaida. The aim is to convince the West that the Uzbeks are a vital cog against a common foe, that they should keep the assistance, especially military assistance, coming, and that they should mute the international criticism on human rights and economic reform.

14. I was taken aback when Matthew Kydd said this stuff was valuable. Sixteen months ago it was difficult to argue with SIS in the area of intelligence assessment. But post Butler we know, not only that they can get it wrong on even the most vital and high profile issues, but that they have a particular yen for highly coloured material which exaggerates the threat. That is precisely what the Uzbeks give them. Furthermore MI6 have no operative within a thousand miles of me and certainly no expertise that can come close to my own in making this assessment.

15. At the Khuderbegainov trial I met an old man from Andizhan. Two of his children had

been tortured in front of him until he signed a confession on the family's links with Bin Laden. Tears were streaming down his face. I have no doubt they had as much connection with Bin Laden as I do. This is the standard of the Uzbek intelligence services.

16. I have been considering Michael Wood's legal view, which he kindly gave in writing. I cannot understand why Michael concentrated only on Article 15 of the Convention. This certainly bans the use of material obtained under torture as evidence in proceedings, but it does not state that this is the sole exclusion of the use of such material.

17. The relevant article seems to me Article 4, which talks of complicity in torture. Knowingly to receive its results appears to be at least arguable as complicity. It does not appear that being in a different country to the actual torture would preclude complicity. I talked this over in a hypothetical sense with my old friend Prof Francois Hampson, I believe an acknowledged World authority on the Convention, who said that the complicity argument and the spirit of the Convention would be likely to be winning points. I should be grateful to hear Michael's views on this.

18. It seems to me that there are degrees of complicity and guilt, but being at one or two removes does not make us blameless. There are other factors. Plainly it was a breach of Article 3 of the Convention for the coalition to deport detainees back here from Bagram, but it has been done. That seems plainly complicit.

19. This is a difficult and dangerous part of the World. Dire and increasing poverty and harsh repression are undoubtedly turning young people here towards radical Islam. The Uzbek government are thus creating this threat, and perceived US support for Karimov strengthens anti-Western feeling. SIS ought to establish a presence here, but not as partners of the Uzbek Security Services, whose sheer brutality puts them beyond the pale.

MURRAY