Army colonel facing trial for war crimes

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A decorated British Army commander is facing prosecution for war crimes over the death of an Iraqi civilian allegedly beaten to death by his troops, The Independent on Sunday can reveal. The International Criminal Court is studying allegations the UK’s use of cluster bombs in civilian areas and attacks on power stations were illegal.

Army prosecutors are understood to be preparing war crimes charges against Colonel Jorge Mendonca, 41, commander of the Queen’s Lancashire Regiment in Basra in 2003.

This is believed to be the first time Army prosecutors have considered such charges against a British officer. Col Mendonca could be charged under the Geneva Convention, which outlaws the abuse and torture of military prisoners.

The allegations follow a 20-month inquiry into the death of a hotel receptionist, Baha Mousa, who was allegedly tortured to death by QLR soldiers after he was arrested with eight others in Basra on 14 September 2003.

All eight survivors, as well as Mr Mousa’s father, Colonel Daoud Mousa, have accused members of the QLR of assaulting them. Kifah Taha suffered near-fatal kidney failure allegedly from the assault. Prosecutors are studying Col Mendonca’s role as the commanding officer. Other QLR soldiers are facing murder or manslaughter charges. The inquiry is being overseen by the Attorney General, Lord Goldsmith. Col Mendonca, who has been made a full colonel, was awarded the Distinguished Service Order in 2004.

The IoS can also reveal the International Criminal Court has asked the MoD to answer claims that British troops illegally attacked civilians. The ICC is studying allegations the UK’s use of cluster bombs in civilian areas and attacks on power stations were illegal.

It is the first time a UN Security Council member has been investigated by the court.


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