

United States military and intelligence bases in Britain – a briefing



The US eavesdropping station at Menwith Hill, North Yorkshire. (Photo - Ian Prichard).

David Gee, June 2004

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A protester's encounter with the US military presence in Britain¹

The US base at Croughton in Northamptonshire was one of several on British territory involved with supporting the invasion and military occupation of Iraq from 2003.

In March 2003, Lindis Percy entered the base in a nonviolent protest against the war, which she believed to be immoral and contrary to international law. When apprehended by US security officers, she was thrown to the ground and restrained using handcuffs and leg shackles while a woman US military police officer conducted a full body search in a degrading way. Lindis was then forced to lie face-down in a truck to be taken into detention while British police were called to make an arrest. She was known to those detaining her, in the words of one, as 'a peaceful, nonviolent Quaker' and had not resisted their intervention.

Lindis was charged with Aggravated Trespass (Criminal Justice and Public Order Act 1994), which applies to a person who trespasses with intent to intimidate, obstruct or disrupt a lawful activity.² She was refused bail, remanded in custody for one week at Holloway Prison and then granted bail with strict conditions.

The initial trial failed when the judge was forced to disqualify himself for erring in law by holding a meeting with three US officials with no lawyers from either side present. The retrial lasted five days; one US witness was flown into Britain from the US base on the Pacific island of Guam in order to testify.

The Defence argument that the war against Iraq was illegal was rejected by the judge as a matter that the court was not competent to hear. Among other legal arguments, the Defence challenged the manner of Lindis' detention on the grounds that it is a breach of UK law to use disproportionate force in detaining a person. The US 'rules of engagement' that their personnel must follow when detaining protesters are based on US practice, which differs markedly from UK practice in the level and kind of coercive force considered legitimate to use. The US rules are a secret; the British Government refuses to answer Parliamentary questions about them and it is therefore impossible to know whether they are consistent with UK law.³

For two days, the Defence argument was hampered by the refusal of the US authorities to disclose any details of the rules; however, when this appeared to jeopardise the case, some few details were released with most of the text blacked out. The judge was 'troubled by some aspects' of the proceedings but found Lindis guilty of Aggravated Trespass and fined her. An appeal is pending at the time of writing.

Quakers who witnessed the trial were deeply concerned by the proceedings and surprised by the harsh treatment and judgement of someone known to be a nonviolent protester. Their Monthly Meeting shared their concern, as did Meeting for Sufferings, the national executive body for Quakers in Britain. As part of the response to these concerns, this briefing has been prepared on behalf of the Peace Campaigning and Networking Group of Quaker Peace & Social Witness.

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Overview

The United States Government is committed to applying military power on a global scale and by 2007 is expected to account for half of the world's military expenditure.⁴ It maintains a worldwide network of around 730 military bases worldwide and agreements with over 90 countries for stationing its forces abroad.⁵ Most recently, a number of new long-term bases have been established in Central Asia and the Middle East following military action in Afghanistan and Iraq.

As part of this global network, US forces are accommodated on 35 sites in Britain. Collectively, these occupy about 10 square miles. Of these sites, six are one square mile or larger and four host more than 1000 US personnel each. All US bases in Britain are advertised as Royal Air Force facilities. In addition, two large US bases on British island territories provide the US with a presence in strategically significant locations – the South Atlantic Ocean and the Indian Ocean.⁶

Approximately 16,500 US forces personnel are attached to US bases on British territory, compared with about 1,000 personnel of other nations' forces.⁷ The largest US facility in Britain is Lakenheath airbase in Suffolk at 2.8 square miles with a personnel complement of over 5,000.⁸ This makes it larger in terms of size and personnel than the largest British RAF base, Brize Norton.⁹

Bases on British territory are significant to the US in at least four ways. First, the bases have played important military and intelligence-

gathering roles in all recent major US military engagements, including the wars over Afghanistan, Iraq and Kosovo. Second, they are integral to the US long-term strategic posture represented by nuclear weapons, strategic missile defences and long-range bomber and naval forces. Third, they form part of essential infrastructure for US military communications, command and control and munitions storage. Fourth, the US military presence in Britain links the Government of a leading European nation more closely to the strategic interests of the US.

Descriptions of the main bases and their activities are given in Appendix I. Three bases – Lakenheath, Menwith Hill and Fylingdales – are described in more detail in Appendix II. A summary of the capabilities provided by US bases on British territory is as follows:

- Long-range aerial warfare, including a tactical nuclear weapons capability
- Long-range aerial reconnaissance and espionage
- Civil and military communications espionage
- Military communications
- Strategic military radar
- Space object tracking (satellites and ballistic missiles)
- Strategic 'missile defence'
- Special operations
- Large-scale storage of munitions and other forms of logistics support.



The shaded areas show countries accommodating a long-term US presence. (Graphic - Peace Pledge Union)

History

During the Second World War, the UK invited the US to station its bombers in Britain in support of the bombing of Germany. Some US forces remained thereafter and served as the nucleus of a rapid build-up in Britain of US forces, especially nuclear bombers, during the early years of the Cold War.

At this time, US military planners were expecting a US-Soviet nuclear war fought primarily in Europe as the middle ground. US nuclear forces in Europe would be instrumental and the British Isles were seen as an ideal base. In 1946, Britain decided without public debate to modify five Royal Air Force bases to accommodate US nuclear bombers.

US military planners had expected that their British-based nuclear forces in Britain would make the territory a prime target of a nuclear exchange. Documents, which have now been revealed, show early US calculations that Britain would be hit by the Soviet Union with 'perhaps 30-40 atomic bombs' and a large-scale conventional air attack – enough to cripple the country.¹⁰ Besides those living in major cities, communities near the bases would have been affected worst and earliest.

The public message of the British Government was that the US nuclear deployment boosted Britain's national security in the face of a Soviet strategic threat. Whilst Britain was indeed worried about Soviet intentions, it was also concerned about US nuclear plans, which included the option of starting a nuclear war against the Soviet Union using Europe as the primary front line.¹¹ The reasoning was that the US believed conflict to be inevitable – not an *if* but a *when* – and calculated that whichever side started a nuclear confrontation had the best chance of winning it.¹² The US refused to countenance a British veto over a Presidential decision to use nuclear weapons from Britain. This led to ambiguous agreements between the two governments on the status of US nuclear forces in Britain that persist to the present day.¹³

As the threat loomed of a nuclear war with devastating consequences for Europe, the British Government decided – again in secret without public debate – to develop its own thermonuclear weapons during the 1950s. The first reason given for this was of securing post-imperial Britain's membership in 'the club' of leading world powers.¹⁴ Besides national pride, the strategic reasoning was that a British thermonuclear capability might both deter the

Soviet Union from attacking and enhance Britain's influence on the United States.

A consequence of this decision was a further increase of US forces in Britain as the Government granted further basing rights in the hope of securing nuclear cooperation. At the Cold War's height, US force levels in Britain were huge. According to the US Third Air Force's 'Welcome to England' booklet: 'Nowhere in the world has a foreign operating environment been more congenial to Air Force operations than that in the United Kingdom.'¹⁵

Another aspect of the post-war UK-US relationship was increased cooperation in intelligence gathering. The 1948 UKUSA Security Agreement committed four nations – Australia, Britain, Canada and New Zealand – to work with the US as junior partners in intelligence gathering, including communications espionage on a global scale. The agreement's existence, although not its contents, has been well documented; however, it remains another official secret. It is one of the agreements forming the basis today for the US eavesdropping base at Menwith Hill in Yorkshire and the US intelligence analysis base at Molesworth in Cambridgeshire.

The history of the UK-US strategic relationship is laced with cover-ups and secret deals. Among the examples are two serious nuclear accidents at Lakenheath, Suffolk – one covered up for 23 years and another for 37 years¹⁶ – and the use of US bases for CIA infiltration of British trade unions during the Cold War¹⁷. Perhaps the most shocking example of the UK-US trade-off was the wholesale eviction of at least 1,200 islanders on Diego Garcia in the Indian Ocean in the 1960s, in order to allow the US to establish a naval and air base. The *quid pro quo* was that the UK would purchase the Polaris nuclear weapons system from the US at a reduced cost.¹⁸ The islanders, a settled population dismissed by one British official at the time as '...some few Tarzans and Men Fridays, whose origins are obscure...'¹⁹ were literally dumped on the dockside in Mauritius and left to face lives of poverty and discrimination. Although more than 30 years later in 2000 the British High Court ruled the 'wholesale removal' of the islanders an 'abject legal failure'²⁰, the islanders have not been allowed to return. The Government has always claimed that the islanders' return would be unfeasible, explaining with brazen honesty that its position on the future of the island is determined by 'our strategic and other interests and our treaty commitments to the USA'.²¹ Diego Garcia is a US military outpost

that has played major roles in recent military action over Afghanistan and Iraq. There is no civil population or activity on the island and a permit is required for any travel there.



Former inhabitants of the Chagos Islands (including Diego Garcia) protest at the UK Embassy in Mauritius. (Photo: www.lalitmauritius.com)

The abuse of the islanders' human rights is one of the many costs of 'our treaty commitments to the USA' throughout the last half-century. These commitments have become extensive, such that there is now a high degree of integration of UK and US military and intelligence agencies. Intelligence cooperation in particular is structurally highly integrated. As a result, the UK's relationship with the US in military and intelligence matters is one largely of dependence. For example, the UK nuclear weapons system only works in conjunction with US satellites; British military industry is dependent on access to US markets; and the recent Ministry of Defence strategy White Paper mirrors US thinking in such areas as military coalitions of the willing, missile defences and nuclear policy.²²

Rationale

Official justification for the continued US use of British bases is normally offered in terms of regional peace and security: 'We welcome the US Visiting Forces' presence in the United Kingdom which forms an important part of the United States' continuing commitment to the North Atlantic Treaty Organisation (NATO) and the security of Europe.'²³

The bases' activities and their configuration show that they serve a US military posture dedicated to primarily US interests, not those of NATO in general or Europe. Recent US-led wars over Iraq and Afghanistan underline this; both wars have made extensive use of US bases in Britain and neither has involved NATO or pertains to European security. In addition, bases in Britain serve a US missile defence system and US communications espionage

operations; neither is connected with NATO or European interests. The US military complex is now large enough not to depend on NATO for military or strategic purposes, leaving only political reasons for continued US support for the alliance. The US is sceptical of the smaller-scale military capacities of other NATO countries and is known to find the alliance's consensus-driven decision-making frustrating. The 1999 NATO action over Kosovo notwithstanding, it appears that the US increasingly prefers to act alone or lead military coalitions of the willing.

Even in military terms, the notion that a US presence in Europe contributes to regional security does not withstand scrutiny. NATO is said to face no large-scale strategic threat²⁴; even so, it maintains a Cold War character having collectively (including the US) some two million troops under arms²⁵ and nuclear arsenals numbering several thousands of warheads. Whilst international terrorism is now given as the leading threat to countries in North America and Europe, there appears to be no military defence against terrorism in the long-term, let alone one based on the cumbersome capacities of NATO.

Compared with other world regions, Western and Central Europe is relatively peaceful and stable. This is thanks not to the military might of its nation states but to cultural and diplomatic friendship fostered over half a century. The European Union in particular is a stable community of nations, which less stable states to its south and east are joining or are in line to do so. The Organisation for Security and Cooperation in Europe and the Council of Europe are also institutions with a stabilising influence on the wider region.

Whereas regional security concerns appear not to offer a credible rationale for the US military presence in Britain, political considerations certainly do. Successive British Governments have seen continued support for the US presence as a way to maintain standing in the transatlantic relationship. The *quid pro quo* from a US Government point of view is that a presence in Europe helps to fulfil its strategic requirements, particularly the global projection of military power. This is historically consistent; from the end of the Second World War to the present Iraq crisis the UK has sought greater influence on the US and the US has sought to make use of British territory for its own strategic purposes.

Status

The US holds publicly acknowledged 'Status of Forces Agreements (SOFAs)' with 93 other nations around the world. These make arrangements for stationing US forces abroad.²⁶ The 1951 NATO SOFA applies to Britain. In principle, this makes arrangements for stationing one nation's forces on another's territory for NATO purposes. In practice, it is a one-way street in which US forces are able to use European territory for their own purposes. For example, 'RAF' Fairford, a wholly US-operated base operating under the NATO SOFA, was used extensively during the invasion of Iraq – a non-NATO mission.



Road sign to 'RAF Menwith Hill', a US-operated intelligence gathering base with no operational association with the RAF. (Photo: Yorkshire CND)

An astonishing feature of US-operated bases in Britain is their Royal Air Force status. This is despite their having no meaningful RAF connection; for example, there are no RAF personnel stationed at 'RAF Feltwell' in Norfolk, which is an entirely US-operated facility. At larger US bases, a small RAF contingent or single officer is charged with maintaining local relations and advising the US station commanders on British protocol but does not

have operational control of the base. The effect of this is to disguise US bases as British; there is nothing to suggest to those passing road signs to these 'RAF' bases that they are entirely US-operated in the service of US national interests.

Personnel from the British Ministry of Defence Police and Guarding Agency police some US bases. These are nominally connected to a British chain of command, although US station commanders dictate their everyday duties.²⁷ The US pays for the routine police presence, while the cost of extra policing at times of heightened alert, war or during peace demonstrations is normally borne by the UK. For example, the cost to the UK of extra policing for the US base at RAF Fairford during the Iraq war was £3 million.²⁸ There are several cases in which the jurisdiction of the Ministry of Defence Police has been over-ruled by US authorities on a base.²⁹

The US strategic agenda

The world is a very insecure place. Cycles of violence are arising from endemic poverty, widespread violent conflict, terrorism, the proliferation of arms of all kinds, environmental degradation and a damaging, unnecessary dependence on oil and other scarce natural resources. If the resources currently available for military purposes were applied to transforming these systemic causes of insecurity, an unprecedented contribution could be made to a more just, peaceful and stable world. In fact, global military expenditure is growing and nowhere faster in absolute terms than in the US.

A more just and peaceful world will depend on a growing commitment to defining national interests in international terms. In the past, the US has advocated exactly this. In 1953, President Eisenhower set out a vision for a world order based on common interests. In this, he said:

'A nation's hope of lasting peace cannot be firmly based upon any race in armaments but rather on just relations and honest understanding with all other nations.'³⁰

While this vision persists for many Americans today, another has obscured it. Like most other nations including the UK, the US leadership continues to define its interests primarily in narrow, national terms. It sees the world as fragmented and dangerous,³¹ in which security and economic prosperity cannot be

delivered without projecting military, economic and political power globally in its own interests.³² For this reason, the US is committed to global military pre-eminence,³³ of which its bases abroad are a major component.



The web site of the US base at Mildenhall echoes the explicit US policy of power projection with a global reach. The base has no operational RAF connection.

The aspiration to global leadership based on strategic supremacy has persisted through US administrations of all political persuasions during the last half-century. It is a vision advocated with most vigour by the neo-conservative US political Right, of which the current administration is an example. The neo-conservative concept of a world led by a single nation – their own – resembles in some ways that of past imperial powers, such as Britain, China and Rome. Their vision presumes and depends on US global pre-eminence. It entails increased military expenditure and engagements, resistance to the equalisation of economic power through trade and aid and reluctance to accept constraints on political power, such as those represented by the United Nations. Other goals seen to be antithetical to strategic pre-eminence are sustainable development, which would threaten the West's economic superiority; disarmament, which would reverse US military supremacy; and the preservation of the global ecosystem, which would entail sacrifices of economic growth. Environmental issues, economic justice and disarmament are of fundamental importance to a future of sustainable security and justice; successive US administrations have actively resisted progress in every area.³⁴

By aligning itself with the US strategically, the UK becomes complicit in the US agenda with its manifold costs. We undermine the value of friendship if we assume it depends on strategic alliance; a true friend is not afraid to say 'no'.

Accountability

The British Government has always been emphatic that US bases on British territory are fully accountable to the Government and Parliament and compliant with all applicable laws. Accountability is assured primarily, it says, by the integration of some British personnel into the larger US bases as well as regular visits by government ministers and relevant parliamentary committees.

The accountability of military bases and their activities is an important question, since the unaccountable use of military power would undermine the most fundamental principles of democratic society and equitable global governance. This paper examines the accountability issue in four aspects:

- 1) Accountability to the British Government
- 2) Legal accountability
- 3) Parliamentary accountability
- 4) Local accountability

1. Accountability to the British Government

a. Oversight of US activities

Historically, US bases in Britain have been used for a number of activities that have been revealed or discovered only in retrospect. For example, in 1958 it was revealed that, unknown to the UK Government, US bombers practised targeting runs over London and Edinburgh.³⁵ In 1981, the UK appeared to be unaware of US plans to station US chemical weapons in Britain.³⁶ The Government appeared not to be aware that US forces in Britain were put on nuclear alert on a number of occasions following false alarms of Soviet attack during the Cold War.³⁷ US nuclear bombers were often armed and airborne over Britain without the knowledge of the British Government, let alone the public.³⁸ It is unclear whether the Government was aware of the serious nuclear accidents at Lakenheath in 1956 and 1961, for it was claiming in 1980 that there had never been a nuclear accident in the UK. Either the US had not told them of the accidents or the Government was complicit in the cover-up.³⁹ More recently, there is some evidence that the US has been using intelligence information gathered from its bases in Europe in support of its own industry and commerce.⁴⁰

After the Cold War the accountability of US bases to the British Government remains incomplete, if only because British oversight of

all activities on US bases is not feasible. This issue is particularly significant in relation to US intelligence-gathering operations in Britain, for which the processes are largely automated and involve passing at least some of the gathered information directly to the US for analysis.

b. UK sanction of the US military presence

British dependence on the US in several areas of military and intelligence matters brings with it a *de facto* political commitment. The UK might consider the political and financial costs of a US withdrawal of forces prohibitive if this meant the end to UK-US military and intelligence cooperation. If so, a British Government with a critical approach to the transatlantic alliance might believe it has no politically sustainable choice but to tolerate the continued presence of US Forces on its territory. These would clearly not be conditions of accountability.

For example, the British nuclear weapons system, which is entirely dependent on US cooperation, might need to be radically altered or abandoned. Privileged access to US markets for British military industry could end. The status of Britain as a leading world power could come to an end. In view of the structural integration of UK and US military and intelligence agencies, the withdrawal of UK-US cooperation in these fields would require the radical restructuring or down-sizing of British systems. British economic ties with the US would also hinder a 'no US bases' policy, since the US would undoubtedly apply economic pressure to a critical British Government.

In sum, a British Government wanting US forces to leave British territory might need to be more radical, regardless of political colour, than any in living memory. Britain's freedom of choice in respect of the future of US bases on its territory assumes the possibility of an extraordinary feat of visionary leadership, the likes of which we appear unlikely to see in the foreseeable future.

2. Legal accountability

The British Government says that all US bases on British territory are required to operate within UK law on a par with British military establishments. In respect of laws governing health and safety, planning, environmental and fire regulations and so on, the relevant UK authorities are able to visit US bases and enforce the regulations if necessary. More serious legal issues arise in connection with the liability of US forces personnel before UK law,

US intelligence gathering operations in Britain and the status of US-led military engagements within international law.

a. US military personnel and English law

While it is a fundamental principle of English law that all individuals are responsible for their acts, there is a specific statutory exception in relation to foreign forces in the UK. Under the Visiting Forces Act 1952 another state's forces stationed in the UK can exercise its own criminal jurisdiction over them.⁴¹ Since there have always been many more US personnel stationed in Britain than those of other nations, this Act applies primarily to US personnel stationed in the UK. Indeed, the Act is based on the US-inspired NATO Status of Forces Agreement (SOFA) of the previous year (see 'Status' section, above). This gives the US jurisdiction for 'offences arising out of any act or omission done in the performance of official duty' of US forces personnel.⁴² The Visiting Forces Act also limits the jurisdiction of UK courts in relation to criminal offences.⁴³ Civil claims against visiting forces can be satisfied through special arrangements with the UK Secretary of State for Defence.

Where it is alleged that US forces have violated the rights of British citizens, it may be very difficult to gain redress. The most effective claim may be under the European Convention on Human Rights (ECHR). The Court in Strasbourg has jurisdiction for any violation of the Convention in the UK where a remedy is not available in the UK. It would offer remedies for inhuman or degrading treatment and for cases where the UK's Visiting Forces Act precluded a competent trial in the UK.

US military personnel have avoided British prosecution for several serious traffic accidents, even when responsibility for an accident has not been in dispute.⁴⁴ US personnel have submitted 'certificates of immunity' to British courts, leaving affected citizens with no legal remedy.

b. US intelligence gathering and English and European law

One of the most controversial elements of the US presence in Britain is its intelligence gathering operations. In particular, the US base at Menwith Hill in North Yorkshire is capable of intercepting military and civil communications on a large scale and receiving communications intercepted by satellites situated above Europe and the Middle East. Communications at risk of interception include emails, faxes and telephone calls, which can be



Menwith Hill US eavesdropping base. The 'golf ball' radomes cover satellite receiving antennae 'dishes'. (Photo: Yorkshire CND)

processed into finished intelligence material primarily for US consumption.

Although Menwith Hill's spy function is well documented, it remains an official secret; it therefore remains difficult to determine the full extent of the espionage and its legal status.⁴⁵ The Government is emphatic that Menwith Hill's activities comply with laws protecting human rights and regulating the interception of communications. A European Parliament committee, having assessed an abundance of personal testimony and documentary evidence, concluded that the existence of a large-scale communications eavesdropping system 'is no longer in doubt' and that breaches of the European Convention on Human Rights 'probably occur'.⁴⁶ The grounds for this conclusion are that the espionage is disproportionate to the needs of national security and lacks an accessible legal basis. The inquiry also concluded that the US uses its bases in Europe to spy on European companies.

Due to the secrecy of the spying operations and the limited nature of UK and US cooperation with the investigation, the committee could only draw attention to other problem issues without reaching firm conclusions. It questioned the adequacy of mechanisms to monitor the eavesdropping process. It also said that it had been unable to determine whether the espionage was absolutely necessary for UK and US security purposes or simply desirable; the latter would be illegal under the European Convention.

The UK Government protested that the committee had not taken proper account of the Regulation of Investigatory Powers Act 2000. In fact, the Act does appear to provide for Home Office approval of exactly the type of large-scale trawling of communications of concern to the European Parliament committee.

A former employee of the US National Security Agency (NSA) that runs the intelligence-gathering operation at Menwith Hill told the European Parliament investigation that his organisation had held over 1000 pages of information about Princess Diana on account of her anti-landmines work. The NSA has a history of spying on leading campaigning organisations and individuals.

Activity of this kind would be illegal under the European Convention on Human Rights but it would be unlikely to be discovered. Without more openness about the activities at the station, it is impossible to know how its machinery is used.

For more on Menwith Hill including sources for the information in this section, refer to Appendices I and II.

c. International law and US bases at war

International legal issues are raised by all US-led military engagements making use of bases in Britain over recent years.

In the case of war over Iraq, legal issues arise in light of the following: the United Nations Charter presumption against military action; the wishes of the majority of Security Council members to avoid war when military action began; the coalition's choice of military tactics and hardware leading to extensive, avoidable civilian casualties; the Occupying Powers' failure to protect civilian life after the invasion; and the degrading treatment of prisoners.

From the British Government's point of view, the legitimacy of the invasion of Iraq was premised on the UK acting within the scope of Security Council Resolutions. This in turn depended on the integrity and good faith of security reports upon which the Government made its formal decision to go to war in 2003. Majority UK academic opinion has been deeply troubled by the decision to go to war, considering that the Attorney General's legal advice was overly permissive. One senior

Foreign Office lawyer resigned over the issue. Other academics consider that Iraq's material breach of United Nations ceasefire conditions triggered a threat to international peace and security, which justified the action. Even where resort to armed force would be considered legal, violations of the laws of war would still be unlawful.

The war in Afghanistan has also become notorious for the degrading treatment of prisoners at the US base in Guantanamo Bay and elsewhere, contrary to norms of human rights law. High-altitude, unguided, heavy bombing, cluster bombing and other indiscriminate tactics employed in Afghanistan, besides their moral implications, also raise legal issues.

In the absence of a statutory court for making a binding determination on the legality of resort to war, it is not possible to determine the legal issues conclusively. The wars in Afghanistan and Iraq were pre-emptive attacks by ad hoc military coalitions and widely opposed internationally. If the UK-US claim is correct that the wars fall within international law, then other nations could legally conduct similar actions of their own, invoking humanitarian or security reasons in their defence. This would make the integrity of international law dangerously uncertain as a means for governing the conduct of international relations.

The US nuclear weapons stored at Lakenheath also raise issues of international law. In 1996, the World Court confirmed that the five acknowledged nuclear weapons states were obliged by law to negotiate and achieve the total elimination of nuclear weapons at an early date. This obligation now goes back 34 years, yet the UK and US show no sign of honouring it and both have recently renewed their nuclear commitments for the foreseeable future.⁴⁷ Other nuclear powers are equally complacent and there are no nuclear disarmament negotiations anywhere in the world.

3. Parliamentary accountability

The Westminster Parliament is among the strongest state democratic institutions in the world. Nonetheless, parliamentary accountability on national security and military issues is invariably weak in any country. The history of the UK nuclear weapons programme is a case in point, being as it is replete with now well-documented cover-ups and secret deals of incalculable import that should undoubtedly have been matters for thorough

public debate. A climate of secrecy continues today; in March 2004, the Defence Secretary admitted he was considering a range of options for a possible replacement of the British *Trident* nuclear weapons system and refused to tell Parliament what they were.⁴⁸

a. The executive prerogative

The royal, or executive, prerogative points to the Government's the freedom to act without Parliament's consent in certain policy areas.⁴⁹ The latitude afforded in foreign and military policy is particularly great. For example, the Government can take the country to war and make international agreements, such as the secret UKUSA intelligence cooperation agreement mentioned earlier and the UK-US nuclear cooperation agreements. Parliament can choose to reduce the scope of the executive prerogative through the creation of new legislation, however, this is difficult to achieve without Government support.

The executive prerogative also raises legal issues connected with protest at US bases. In April 2004, a small group of protesters was brought to trial for an incursion into the US base at Fairford in Gloucestershire during the invasion of Iraq. Their defence was that they had acted to help prevent war crimes and the loss of lives. Although this is a recognised legal argument, in which a minor crime can be justified in order to prevent a greater one, the judge ruled that the court would not hear it. The decision to go to war was a matter of executive prerogative and courts cannot query it, he said.⁵⁰ In this case, the executive prerogative placed Government action beyond legal reach.

b. Government decision-making and Parliamentary process

In December 2002, the US formally asked the UK for permission to include the joint UK-US military radar on Fylingdales moor into its 'missile defence' programme. Within a month of the US request and before Parliamentary Inquiries into the matter could run their course, the Defence Secretary had made a preliminary British decision to consent to US wishes. The House of Commons Defence Select Committee criticised the Government's behaviour in relation to Parliament as deplorable.⁵¹ It was unknown at the time that the US had insisted on a quick decision. The British Government preferred to honour the US timetable rather than wait to consider the conclusions of parliamentary deliberations.⁵²

One of the reasons that the Government wished to facilitate US plans is that, in exchange, the US would relax rules that limit the British arms industry's access to US military contracts. It has now been privately admitted that this was the only tangible advantage to the UK of agreeing to the upgrade.⁵³ Even so, the Fylingdales upgrade is being carried out by Boeing, a US firm.

Government support for UK arms exports exceeds that of any other sector of industry apart from agriculture and has an important transatlantic dimension, as the Prime Minister explains:

'People sometimes ask what are the benefits, apart from security, of this country's relationship with the United States. We should recognise that in terms of defence co-operation, for example, which has a spin-off into all sorts of areas, our alliance with the US is of enormous importance, not least to British industry.'⁵⁴

The Government says support for British arms industry, while important, does not lead its decisions on matters pertaining to national security. Nonetheless, there is ample evidence, including this case, that industrial interests are actively considered as a matter of course in decisions of this kind.⁵⁵

c. Access to Government information

Parliamentary accountability is as much a responsibility of citizens as Members of Parliament. Thanks to the persistent efforts of campaign groups, the letter-writing public and a handful of Members of Parliament and Lords, a large number of questions have been asked of the Government about US bases in Britain. Parliamentary Questions laid down by Norman Baker MP in particular have been an important contribution to the role of Parliament in holding Government to account.

The Government has been willing to offer statistical information about the bases, assurances of their accountability and explanations for their continued presence. However, its minimalist answers demonstrate the sensitivity of the issues raised and it often refuses altogether to answer detailed questions about what the bases do and their legal status.

The Government can and does refuse to answer Parliamentary Questions if it can claim that they fall within one of several exemptions listed in the Code of Practice on Access to Government Information. The first and most significant exemption concerns information on

'defence, security and international relations' that would harm national security or the conduct of international relations or breach another nation's confidence.⁵⁶ The grounds for invoking this exemption are not always clear, such as when there is no apparent national security risk. For example, the Government will not say how many British intelligence staff are attached to the US eavesdropping base at Menwith Hill in North Yorkshire but does reveal how many US staff there are. Since the British Government is not obliged to justify for any given instance why it has used the Code's national security exemption, it is not possible to know whether it has been applied properly or as a shield of convenience.

Recent evidence, again in the connection with the upgrade of the Fylingdales radar, suggests that use of the Code is not limited to necessity. As the UK agreed to the Fylingdales upgrade, a secret Memorandum of Understanding was agreed between the two governments setting out the arrangements. A copy of the document was obtained in the US and published, which left the British Government no choice but to declassify it. The document does not appear to contain any information, public knowledge of which could jeopardise national security.⁵⁷



A Ministry of Defence Police Officer, having filmed us, lingers with his dog by the electrified fence surrounding the military radar on Fylingdales moor. (Photo: Ian Prichard)

4. Local accountability

Local public reaction to the presence of US bases is mixed. Some welcome the contribution of US forces personnel to the local economy and their community service initiatives. Some bases arrange popular air shows and, more recently, some have begun to offer public talks about their activities. There

is also the view that a US presence in Britain helps to protect us from attack.

Others object to the bases as blots on the landscape. Some find the consequences of the bases a general nuisance, whether because of unruly military personnel in the community or noise, vibrations and pollution from low-flying aircraft. Some are suspicious about the bases' secrecy and their role in power projection for US interests. There is also the worry that US bases in Britain, and therefore the towns and villages nearby, would be prime targets in any attack against the US.

Local accountability of US bases is apparently now more developed than during the days of the Cold War but some serious issues remain, particularly in the context of the more secretive US bases such as Molesworth and Menwith Hill. This is perhaps best exemplified by the refusal to allow local MPs to visit some US bases.

Local planning regulations are severely curtailed in respect of Government property, leaving local communities very little say in what are often substantial military building works. The decision of 1960, led by US wishes, to build the Fylingdales radar in a national park is a case in point.⁵⁸

The 1979 decision to allow the US to upgrade the base at Fairford for its own use was also made in disregard of intense local protest. The Prime Minister, Margaret Thatcher, instructed the local MP to stop supporting the protests and made clear that the US must be accommodated at Fairford, however strong the local community's opposition might be.⁵⁹

In addition, local residents were not warned or evacuated during the nuclear accidents at Lakenheath in 1956 and 1961, despite the obvious dangers.⁶⁰

When the US nuclear bases at Greenham Common and Holy Loch were closed down, the UK was left with the substantial costs of environmental clean-up. The local council paid for Greenham to be restored to common land. The Holy Loch clean-up involved clearing rubbish scattered over the loch bed, costing the UK over £10 million.⁶¹

Conclusion

This paper has sought to show that United States bases on British territory are an integral part of a US worldwide military machine committed to US interests defined in national terms. These interests are narrowly conceived

to serve the few while placing the world at risk of further insecurity, war and deepening injustice. US bases on British territory and elsewhere are configured primarily for fighting war abroad. Their status is opaque and unaccountable; their posture is dangerous; their effects when employed in war are devastating in humanitarian and environmental terms and massively wasteful of financial resources. The diversion of a fraction of the resources committed to the US and UK military establishments could transform systemic causes of war and injustice over the long-term.

The freedom of the British Government to opt out of the US strategy is compromised by structural and political dependence on the US in military, intelligence and economic matters. British pretensions of 'world power' status are a further hindrance. Accountability of US bases in Britain in relation to the UK Government, UK and international law, the British Parliament and local communities is seriously wanting.

The history of US bases on British territory includes a series of cover-ups, of which the most appalling were the nuclear accidents at Lakenheath of 1956 and 1961; secret deals, of which the decision to allow US forces to come to Britain was among the most complacent; and even human rights abuses, of which the most tragic was the wholesale eviction of the island community of Diego Garcia in the Indian Ocean during the 1960s. From an early stage in their development, US bases placed Britain expendably in the front line of a potential nuclear war in Europe.

Britain still seeks the status of a world leadership role. It appears to be prepared to be complicit with US actions abroad if this allows it greater influence on the superpower. It is an approach arising from an illusion of pride and a misplaced faith in the structures of violence to deliver peace; and it appears bound to fail the world in the long-term.

Britain needs an imaginative and realistic alternative approach. This could consist in a progressive reduction of dependence on the US in military, intelligence and economic matters and a re-evaluation of the UK strategic posture, including its nuclear weapons policy. An approach to peace and security based primarily on international rather than national interests and focused on tackling the systemic causes of war and injustice must be encouraged. An independent, critical relationship with the US in the context of a genuine friendship is possible. UK foreign policy would benefit if disentangled from

pretensions to 'world power' status lingering from Britain's imperial past. The development of the European Union as a community of peoples embodying values of sustainable development, tolerance and relative prosperity is a cause for hope that peace is possible among nations. It must not be hampered by a British desire to retain or gain influence on the United States, or by a general European desire to gain its own military power as a counterweight to the US.



A demonstration on 4 July for 'Independence from America' (Photo - Yorkshire CND)

Quaker testimonies to peace and to truth and integrity both speak against the unaccountable use of military power represented by US bases abroad and the institutions of militarism in general. The notion that ever-greater military might will make the world safer and more just is a nonsense whose faithlessness in humanity endangers us all and threatens the integrity of creation. The lack of accountability of military establishments in general undermines democratic society.

Political support from a British Government for the US has rarely been stronger than under the leadership of Tony Blair. If the intention of such a close relationship is to encourage the US to embrace a more internationalist world-view, there is little sign of success so far. The current outlook is that the US will continue to strive for strategic supremacy and British territory will continue to provide a staging post for US-led military adventures in the short- to medium-term.

The long-term may be different. Appreciation is growing of the manifold costs of the US strategic agenda and the UK's support for it. The consequences of the US-led wars over Afghanistan and Iraq in particular are inviting a re-evaluation of the UK-US relationship. There is a searching of souls on both sides of the Atlantic. It is possible that a time when the transatlantic relationship can be reclaimed as a cultural friendship, rather than a strategic alliance, is drawing nearer.

What we can do

Campaign groups and public action are bringing change closer by raising awareness of the issues and challenging the establishment to rethink its approach. Some options for action:

- 1) Support the Campaign for the Accountability of American Bases, which on a shoestring budget leads the campaign on US bases on British territory and provides a huge information resource on its web site www.caab.org.uk Yorkshire CND carries forward work in this area and holds useful information about Menwith Hill and Fylingdales in particular at www.yorkshirecnd.org.uk Groups local to the major bases are able to watch what goes on there, keep vigils, raise awareness locally and engage in nonviolent action – these also need our support. You can help all these groups with donations and letter-writing – a little goes a long way with groups like these. Support for activists, for example by attending court with them when charged as a result of nonviolent direct action, is particularly appreciated.
- 2) Join the peace vigils and Quaker Meetings for Worship outside the bases. At the time of writing, these happen at Croughton, Fairford, Fylingdales and Menwith Hill. Visit www.peaceexchange.org.uk for info or contact CAAB – see Appendix III for contact details.
- 3) Learn about the issues at stake – see the appendices for further information and where to go to find out more.
- 4) Talk to friends and family about the issues and ask them what they think. Distribute this briefing; place a poster in your Meeting House, church or community centre. Yorkshire CND and QPSW sell posters – see Appendix III for contact details.
- 5) If you live near a military base, try engaging the base commander and other personnel in dialogue by writing letters or attending events organised by the base.
- 6) Support other organisations working to transform the cultures and structures of violence in the long-term. Visit www.peaceexchange.org.uk for a list of organisations or contact QPSW at the address in Appendix III for advice.

Appendix I: Major US bases on British territory

The following describes US military and intelligence activity at some of its main bases on British territory. The list is not exhaustive.⁶² Note that the most recent available sources for some of the statistical information dates back to 1998 and may be out of date but are understood to remain broadly accurate in 2004. As of February 2004, there were additionally 208 members of the US Army National Guard posted to bases at Lakenheath, Mildenhall, Croughton and Molesworth.⁶³

The US base known as **'RAF Lakenheath'** in Suffolk is the largest US operating air base in Britain. It is understood to retain some 30-35 US free-fall B1-11 nuclear weapons compatible with bombers stationed there.⁶⁴ With 5,294 US personnel stationed on its 2.8 square mile site, Lakenheath is larger in terms of personnel and area occupied than the largest British air force base, Brize Norton.⁶⁵ US aircraft from Lakenheath were involved in military action over Iraq from 1990 to 1994 patrolling the Iraqi no-fly zones, which were imposed by Britain and the US (without UN authority) after the 1991 Gulf War. US planes from this base were additionally involved over Iraq in 1999. Lakenheath was suggested as a site for a planned US chemical weapons build-up in Europe during the 1980s.⁶⁶ In 1986, F-111 bombers from Lakenheath attacked Libya; stray bombs killed 101 civilians.

For more on Lakenheath, see Appendix II.

'RAF Mildenhall' in Suffolk is the principal US air base in the UK. It is used in particular for air transport, aerial refuelling, aerial reconnaissance (including spying) and 'special operations'. It houses the headquarters of the US Third Air Force and is a former US nuclear base. It occupies 1.8 square miles and has a US staff of 3,858. The base's motto is: 'Providing global power and global reach. Anytime. Anywhere.' Mildenhall's tankers supplied aerial refuelling facilities to US aircraft from Fairford during the war over Iraq in 2003. Spy planes were used extensively from Mildenhall during the Cold War for incursions into Soviet airspace, primarily to identify approach routes for US and NATO nuclear bombers. The incursions were also intended to

trigger Soviet defensive radar systems in order to evaluate their effectiveness. Both tactics risked triggering a nuclear exchange.

'RAF Feltwell' in Norfolk is a former nuclear base and now a US facility for tracking deep- and near-space objects on behalf of US Space Command. Space Command is a particularly hawkish component of the US military committed to placing weapons in space and dominating space as the next military high ground.⁶⁷ Feltwell is ½ square mile in size with 132 US personnel. Some peace action groups have claimed that Feltwell might play a role in the space-monitoring component of the developing US missile defence system. The UK Government has said Feltwell 'has no role in ballistic missile detection or tracking, and nor are we aware of any suggestions that it could do so as part of any missile defence system.'⁶⁸ We have found no evidence to the contrary.

'RAF Croughton' and **'RAF Barford St John'** are a split-site US facility in Northamptonshire for military and intelligence communications and weather analysis. The site at Croughton also houses a US Embassy. Together, the sites occupy 1.9 square miles and accommodate 443 US personnel. The base is a major military communications hub for US forces in Europe and would have been engaged during recent military action against Iraq and Afghanistan. It is part of the US worldwide military command and control system⁶⁹ and part of the 'Giant Talk' system used to send strike instructions to US nuclear bombers.⁷⁰ The base appears to have incorporated a secret radio station for US CIA agents during an infiltration of British trade unions during the Cold War.⁷¹

'RAF Fairford' in Gloucestershire is a major US base. It provides a forward operating location for US bombers, a 'special operations' training ground and aerial reconnaissance (including spying). It is 1.8 square miles in size with a US personnel complement of 214, which multiplies when the base is pressed into use. Its web site describes the base as 'Europe's premier forward operating location for the US Air Force and NATO' and 'a cornerstone of US bomber operations in Europe'. Fairford is one of three airbases outside the US designed for the long-range B2 £1.7 billion 'stealth' nuclear-capable bombers. The other two are the US airbase on the British Indian Ocean Territory of Diego Garcia and the US-dependent Pacific island of Guam. These three bases enable the US to reach any part of the world with air power and minimum refuelling.

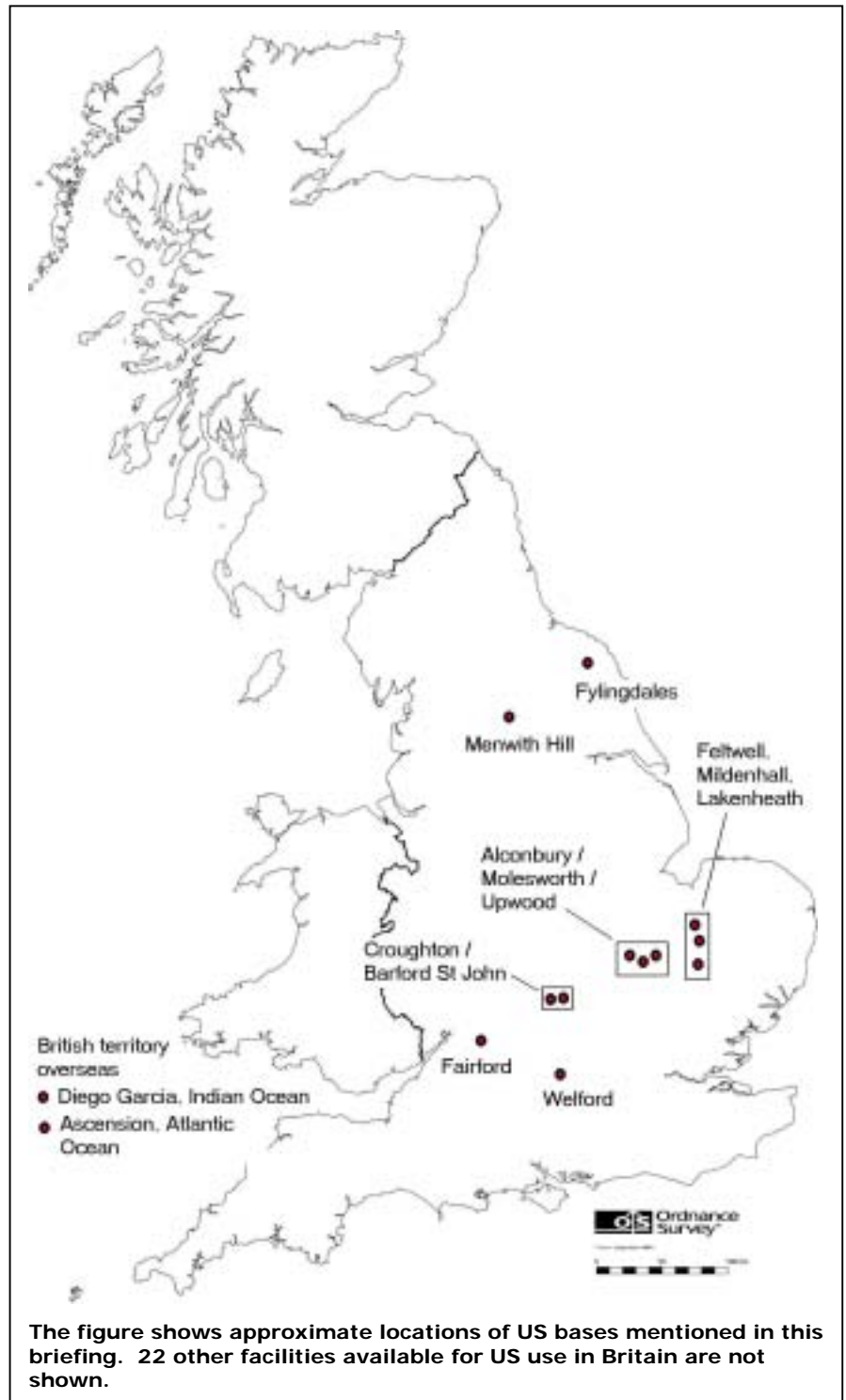
US B52 bombers were stationed at Fairford in 2003 during the war over Iraq, in 1999 during the war over Serbia and Kosovo and in 1990-91 during the previous war over Iraq. B52s stationed at Fairford dropped over 48% of all NATO munitions during conflict over Serbia and Kosovo in 1999. Fairford has recently undergone the largest refurbishment and expansion project since the end of the Cold War, 95% funded by NATO. A US U2 spy plane crashed after take-off from Fairford in 1995. In 1980, the US put Fairford briefly on alert in response to a false warning of a Soviet attack; the UK Government was not told.⁷² During the Cold War, Fairford was one of the British sites for US quick-reaction alert nuclear bombers, which would be aloft within 15 minutes of an alert – probably before the US could or would inform the UK Government. For exercises and on alerts, nuclear-armed aircraft based at Fairford were often in the skies.⁷³

'**RAF Welford**' in Berkshire is a huge storage facility linked to the base at Fairford and rumoured to be the largest munitions store in Europe, according to a US interest group.⁷⁴ It occupies 1.2 square miles and is staffed by personnel stationed at Fairford. It supplied 13,500 bombs to Fairford for NATO use in the war over Serbia and Kosovo.

'**RAF Alconbury**', '**RAF Molesworth**' and '**RAF Upwood**' in Cambridgeshire form a single, split-site US base. Molesworth (1 square mile) is a major US intelligence analysis centre and former US nuclear base, which since 1991 has housed the US Joint Analysis Centre, processing intelligence on 91 countries across Europe, Asia and the Middle East. Alconbury (½ mile) is a support base for Molesworth. It was a US aerial reconnaissance (spying) base during the Cold War.⁷⁵ Upwood (6 acres) was one of several Cold War US military hospitals kept virtually empty at a time when the National Health Service was suffering a chronic crisis. It has been mostly decommissioned.

US personnel attached to the base as a whole number 1,012.

'**RAF Menwith Hill**' in North Yorkshire is a US-operated communications interception and processing station for intelligence purposes. It will also be a ground relay station for satellites that detect missile launches. The US 'missile defence' programme is to make use of this system; UK permission is required for this and a formal request has yet to be made. Its 7½ square-mile site sits on the edge of an Area of Outstanding Natural Beauty. It houses some 30 satellite antennae and is said to be the



largest satellite receiver station in the world.⁷⁶ In addition, a large array of other communications equipment is used to receive signals from a variety of other sources.

Menwith Hill's 1,407 US staff are attached principally to the US National Security Agency (NSA), 'America's codemakers and codebreakers'⁷⁷, and are supplemented by an undisclosed, smaller number of British staff from the Government Communications Headquarters (GCHQ), one of the British intelligence agencies. Operation of the base was recently turned over to another intelligence-gathering branch of the US military, the Air Intelligence Agency; this is not expected to change the general nature of its activities.

A European Parliament inquiry into US-led communications intelligence activities in Europe confirmed that Menwith Hill is part of 'a global system for intercepting communications', which operated 'by means of cooperation proportionate to their capabilities among the USA, the UK, Canada, Australia and New Zealand under the UKUSA Agreement'. It added, 'What is important is that its purpose is to intercept private and commercial communications...'⁷⁸ NSA achieves this by listening for, intercepting and analysing emails, faxes and voice calls of interest to the US intelligence agencies. Any communication carried in or through the UK or by satellites situated above Europe is at varying degrees of risk of interception, whether carried by landline, satellite or microwave relay.

For more on Menwith Hill, see Appendix II.

RAF Fylingdales in the North York Moors National Park is a powerful military radar with a 3000-mile range that tracks the trajectories of ballistic missiles and space objects, such as the spy satellites of other nations. The station is entirely operated by RAF personnel with one US liaison officer; however, in the light of the fact that all the operational equipment, including the radar hardware itself, is US-owned, it is more accurately described as a joint UK-US base. Both countries share the information the radar puts out. Running costs of Fylingdales, borne by the UK, are in the order of £20 million per annum.

Fylingdales is one of three radar stations worldwide forming the Ballistic Missile Early Warning System (BMEWS), which is essentially a Cold War US project intended to give a few minutes warning of missile attack and thus provide adequate time for a nuclear counter-attack. The facility is being upgraded in 2004-

05 to track ballistic missile trajectories more accurately in support of the US strategic 'missile defence' system.

For more on Fylingdales, see Appendix II.

Use of **Diego Garcia**, the largest island of the British Indian Ocean Territory, was given over to the US in 1966 to site a naval communications and support facility and airbase. At least 1,200 islanders were forcibly evicted to facilitate this, which formed part of a deal enabling the UK to purchase the Polaris nuclear weapons system from the US at a reduced cost.⁷⁹

Today, it accommodates 3,150 US personnel⁸⁰ with 50 UK personnel mostly for administrative purposes. The base was extensively used during the wars in Iraq in 1991 and 2003. Its most intense operational period was during the war over Iraq in 1991. It is also a station for tracking satellites in space.

The island is strategically extremely significant to the United States. Like the US base at 'RAF Fairford' in Britain, it is one of three airbases outside the US designed for the long-range B2 £1.7 billion 'stealth' nuclear-capable bombers. These three bases enable the US to reach any part of the world with a B2 bomber and minimum refuelling.

The US base on **Ascension Island** in the South Atlantic Ocean is an air base, communications facility, tracking station for US missile tests and satellite tracking station. The US facilities occupy some 5.6 square miles of the island and are reportedly staffed by fewer than 100 US personnel.⁸¹ The US base on Ascension Island has been leased rent-free from the UK since 1956. It houses part of the US communications system, known as 'Giant Talk', used to send strike instructions to US nuclear bombers.⁸²

Appendix II: Spotlight on Lakenheath, Menwith Hill and Fylingdales

'RAF Lakenheath'

In 1956, Lakenheath was the site of a serious nuclear weapons accident concealed for 23 years until a former US Air Force General, among others, admitted that 'it is possible that a part of Eastern England would have become a desert'.⁸³ This was later confirmed in 1980 in the US official list of serious nuclear accidents, the same year as the Ministry of Defence was claiming in public literature that there had never been a nuclear accident in Britain. A bomber had crashed into a bunker housing three nuclear weapons and its fuel ignited. This caused a panicked evacuation of the base and the nearby US base at Mildenhall. Towns and villages local to both bases were not warned, even via the police. US fire fighters courageously remained to douse the blaze, eventually succeeding but not before the heat had burnt the bombs in the bunker. An explosion that would have scattered radioactive dust across a considerable distance appeared to have been narrowly avoided. The US included the incident in the category for the most dangerous of its nuclear accidents. However, publicly it was denied and an alternative explanation for the panicked evacuation prepared for public consumption until the truth was finally admitted.⁸⁴

A second nuclear accident took place in 1961 when a nuclear-armed bomber caught fire, leaving the weapon scorched and blistered and again risking regional radiological contamination. In this case, the cover-up lasted 37 years.⁸⁵

In 1981, a senior US official leaked plans to station a new generation of US chemical weapons at Lakenheath to the Reuters news agency. Reuters reported: 'The Pentagon want to deploy a large new arsenal of nerve gas in Britain as part of a multibillion dollar build-up for possible chemical war in Europe.' The UK Defence Secretary of the time said that the UK had not been asked about this.⁸⁶

In 1986, the US planned to conduct a punitive raid against Libya – then a 'rogue state' in US eyes. European NATO allies such as France, Germany, Spain and Italy refused to allow the US to conduct the raid from their territory; Britain however was keen to cooperate.⁸⁷ The raid involved F-111 bombers from Lakenheath and also aerial refuelling tankers from nearby Mildenhall and Fairford in Gloucestershire. France and Spain refused to allow the aircraft to enter their airspace and they were forced to take a circuitous route. 101 civilians were killed by stray bombs.⁸⁸

'RAF Menwith Hill'

In October 2001, the British Ministry of Defence issued a press release saying of the base's purpose only that it 'provides intelligence support for UK, US and NATO interests'.⁸⁹ In fact, the primary function of Menwith Hill is an official secret. The station is involved in a worldwide, US-led programme to intercept civil and military communications as part of the 1948 UKUSA secret agreement with Australia, Britain, Canada and New Zealand.

The US National Security Agency (NSA) that runs the intelligence-gathering operation at Menwith Hill describes communications intelligence as 'technical and intelligence information derived from foreign communications by other than their intended recipient'.⁹⁰ In 1975, NSA admitted that it 'systematically intercepts international communications, both voice and cable'.⁹¹

Menwith Hill and the global eavesdropping system to which it belongs are set up to trawl through communications *en masse* so that those of interest to NSA can be detected and processed. Intercepted communications are analysed automatically using, among other means, a large database of keywords. Emails, faxes and telexes can be processed in this way and a small proportion selected for analysis by humans. Voice calls cannot be analysed so easily, however, it is now technically possible to identify participants in a phone call by their unique voice patterns. Communications of interest to the agencies are also stored for later in-depth analysis when computer-based techniques are not adequate.

The base is plugged into the UK's own internal communications by means of landlines⁹² and is a ground station for satellites intercepting microwave telecommunications relays⁹³. Its satellite interception capability is believed to be its most reliable eavesdropping method at two million intercepts per hour.⁹⁴ By combining

these interception methods with state of the art computer systems, Menwith Hill is able to intercept communications on a large scale and process information sent from spy satellites situated above Europe and the Middle East.⁹⁵ The station has the advantage that the UK is a major European telecommunications hub, through which communications from a large number of countries pass.

The Government does not deny that communications are intercepted at Menwith Hill. It does say that the UK's internal, civil communications are not subject to this process,⁹⁶ leaving unexplained the reason for the station's extensive access to the UK's civil communications network. It could be that the UK's internal communications are intercepted by the computer system but automatically rejected; it could also be that NSA does process such communications with or without the knowledge of the British authorities – we just don't know.

Although the system is capable of listening into and selecting for analysis a large number of communications, this is still a relatively small proportion of the very large number of communications made at any given time. The chance of a communication between Birmingham and Hull, for example, being routinely intercepted appears to be low. Even if intercepted, a call of this kind is likely to be rejected automatically unless certain conditions are met. However, if parties to an intercepted communication or its content are of sufficient interest to the intelligence agencies, then it could be recorded and analysed at Menwith Hill or a location in the US.

A US Justice Department task force discovered in 1976 that the US National Security Agency kept names of high-profile individuals on a 'watch list', which it used to process its communications intelligence.⁹⁷ It is almost impossible to know whether NSA still does this, which would be illegal in the UK without specific authorisation from the Home Secretary. Wayne Madsen, a former NSA employee, believes that Menwith Hill could be used to spy on high-profile non-governmental organisations such as Greenpeace. In his testimony to the European Parliament committee, he said that the NSA had had to admit holding more than 1000 pages of information on Princess Diana on account of her campaigning work to ban landmines.⁹⁸

Relevant laws allowing and limiting interception of communications include the International Telecommunications Convention, the European

Convention on Human Rights (and its UK manifestation, the Human Rights Act 1998) and the UK Regulation of Investigatory Powers Act (RIPA) 2000. The European Convention requires communications intelligence activities to be a necessary, not merely desirable, means for addressing a genuine national security concern. The extent of the activities must not be disproportionate to what is required to achieve the end goal. Governments are also required to build in measures to ensure accountability and transparency of operation. The European Parliament report, having considered technical aspects of the way in which communications are intercepted, concluded that compliance with the European Convention was doubtful and breaches 'probably occur'.⁹⁹ The UK Government, which maintains that Menwith Hill acts within the law, responded with a short statement that the report had not taken sufficient account of the UK's RIPA legislation limiting communications interception.¹⁰⁰ Even so, Sections 8 and 15 of the RIPA legislation appear to allow the Home Secretary to authorise general warrants for the kind of large-scale communications trawling activities carried out at Menwith Hill – that is, interception of communications not related to a specific individual or premises.¹⁰¹

In March 2003, a leaked email revealed that NSA had been involved in, or intended to become involved in, spying on the United Nations Security Council Missions. It asked for support for the operation from its British partner, the Government Communications Headquarters (GCHQ) with the apparent expectation that it would be given as a matter of course.¹⁰² After the leak, the Prime Minister gave assurances that the agencies had worked within the law. If they did, then doubt must be cast on the adequacy of legal instruments to prevent the use of intelligence agencies for purposes wholly unrelated to national security concerns. The allegation in February 2004 that Britain had spied on the UN Secretary-General – not denied by the Government – also calls into question the democratic credentials of the intelligence agencies in general and the governments that control them.¹⁰³

In addition to its eavesdropping role, Menwith Hill is to be part of a new satellite system for detecting ballistic missile launches as part of the US 'missile defence' programme. This is discussed further in the section on Fylingdales, below. The US is required to ask the UK for permission to use Menwith within the programme and has yet to do so, though the

related building work at Menwith Hill has been under way for some time.

A further receiver station, located at **Morwenstow**, Cornwall, intercepts signals *en masse* from a civil communications satellite.¹⁰⁴ This is staffed by British personnel attached to the GCHQ and sponsored by the US NSA.

RAF Fylingdales

During the Cold War, the US wanted a missile warning radar in Europe because the curvature of the Earth prevents US-based radars from detecting objects in space such as missiles passing over the Eurasia region. The US believed the ideal location in Britain would be Fylingdales moor in North Yorkshire.

Should Fylingdales detect a possible missile attack, RAF Strike Command at High Wycombe would be warned. This could lead to a nuclear retaliation on the part of the UK. In the US, the data is received by a section of US Space Command, also possibly leading to a retaliatory nuclear strike.

There are concerns that the radar beam may affect the health of local residents and passers-by. Although there is no evidence to prove this at present, a group of health professionals has asserted that the precautionary principle should apply – that is, the burden of proof is upon the Government, which should undertake to prove that the beam does not affect health. Currently, 'safe' levels of emission are set by the National Radiological Protection Board, which has yet to adopt the stricter limits set by the European Union.¹⁰⁵ The former Fylingdales RAF Wing Commander has admitted that if the new limits are adopted, this may 'create issues' for the radar's compliance.¹⁰⁶

The radar emissions are powerful enough to activate some models of car engine immobilisers on the nearby road.

The North York Moors National Park Committee has criticised the station at Fylingdales as 'totally incompatible with the National Park'.¹⁰⁷ The Council for National Parks, being the national charity working to protect and enhance the National Parks of England and Wales, has also condemned the facility's siting and its new 'missile defence' purposes.¹⁰⁸

In order to build its missile defence system, the US first had to withdraw from the 1972 Anti-Ballistic Missile Treaty. This was a Cold War agreement between the Soviet Union and the United States, which sought to cool the arms race by prohibiting large-scale missile

defence systems. In 2000, all nations but four agreed on the need to preserve this treaty as a 'cornerstone of strategic stability'¹⁰⁹; nevertheless the US withdrew in June 2002. The UK Government had initially supported the preservation of the ABM Treaty and changed its mind when the US decided to withdraw.

The decision to allow the US to incorporate Fylingdales into the missile defence programme was made in February 2003. The House of Commons Defence Select Committee deplored the way in which the decision had been made without adequate time for Parliamentary debate or proper reflection on the arguments of critics.¹¹⁰ An official at the Ministry of Defence admitted that the US had asked for a quick decision and the UK wanted to comply.¹¹¹

From a UK Government perspective, the primary advantage of agreeing to the upgrade of Fylingdales was a relaxation of US restrictions on access for the UK's military industry to related US military contracts. Arms giant BAE Systems had lobbied hard for this.¹¹²

The UK Government says that the US missile defence programme incorporating the Fylingdales radar is 'a defensive system that threatens no one'.¹¹³ In fact, the US Administration has made clear that its programme has purposes beyond physical defence alone. First, the US explicitly envisages its missile shield as enhancing the strategic potency of its nuclear weapons.¹¹⁴ Second, senior figures in the US administration including the Defence Secretary and his Deputy, believe missile defences are necessary 'to provide a secure basis for US power projection around the world'.¹¹⁵ Third, US Space Command, to which Fylingdales is attached for the US part of its mission, envisions a future 'missile defence' system capable additionally of applying offensive force and incorporating space-based weapons to facilitate US power projection at a moment's notice.¹¹⁶

Appendix III: Resources

For queries about this briefing, contact:

David Gee, Quaker Peace & Social Witness,
Friends House, London NW1 2BJ
T: 020 7663 1067 E: davidg@quaker.org.uk

Further reading

Paul Rogers, 'Losing Control – Global security
in the Twenty-First Century' (Pluto Press:
London, 2000, First Edition)

Lorna Arnold, 'Britain and the H-Bomb'
(Basingstoke: Palgrave, 2001 – © Ministry of
Defence)

Duncan Campbell, 'The Unsinkable Aircraft
Carrier: American military power in Britain'
(London: Michael Joseph Publications, 1984)

Internet

Official web sites for each base where available

Alconbury (US Air Force -
www.alconbury.af.mil); Croughton (US Air
Force - www.croughton.af.mil); Diego Garcia
(US Navy - www.dg.navy.mil); Fairford (US Air
Force - www.fairford.af.mil); Feltwell (US
Space Command -
[www.peterson.af.mil/21sw/library/fact_sheets/
5spss.htm](http://www.peterson.af.mil/21sw/library/fact_sheets/5spss.htm)); Fylingdales (UK Royal Air Force -
[www.raf.mod.uk/stations/gen_base.html#Fylin
gdales](http://www.raf.mod.uk/stations/gen_base.html#Fylin
gdales)); Lakenheath (US Air Force -
www.lakenheath.af.mil); Menwith Hill (National
Security Agency - www.nsa.gov); Mildenhall
(US Air Force - www.mildenhall.af.mil);
Welford (US Air Force - www.fairford.af.mil)

Campaign for the Accountability of American Bases (CAAB)

CAAB is Britain's leading campaign to raise
awareness and concern about the role of US
bases in the UK within the US strategic agenda.
Without it, much of the information in this
briefing may not have been known. CAAB's
web site is a mine of information about the US
military presence in Britain. Contact CAAB, 8

Park Row, Otley, West Yorkshire, LS21 1HQ.
Web: www.caab.org.uk

Yorkshire Campaign for Nuclear Disarmament

Yorkshire CND leads National CND's work on
the US 'missile defence' issue and its web site
holds extensive information about Fylingdales
and Menwith Hill in particular. Contact
Yorkshire CND, 22 Edmund Street, Bradford,
West Yorkshire, BD5 0BH Web:
www.yorkshirecnd.org.uk

Reclaim the Bases

This is a new nonviolent direct action campaign
group introducing most of the major US bases
in Britain. Web: www.reclaimthebases.org.uk

Globalsecurity.org

This is an encyclopaedia of military and
security information, including details about
most of the bases listed here. Web:
www.globalsecurity.org

Campaign groups focused on particular US bases

Lakenheath, Mildenhall and Feltwell:
Lakenheath Action Group
(www.lakenheathaction.org)

Fairford and Welford: Fairford Peace Watch
(www.fairfordpeacewatch.com);
Gloucestershire Weapons Inspectors
(www.gwi.org.uk)

Fylingdales: CAAB (www.caab.org.uk);
Yorkshire CND (www.yorkshirecnd.org.uk);
Northern Friends Peace Board
(www.gn.apc.org/nfpb); Fylingdales Action
Network (www.fylingdalesactionnetwork.org)

Menwith Hill: CAAB (www.caab.org.uk);
Yorkshire CND (www.yorkshirecnd.org.uk)
Womenwith; Menwith Hill Forum
(www.mehifo.fsnet.co.uk); Northern Friends
Peace Board (www.gn.apc.org/nfpb);
Federation of American Scientists
(www.fas.org)

Diego Garcia: Lalit (Mauritius -
www.lalitmauritius.com)

All the above links are listed on QPSW's Peace
Exchange web pages at
www.peaceexchange.org.uk

References

Sources frequently used are not given endnotes for every use. These are:

- Area occupied by bases: Hansard, 5 January 2004
- Purpose of bases: Hansard, 2 March 1998; Hansard, 7 April 1998; various web sites for US and UK bases, military and intelligence agencies.
- US military and civilian personnel at bases in Britain: Hansard, 2 March 1998; Hansard, 7 April 1998
- MoD presence at bases made available for US use: Hansard, 7 April 1998
- Other general sources are Hansard, 5 Jan 2004; 2 March 1998; 21 May 2000; 13 June 2002.

¹ This account is based on information available in Campaign for the Accountability of American Bases News and Appeal, Issue 24, February 2004, p.4 and published <http://cndyorks.gn.apc.org/caab/newsletters/cab24.htm> – accessed 18 May 2004

² 'Aggravated Trespass. The offence of aggravated trespass is committed when a person: trespasses on land; when a lawful activity is taking place on that land or land nearby; and he or she does anything intending to intimidate, obstruct or disrupt that activity. The offence, under section 68 of the Criminal Justice and Public Order Act 1994, goes hand-in-hand with powers to prevent protesters joining an aggravated trespass. The powers are similar to the exclusion zone powers for trespassory assemblies. Once protesters are within a five-mile radius exclusion zone they can be turned back, and can be arrested and charged with an offence if they refuse to comply. The offences carry imprisonment of up to three months or a fine of up to £2,500.' Published at Liberty's rights web site, www.yourrights.org.uk – accessed 17 May 2004.

³ Hansard, 19 June 2003.

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⁶ Hansard, 5 January 2004. Number of US bases in Britain excludes sites of US family quarters. Of the 35 sites, some of mentioned in Appendix I. The others are RAF Church Fenton, RAF Daws Hill, Defence Estates Eastcote, Glasgow Docks, High Wycombe offices, RAF Hythe, Kennington Barracks, Marchwood Military Port, RAF Spadeadam, RAF Upwood, RAF West Ruislip, RAF Barkway, Botley Hill, RAF Bovingdon, DCSA Chelveston, RAF Christmas Common, RAF Cold Blow Lane, RAF Daventry, RAF Digby, Dunkirk Communications Site, DCSA Oakhangar, DCSA St. Eval, RAF St. Mawgan, Swingate, RAF Uxbridge. In addition, Marchwood Sea Mounting Centre is a military port used for resupplying US Air Force bombers, including ammunition. Some of these sites are shared between British and US Forces.

⁷ Hansard, 9 March 1998; Hansard, 7 April 1998; www.globalsecurity.org (<http://www.globalsecurity.org/military/facility/diego-garcia.htm>) – accessed 25 March 2004; www.globalsecurity.org (www.globalsecurity.org/intell/facility/ascension.htm) – accessed 6 April 2004

⁸ Hansard, 5 January 2004; Hansard, 7 April 1998

⁹ Brize Norton is 1184 acres or 1.85 square miles and accommodates 1427 military personnel (Hansard, 26 November 2001). A BBC article gives 4,500 as the total number of military and civilian personnel at Brize Norton (http://www.bbc.co.uk/oxford/features/2003/war/round_up.shtml – March 2003, accessed 27 April 2004).

¹⁰ Declassified US Joint Chiefs Assessment of a US-Soviet nuclear exchange, set out in a plan known as 'Headstone', cited in Duncan Campbell, 'The Unsinkable Aircraft Carrier: American military power in Britain' (London: Michael Joseph Publications, 1984), p. 43

¹¹ Lorna Arnold, 'Britain and the H-Bomb' (Basingstoke: Palgrave, 2001 – © Ministry of Defence), pp. 35-36.

¹² Paul Rogers, 'Losing Control' (Pluto Press: London, 2000), p. 23; Lorna Arnold, 'Britain and the H-Bomb' (Basingstoke: Palgrave, 2001 – © Ministry of Defence), p. 54

¹³ For a discussion on this, see Duncan Campbell, 'The Unsinkable Aircraft Carrier: American military power in Britain' (London: Michael Joseph Publications, 1984), pp. 44-45 and elsewhere.

¹⁴ Winston Churchill said that thermonuclear weapons would help Britain to continue to belong 'to the club'. Lorna Arnold, 'Britain and the H-Bomb' (Basingstoke: Palgrave, 2001 – © Ministry of Defence), pp. 35-36, 51 and 54

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