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United Kingdom: Algerian national security deportation an affront to justice and a green light to torture

Amnesty International is deeply dismayed at today's decision of the Special Immigration Appeals Commission (SIAC) dismissing the appeal of an Algerian man, known for legal reasons as "Y", against his deportation on national security grounds. The SIAC ruled that "Y" would not face a real risk of torture if he was returned to Algeria.

"The SIAC proceedings were profoundly unfair; they denied 'Y' the right to due process of law and any meaningful equality of arms making it impossible for him to effectively refute the UK authorities' case that he was a national security risk," Nicola Duckworth, Amnesty International's Director of the Europe and Central Asia Programme said.

"Y" is a torture survivor who had been granted refugee status in the UK. In 2005, he was acquitted, together with others, of all charges in connection with a purported attempt to manufacture and use ricin. He was released from custody in April 2005, where he had been since January 2003. He was later re-arrested and held pending deportation on national security grounds.

Upon hearing of today's decision of the SIAC, three of the jurors who had acquitted "Y" in the criminal proceedings expressed their shock that despite his acquittal at the criminal trial, the exact same evidence was being used again to 'justify his deportation'.

The jurors told Amnesty International:

"As three ordinary members of the public we have had our eyes opened to such an unfair and unjust sequence of events orchestrated by the authorities that we feel compelled to speak out. This is contrary to anything we thought could be possible in a democratic, free society."

"Since January 2003, 'Y' has been persecuted by our government beyond all realms of imagination. We were three jurors on 'Y's criminal trial (the 'no-ricin trial') and after seven months listening carefully to the evidence and arguments from the prosecution and defence, we, as a jury, acquitted him of all charges and expected that, on his release, he could begin to rebuild his life in this country."

Amnesty International's delegates observed most of the proceedings before the SIAC in which "Y" challenged the UK authorities' assertions that he was a national security risk, and that he would not face a real risk of torture if returned to Algeria.

The organization considers that in the proceedings before the SIAC "Y" was denied his right to effectively

challenge being labelled as a national security risk. Of grave concern to Amnesty International was the UK authorities' introduction of, and the SIAC's reliance on, secret intelligence that was withheld from "Y", his lawyers of choice and the public.

"Amnesty International has extensively documented the persistence of torture of people thought to possess information about terrorism by Algerian security forces", Nicola Duckworth said.

"Given the extensive evidence before the SIAC that 'Y' would face a real risk of torture if deported to Algeria, today's decision can only be described as an affront to justice and wrong."

Note to editors:

For interviews with Amnesty International spokespeople and the jurors, please contact Amnesty International's press office. Please note that the jurors will speak only on conditions of anonymity.

For more information: *Unrestrained powers: Torture by Algeria's Military Security*, (AI Index: MDE 28/004/2006)<http://web.amnesty.org/library/Index/ENGMDE280042006?open&of=ENG-DZA>).

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