

PUBLIC

AI Index: EUR 45/011/2004

09 March 2004

UA 102/04

Cruel, inhuman and degrading treatment/Medical concern

UNITED KINGDOM

Algerian former torture victim, known as "G", aged 35 (m)

The UK authorities have prevented the release of an Algerian man, certified as a "suspected international terrorist" by the Home Secretary, who was granted bail by the tribunal empowered to review such cases. Amnesty International believes he is held in cruel, inhuman and degrading conditions in violation of international law, including the European Convention for the Protection of Human Rights and Fundamental Freedoms.

The man, called "G" for legal reasons, has been detained without charge or trial in Belmarsh high security prison, in London, since 19 December 2001 under the Anti-terrorism, Crime and Security Act 2001 (ATCSA).

On 20 January the Special Immigration Appeals Commission (SIAC) ordered that G be granted bail on humanitarian grounds. G claims he was tortured in Algeria, and he developed polio when he was two years old, which has left him with a permanently weak and paralyzed right leg so that he limps and has to wear a support.

His lawyers had argued before the SIAC that G's mental and physical health had deteriorated severely as a consequence of his detention, particularly after he lost an appeal before the SIAC against his certification as a "suspected international terrorist" on 29 October 2003. Independent medical evidence had been presented at the bail hearing attesting to G's medical condition. The SIAC ruled that G should be released on bail under strict conditions amounting to house arrest.

The UK government challenged the SIAC decision, and legal arguments were heard in the Court of Appeal in mid-February. The Court ruled on 9 March that it will need to hold a further hearing before it can reach a decision on whether the SIAC ruling that G should be granted bail can stand. Therefore, despite having been granted bail on humanitarian grounds on 20 January, G has since then remained in detention at Belmarsh prison.

BACKGROUND INFORMATION

Part 4 of the ATCSA allows for detention of non-UK nationals - on the orders of the executive - without charge or trial, for an unspecified and potentially unlimited period of time, principally on the basis of secret evidence which the detainees have never heard nor seen, and which they were therefore unable to effectively challenge.

Amnesty International opposes detention under the ACTSA, and has consistently called on the UK government to release anyone detained under the ATCSA who is not charged with a recognizably criminal offence and tried by an independent and impartial court in proceedings which meet international standards of fairness.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- in view of his medical condition, calling on the UK authorities to grant him bail immediately, to safeguard his mental and physical health.

APPEALS TO:

Home Secretary

Rt Hon David Blunkett MP,
Secretary of State for the Home Department, Home Office,
50 Queen Anne's Gate
London SW1H 9AT

Fax: + 44 20 7273 2065

Telex: 24986

Salutation:

COPIES TO: diplomatic representatives of the United Kingdom accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 April 2004.