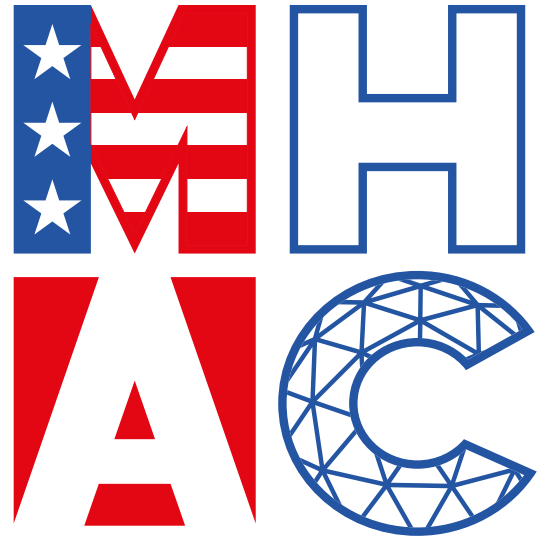


MHAC NEWSLETTER
ISSUE 1 AUTUMN 2017



MENWITH HILL
ACCOUNTABILITY CAMPAIGN



**WHY
ARE WE SO CONCERNED
ABOUT NSA/NRO
MENWITH HILL?**

CONTENTS

Why are we so concerned about NSA/NRO Menwith Hill?	pg 1
Was justice served in the case of R v Steven Higgins	pg 3
What has happened at protests at NSA/NRO Menwith Hill?	pg 4
Does Missile Defense work?	pg 5
Just how unsafe are armed drones for civilians?	pg 6

WHY ARE WE SO CONCERNED ABOUT NSA/NRO MENWITH HILL?

Welcome to the first newsletter of the Menwith Hill Accountability Campaign. We apologise that it's been such a long time since the last newsletter – Issue 61 Winter 2017 – from the Campaign for American Bases (CAAB). If you regularly received the CAAB newsletter, you should have received a letter since then explaining the founding of the Menwith Hill Accountability Campaign (MHAC).

So much has happened and US bases have continued to flourish. Guam is no longer 'invisible to the world'. Residents in Guam oppose new US bases just as residents also oppose US bases and activities in Okinawa and in Gangjeong village, Jeju – and elsewhere in South Korea . . .

In January 2012, President Obama described the aim of the US military as 'prevailing in all domains, including cyber' (*Sustaining U.S. Global Leadership: Priorities for 21st Century Defense*, U.S. Department of Defense, January 2012). We have not seen this aim change under the new administration. Full spectrum dominance matters and Menwith Hill plays an important part in it.



Martin Schweiger writes
Why I am concerned about the activities of the National Security Administration (NSA) at 'RAF' Menwith Hill

There are several inter-related reasons for being worried about the activities taking place at Menwith Hill, an allegedly RAF station currently under the control of the United States National Security Administration. The situation is dynamic with changes driven by advances in technology and the political situation.

The NSA is largely orientated towards the USA's aspiration towards full spectrum dominance, maintaining military control over all domains: dominance over land, sea, air and space with dominance also in the psychological, biological and cyber domains. Menwith Hill plays an important part in almost all of these.

Within the large golf balls at Menwith Hill, large aerals and other communications equipment play a key role in the passage of data, both data communicated between openly acknowledged US military assets and digital data covertly obtained in the UK, Europe, North Africa and the Middle East.

Surveillance data is used to target drone strikes in Afghanistan, Pakistan and Syria. Lethal drone strikes are a form of extrajudicial execution. It is very difficult to find an ethical reason for them and they are, arguably, illegal in international law.¹ We know that many drone strikes kill and injure others who were not targeted, a phenomenon euphemistically called "collateral damage". Whatever the term used, it is difficult to understand why such actions are supported from Nidderdale in Yorkshire.

In March 1983 President Ronald Reagan announced his Strategic Defence Initiative, popularly known as Star Wars after the George Lucas's film which was released in 1977. This included ideas for developing a range of space based weapons and was to be supported by facilities developed and deployed at Menwith Hill. This effectively was militarising space, a policy that raises the political temperature quite substantially and may have catastrophic consequences. The targeting of satellites of other countries may damage communications of all sorts and incapacitate critical navigation systems.

In January 2001 President George W Bush decided to replace the Strategic Defence Initiative with a somewhat less ambitious space based Missile Defence System that also requires support from Menwith Hill based facilities and has been called "Son of Star Wars".

Data harvested by Menwith Hill has been previously used for industrial espionage and commercial gain, quite outside any policing or military purpose. In May 2017 sensitive photographic evidence of the terrorist bombing in Manchester was obtained by the NSA and appeared in the American media shortly afterwards. That may have been a commercial decision or simply helping out friends in the media; whatever excuse may be offered it demonstrates a lack of judgement. Many people will recall the NSA tapping the telephone of the German Chancellor, Mrs Merkel.

Menwith Hill is managed by the NSA. In recent times they have had problems in providing security for the data they have covertly obtained. Edward Snowden might have been a major embarrassment as he released large amounts of supposedly secret information, but he is not the only person stealing data from the NSA.² In May 2017 organisations all over the world were hit by ransomware developed by the NSA. The Wannacry software attack damaged the NHS among many other targets. Wannacry was based on military grade software developed and lost by the NSA.³

The NSA also have a problem which is difficult for us to fully understand. The organisation is accountable to neither the US Senate nor the US Congress. They are certainly not accountable to the UK's Parliament or democratic process. The NSA is truly only accountable to their Commander in Chief, Donald J Trump.

The relationship between the USA and the UK is meant to be "Special". One test of that is the time it is taking to find a US Ambassador to the United Kingdom. At the time of writing this (July 2017) the next US Ambassador still has to be appointed while the relationship is managed by a "Charge d'affaires ad interim" called Lewis Lukens. He may be a delightful man but he will not be in a position to improve the accountability process of the US government for its



Crowd at 4 July Independence from America demonstration at Menwith Hill'

actions in or affecting the UK.

I remain concerned about what happens at Menwith Hill. If you are also concerned please make contact with the Menwith Hill Accountability Campaign.

1. 'Inside Menwith Hill: the NSA's British Base at the Heart of U.S. Targeted Killing', Ryan Gallagher, *The Intercept*, 6 September 2016.
<https://theintercept.com/2016/09/06/nsa-menwith-hill-targeted-killing-surveillance/>
2. 'NSA Contractor Could Face 200 Years in Prison for Massive Breach', Elias Groll, *Foreign Policy*, 8 February 2017.
<http://foreignpolicy.com/2017/02/08/nsa-contractor-could-face-200-years-in-prison-for-massive-breach/>
3. '74 countries hit by NSA-powered WannaCrypt ransomware backdoor', Iain Thomson, *The Register*, 13 May 2017.
https://www.theregister.co.uk/2017/05/13/wannacrypt_ransomware_worm/

WAS JUSTICE SERVED IN THE CASE OF R V STEVEN HIGGINS?

Mr Higgins, a US employee at Menwith Hill, was charged with causing Grievous Bodily Harm to Barbara Penny when she was part of the regular Tuesday evening CAAB demonstration on 11 August 2015. The case was heard in Leeds Crown Court between 14 and 17 August 2017.



Photo by Tim Harberd

The following report is selective especially as it was sometimes difficult to hear the proceedings in court. We have contacted the court about this and asked about obtaining a transcript. As yet, we have had no reply. This report is therefore as fair and accurate as we can make it.

Judge Cahill (Circuit Judge for North East Yorkshire) heard the case.

At the start of the case, it was agreed that the CCTV of the incident had at first been playing at a faster speed due to the transference from US to UK systems. The recording had since been adjusted to take account of this; however – and surprisingly, in spite of all the available technology and expertise, the exact 'real' speed could not be guaranteed to be represented. It had therefore been agreed that no comments on Mr Higgins's speed could be made.

The adjusted CCTV recording was replayed several times during the case and, each time, it was emphasised that the adjusted recording did not show real time.

Throughout the trial, the Defence repeated, when witnesses could not remember details, how the incident had taken place two years before the trial. The reasons for this delay, caused by the Defence, were not, of course, mentioned.

Barbara Penny, Tim Harberd and Lindis Percy were all demonstrating at Nessfield Gate on 11 August 2015 and gave evidence at the trial.

In summing up, the Prosecution described Mr Higgins's account of the incident as 'incredible'. (Mr Higgins had previously confirmed that he had never, for example, driven into the back wall of his garage.) The Defence explained the incident as the result of a 'misjudgement'.

On Thursday 17 August, the Judge addressed the jury on the law and evidence heard. Judges are usually scrupulously fair and independent when summing up for the jury.

Judge Cahill spent some time illustrating the difference between accidents and 'causing grievous bodily harm'. She was insistent that the Jury were to consider first whether Mr Higgins drove 'at' the protesters. Only if they could answer 'Yes' to this should they go on to consider whether his driving was reckless. She did not specify at what point he needed to have been driving 'at' the protesters rather than driving 'towards' them. Driving 'at' the protesters from the outset would have implied intent and Mr Higgins was not charged with causing grievous bodily harm with intent.

The Judge summarised the evidence including some details, prefacing her summary with the instruction that the Jury should be sure to consider any detail she did not include that they considered to be important and, conversely, should not be unduly influenced by any detail she did include which they did not consider to be important.

From the evidence of MDP officer M Finlinson, the Judge included the detail that Nessfield Gate was not part of the usual protest without reminding the Jury of how long protesters had been going round to Nessfield Gate or the reasons for this.

She did not remind the Jury of Mr Higgins's angry demeanour and words after the incident as described by the MDP officers. On the other hand, she included many details from the evidence of the witnesses for Mr Higgins's good character – details emphasising his calm behaviour in difficult situations.

She caused the adjusted CCTV recording to be re-played and re-emphasised at its conclusion that it did not show real time. She then proceeded to give more details of Mr Higgins's good character as evidenced by witnesses for the Defence.

In her very brief summary of the Prosecution's summing up, she described the Prosecution as having claimed that Mr Higgins had been 'irked'. She did not report how the Prosecution had described Mr Higgins's account of the incident as 'incredible'.

She told the Jury to decide which witnesses they found most credible. Then, she directed the Jury to retire and appoint a Foreman/woman and to come to a unanimous decision.

To find Mr Higgins not guilty, the Jury were expected to believe that a simple misjudgement – rather than a decision, at some point for whatever reason, to drive on and risk inflicting injury – caused a man who reputedly always remained calm in difficult circumstances and always made considered decisions to run over a protester.

He apparently failed to see that the protesters were standing at the line of the gate when he had been coming towards them for some distance at a speed of 10mph. When he did realise this, at about 10' away from the protesters – when he himself said he was only going at 3-4mph, he did not execute an emergency stop. Instead, he took his foot off the brake, allegedly thinking his foot was still on it. He eventually stopped beyond the line of the gate – that is, beyond the point when he had originally intended to stop in any case. The Jury were expected to believe that all this was the result of a simple misjudgement.

The Jury left the court at 11:45 am and had made their decision by 12:15 – that is, in 25 minutes at the most. When they returned to court and the Judge asked them if they had come to a decision as whether Steven Higgins was guilty or not guilty, the Foreman said NOT GUILTY.

We know what happened and know the truth as to what happened at the demonstration and what was said in court.

WHAT HAS HAPPENED AT PROTESTS AT NSA/NRO MENWITH HILL?

South Korean Visitors



Protesters at Menwith Hill continue to question the laws used by the UK Ministry of Defence Police (MDP) to police demonstrations on behalf of their US 'customers'.

A protester was summoned to Harrogate Magistrates Court in June 2017 to answer to two alleged offences under the RAF Menwith Hill byelaws. A week before the case was due to go to court, she received a letter from the Crown Prosecution Service saying that the offences were discontinued. The reason given: not sufficient evidence to provide a realistic prospect of prosecution. This was astounding as the protester was clearly in the area covered by the Menwith Hill byelaws. When cautioned, she said she was in breach of the byelaws – and added that the byelaws are invalid.

The regular Tuesday evening demonstration at Menwith Hill, started in 2000, has continued. Please come along: your support is needed even if you only make it once in the next three months!

VISITORS TO THE REGULAR TUESDAY EVENING DEMONSTRATION

First, we are so grateful to Yorkshire CND for their help and support throughout the year – from 14 February, when they visited the weekly demo, to 10 October and the demonstration for Keep Space for Peace. See the next newsletter for a full report of 10 October or visit the MHAC website: <https://themhac.uk>.

On 18 April, Kathie Mack from the Campaign Against the Arms Trade came to the demo in support of the Global Campaign on Military Spending (GCOMS). She spoke of the insupportable cost of the arms trade. Martin Schweiger spoke of the real cost of Menwith Hill to those of us living in North Yorkshire and Catherine Warr provided stirring protest songs.

On 2 May, we welcomed three South Korean activists.

They did not want to speak or show their faces fully up at Menwith Hill because the US and the South Korean government have very close cooperation: under the South Korean National Security Law 1948, the three could be refused visas to travel abroad in future.

South Korea, with a population about the same as the UK, has 55 US bases in a smaller area (38,623 square miles as opposed to 94,060 square miles). Much money, they said, could be saved by closing these bases.

South Korea is under US control. Under the South Korean National

Security Law, they told us, anyone who speaks up for independence from America or for reunification is liable to criminal charges and imprisonment.

They described how many people in North Korea and South Korea want reunification: North and South Korea have spent longer together than apart. People have different opinions but the solution is talk not war. Though none of the presidential candidates in the upcoming election was ideal, they were going to vote for the most reformist: progress towards reunification has been made under reform governments in the past, for example, in President Clinton's time.

DOES MISSILE DEFENSE WORK?

WOULD THAAD PROTECT SOUTH KOREA?

Bearing in mind Menwith Hill's role in so-called missile defense, our visitors were concerned to make clear their opposition to the deployment of the US THAAD (terminal high altitude area defense) in South Korea which had been hurried through unexpectedly quickly because of the forthcoming elections.

Because THAAD is concerned with high altitude missile defence, they explained, it would be useless against missiles coming from North Korea into South Korea. If it works (there are concerns about this), it might be more effective against missiles coming from China - the Chinese have always seen its deployment as a threat.

They spoke of the way helicopters had been used to disperse people coming to protest at the covert deployment of THAAD.

Recommended: the video 'Would THAAD Protect South Korea?' by the Peace Report. Ted Postle of MIT explains how THAAD is extremely easy to defeat - very vulnerable to countermeasures. The US company producing THAAD (Raytheon) also has a history of exaggerating test successes. Dr Jae-Jung Suh confirms how THAAD is designed to work at higher altitudes and, in any case, is too far away at Seongju to protect Seoul. Noam Chomsky illustrates how diplomacy has worked in the past. There are still opportunities now. <http://www.space4peace.org/videos.htm>

The massive protests in South Korea continue - as we heard when some of the South Koreans visited the Tuesday demonstration again in June.

INDEPENDENCE FROM AMERICA DAY 4 JULY 2017

About 100 people attended the demonstration at Menwith Hill on Tuesday 4 July, at which the



Crowd 4th July

Declaration of Independence from America was read and a letter given to the RAF Liaison Officer, Geoff Dickson, to be handed in to the US Chief of Station, Miriam Garratt.

Those attending the demonstration came from as far away as Korea, as well as from Yorkshire, Lancashire, London and Manchester.



Dave Webb

Maya Evans of Voices for Creative Non-Violence spoke passionately about her experience in Afghanistan working with children affected by war. Drones have been used to target civilians in Afghanistan, their use planned and controlled by staff at bases like Menwith.

Dave Webb, Chair of National CND, spoke of the hope for nuclear disarmament from the talks on a Global Ban then taking place in New York which ended with 122 countries signing the accord - not the UK. Let's pressure our MPs.



Bassa Bassa

Roger Harrington gave a very moving solo performance about a Leeds soldier shot for desertion in World War 1 and music was provided by the East Lancs Clarion Choir, by Catherine Warr and, a fitting end to a spectacular Nidderdale evening, by the jazz band Bassa Bassa.



Trumpeter



Flautist



Catherine Warr



Joan West

JUST HOW UNSAFE ARE ARMED DRONES FOR CIVILIANS?

Devastating armed conflicts involving the US continue in so many parts of the world, for example, in Afghanistan and Yemen. NSA/NRO Menwith Hill's involvement in these conflicts has been proved, for example in providing the information to target armed drones.

Larry Lewis was the Senior Advisor to the US Assistant Secretary of State responsible for human rights in both the Obama and Trump Administrations, focusing on civilian protection during military operations. He undertook several studies of airstrikes in Afghanistan with a number of counter-intuitive findings, such as drone strikes being 'ten times more likely to result in civilian casualties' than strikes by manned platforms.

Mr Lewis gave evidence to the All Party Parliamentary Group on Drones Inquiry Evidence Session, 'The Use of Armed Drones: Working with Partners' on 12 July 2017. He challenged assumptions about how civilian casualties occur.

'There's an assumption that they occur because we engage a valid military target and there are civilians in the area and so inadvertently we kill civilians that way... There's another thing we've heard our own congress say, and that's restrictions in guarding the use of force to help protect civilians costs soldiers their lives. Then finally, measures to protect civilians keep us from succeeding against our enemies. Those are a number of different assumptions that have been



Maya Evans speaks of the effects of drones on civilians in Afghanistan on 4 July

said, and if you believe any of those are correct then I have actual data to show that they're not.'

'The very first study we did, there was this assumption that collateral damage is the mechanism, but we found about half the time it was actually that we were misidentifying civilians as combatants and engaging them in the mistaken belief that they were enemy targets.'

In addition, he stated, 'The US interpretation of imminence is much broader than the UK and that created some differences of opinion, and there were some cases where UK intelligence couldn't support US operations because of that difference.'

Mr Lewis was asked, 'if you have a difference in, say, imminence, and the UK have supplied information that US strikes are carried out pursuant to, where does that leave the UK?'

He replied, 'Well, so my understanding is that that doesn't happen because of that very concern.'

Can we believe this assurance? And where does it leave Menwith Hill?

More concerns about civilian casualties from armed drones are raised in an article about Menwith Hill's twin in Australia, Pine Gap:

'The NSA often locates drone targets by analyzing the activity of a cellphone's SIM card, rather than the content of the calls - an imprecise method that can lead to the wrong people being killed, as The Intercept has previously revealed. "It's really like we're targeting a cellphone," a former drone operator told us in 2014. "We're not going after people - we're going after their phones, in the hopes that the person on the other end of that missile is the bad guy."

'Concerns about such tactics are amplified in the era of President Donald Trump. Since his

inauguration earlier this year, Trump has dramatically increased drone strikes and special operations raids, while simultaneously loosening battlefield rules and seeking to scrap constraints intended to prevent civilian deaths in such attacks. According to analysis from the group Airwars, which monitors U.S. airstrikes, civilian casualties in the U.S.-led war against the Islamic State are on track to double under Trump's administration.'

'The U.S. Spy Hub in the Heart of Australia', Ryan Gallagher, *The Intercept*, 19 August 2017. <https://theintercept.com/2017/08/19/nsa-spy-hub-cia-pine-gap-australia/>

Read the complete transcript of Mr Lewis's evidence - and also the evidence of Chris Coles of Airwars - at www.appgdrone.org.uk or contact us for a paper copy.

£ MONEY MATTERS

There are several ways of supporting MHAC financially (see the MHAC website). Accounts can be seen by application to the Treasurer.

MHAC Account No: 50095311 **Sort Code:** 089229

The Cooperative Bank,
1 Balloon Street, Manchester, M60 4EP

DONATE BY POST:

Please send a cheque, payable to "MHAC", to:
MHAC Honorary Treasurer, Judith Rushby,

31 Blossomgate, Ripon, HG4 2AJ

Please also enclose your address so that we can write to thank you!

DONATE USING BACS:

BACS payments are also welcome to our account with the Cooperative Bank:

Account Number: 5009531100 **Sort Code:** 089229

WHO'S WHO AT MHAC?

HON TREASURER: Judith Rushby

31 Blossomgate Ripon, HG4 2AJ.

(Bank signatories Judith Rushby and Sarah Swift)

WEBMASTER: Ray Middleton

COORDINATOR OF MEETINGS & 4 JULY

DEMONSTRATION: Hazel Costello

FACEBOOK ADMINISTRATOR: Brigid-Mary Oates

TWITTER ADMINISTRATOR: Claire Nash

MAILING LIST ORGANISER: Melanie Nzinga

NEWSLETTER DISTRIBUTOR: Christine Dean

GRAPHIC DESIGNER: Paul Wood

DESIGNER OF MERCHANDISE: Sarah McEvoy

MONITORING PLANNING APPLICATIONS: Steve Hill


CONTACT MHAC EMAIL: info@themhac.uk

COORDINATOR OF WEEKLY DEMO AND OF

NEWSLETTER: Sarah Swift

Contact: sswift64@gmail.com, 01765 600928

 facebook.com/groups/145710625924658/

 [@M_H_A_C](https://twitter.com/M_H_A_C)

Please contact us if you would like more references for statements made in this newsletter or more information on the issues raised, or go to the MHAC **website:** www.themhac.uk

Please also contact us if you yourself have well sourced information on any of the issues or if you would like to join the campaign - for example, by demonstrating or by helping to raise a public petition - focus still to be decided.