

# AMNESTY INTERNATIONAL

## PRESS RELEASE

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### **UK: The Prevention of Terrorism Bill is a grave threat to human rights and the rule of law**

Amnesty International calls for the withdrawal of the Prevention of Terrorism Bill (PTB), as it will effectively end the rule of law and the separation of powers by placing key powers in the hands of the executive. The organization is deeply concerned that the executive will be empowered to circumvent the role of the police, the prosecuting authorities and the judiciary without any effective system of checks and balances.

"Nothing short of charging people with an offence, fully granting them their right to be tried by an independent and impartial court -- with full access to all the evidence against them and the right to mount a full and effective defence -- can remedy the profound injustice and affront to human rights and the rule of law that the enactment of the PTB will otherwise bring about," Amnesty International said.

Under the PTB, currently under debate in parliament, the executive would have unprecedentedly sweeping powers to make "control orders", including "house arrest" and tagging. Such orders would impose restrictions on fundamental rights and freedoms guaranteed by domestic and international human rights law in the UK.

"Under international and domestic human rights law 'house arrest' without charge or trial is no different from institutional deprivation of liberty, i.e. detention in prison. In order to do this, the government would be forced once again to derogate from its obligations under international treaties as it did because of Part 4 of the Anti-Terrorism, Crime and Security Act 2001 (ATCSA)."

The organization is concerned that PTB provisions, if implemented, would lead to serious human rights violations against UK and foreign nationals alike. People would be deprived indefinitely of their rights without charge or trial on the basis of secret "evidence". Such evidence may even have been obtained under torture or ill-treatment. People would also be deprived of their right to a full defence. The involvement of the judiciary in reviewing the executive's decision would be ineffective.

Amnesty International is concerned that if introduced, the PTB would seriously undermine people's human rights, including their rights to:

- respect for private and family life;
- freedom of thought, conscience and religion;
- freedom of expression; freedom of assembly and association;
- freedom of movement;
- fair trial;
- liberty and security of person.

"It is seriously disturbing that the UK authorities are trying to rush through once again -- without adequate time to ensure parliamentary and public scrutiny -- another piece of legislation which is so fundamentally antithetical to the rule of law and human rights and which makes a mockery of the separation of powers," Amnesty International said.

The PTB was introduced before Parliament on 22 February 2005. The UK government is seeking to have the bill approved by 14 March 2005 when Part 4 of the ATCSA will expire.

"The UK authorities were wrong in 2001 when they passed the ATCSA and are wrong now. The PTB contravenes the spirit, if not the letter, of the Law Lords' judgment."

**See also:** *The Prevention of Terrorism Bill: A grave threat to human rights and the rule of law in the UK* (AI Index: EUR 45/005/2005 <http://web.amnesty.org/library/index/engeur450052005>)

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