



Concerns of FIACAT and the ACAT United Kingdom regarding the situation in the United Kingdom

Human Rights Council, Universal Periodic Review
7th to 18th April 2008

1. ASYLUM SEEKERS

Asylum seekers, whose appeals have failed are still, in some cases, held in "detention centres", often for many months. They contain some hundreds of people. One centre is near Heathrow and there are plans to build another 420 bed removal centre at Gatwick; this will also be run by a private company as are the others.

Conditions are harsh and crowded. Security is quite strict, there is little freedom. Women and children suffer particularly. Families have to share kitchen facilities and utensils, which can make for problems when they are from different ethnic and religious groups. The buildings are shared with among others, foreign criminals, who having completed their prison terms and are awaiting deportation. There is a constant fear of violence.

One good point is that all detainees are given mobile phones to talk to friends, lawyers, family etc and are free of charge.

The Home Office list of safe countries to which failed asylum seekers can be deported includes several countries such as the Democratic Republic of Congo, Zimbabwe or Cameroon, which are well known to use torture. In DRC, for instance, those returning on emergency travel documents are detained, interrogated and some have been tortured on arrival. Other failed asylum seekers have been returned to countries such as Zimbabwe and Cameroon although it seems that deportations to Zimbabwe have now ceased for the time being.

2. HUMAN RIGHTS WITHIN THE FIGHT AGAINST TERRORISM

The parliamentary acts have been challenged in the courts on several occasions. Successive appeals have been taken to the House of Lords and amendment of legislation has been demanded and sometimes won.

The fact remains that a suspect can not know the specific charge or charges against him or the evidence because of a possibility that this would compromise government sources of evidence or intelligence.

Currently there is no detention without trial, although control orders can require an equally restricting "house arrest"; some suspected terrorists have declared this to be worse than being in Belmarsh High Security Prison where they were held under punitive measures.

The control orders have been challenged in the high court and some have been modified. For very minor breaches of the control orders, those under such restrictions are immediately returned to Belmarsh.

A suspect arrested can now be held for 28 days before being charged with an offence. During this period he can be interrogated for not more than 8 hours a day. This pre-charge detention has to be reviewed every 7 days by a judge. No further interrogation can be carried out once a person has been charged. The maximum pre-charge detention was raised to 4 days at the time of the "troubles" in Northern Ireland, then to one week and now to 28 days. If not charged at the end of 28 days the suspect must be released, possibly on a "control order".

Many police and politicians want the pre-charge detention raised to 90 days.

In 2004, Baha Mousa and 11 other Iraqi men were arrested by soldiers of the Queen's Own Lancashire Regiment in Iraq. The 12 were beaten very badly - Baha Mousa, a reception and front line manager at an hotel, son of a colonel in the reformed Iraqi police forces died of his 93 injuries - an army doctor could find no wounds! Another lost a kidney and was severely injured and remains unfit for work. At a long awaited court martial this year one man pleaded guilty to beating the Iraqis, the others had strange lapses of total memory loss and did not speak in court; they were not challenged.

3. DEPORTATION WITH ASSURANCES

Deportation with Assurances, or Memoranda of Understanding, has taken place, particularly to Algeria. There was one prominent case, the "Ricin Four", charged with plotting to produce the poison gas ricin. One was found guilty and sentenced to life imprisonment, although the case of dubious - it is now known that there was no plot. A further three were linked but not charged. All had been previously given asylum in the UK following persecution in Algeria. After a big campaign to halt the deportations, they were returned.

A number have now been deported to Algeria, others to Jordan and to Syria. Some of these have been arrested, tortured and others disappeared.