

PUBLIC

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Further Information on UA 102/04 (EUR 45/011/2004, 9 March 2004) - Cruel, inhuman and degrading treatment/Medical concern

UNITED KINGDOM

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

"G" was released on bail on 22 April, on the orders of the Special Immigration Appeal Commission (SIAC). His bail conditions amount to house arrest: he cannot leave without a police escort and is electronically tagged; any contact with people other than his wife, daughter, lawyer and doctor must be approved by the Home Secretary; the use of any equipment to contact the outside world is banned and the phone line to his home has been replaced with a special line supplied by the authorities.

The SIAC had ruled on 20 January that continuing detention would cause "G's" mental health to deteriorate further. The Home Office opposed the ruling through protracted legal wrangling, but the SIAC rejected the Home Office claim that "G's" condition had improved: their reasons included the fact that the Home Office had not produced medical evidence to support their case. "G" had been detained without charge or trial in Belmarsh high security prison, in London, since 19 December 2001, after he was certified as a "suspected international terrorist" by the Home Secretary under the Anti-terrorism, Crime and Security Act 2001 (ATCSA). His lawyers had argued before the SIAC that G's mental and physical health had deteriorated severely as a consequence of his detention. Independent medical evidence had been presented attesting to G's medical condition.

The UK authorities strongly criticized the SIAC ruling. Amnesty International expressed concern that the government was undermining the judiciary and the rule of law. Amnesty International considers it disconcerting that the Home Office, which is responsible for the health and safety of people in detention, should attack the SIAC decision in the media, after failing to defeat it in court.

Amnesty International will continue to campaign for the repeal of Part 4 of the ATCSA, which allows for the indefinite detention without charge or trial of foreign nationals certified as "suspected international terrorists" by the Home Secretary; and for anyone detained under it to be either charged with a recognizably criminal offence, and tried by an independent and impartial court in proceedings which meet international standards of fairness, or released. The organization will continue to observe SIAC proceedings and monitor the conditions of those detained under the ATCSA, including "G".

No further action is requested from the Urgent Action network. Many thanks to all who sent appeals.