

## **Eighth session of the UN Human Rights Council, 2-20 June 2008**

### **Review of the United Kingdom under the Universal Periodic Review: Amnesty International's reflections on the outcome**

A wide range of issues were raised during the review of the United Kingdom, many of them going to the heart of key human rights challenges in the country. These include concerns around counter-terrorism measures and the application of international obligations to the conduct of armed forces overseas.

Among the recommendations made by the UPR Working Group, Amnesty International welcomes in particular the call on the government to continue to review all counter-terrorism legislation to ensure that it complies with the highest human rights standards. Amnesty International considers that all counter-terrorism legislation and measures should include guarantees of fairness in legal proceedings, in accordance with international fair trial standards, in particular in relation to legal challenges against control orders and deportations on 'national security' grounds. Amnesty International calls on the government to reform the procedures of the Special Immigration Appeals Commission (SIAC), to repeal the Prevention of Terrorism Act, and to commit to charging people suspected of involvement in terrorism with a recognizable criminal offence.

Another key recommendation is to shorten the length of pre-charge detention. Amnesty International reiterates its call for the proposed extension of the upper pre-charge detention limit by the Counter-Terrorism Bill to be withdrawn and urges that the government respect the right of a detained person to be promptly informed of any charges against him, as stipulated in Article 9 of International Covenant on Civil and Political Rights to which the UK is a party.

Amnesty International also welcomes the recommendation that urges the UK to consider persons detained by the UK armed forces as under its jurisdiction and to respect its obligations concerning the human rights of such individuals. Amnesty International recommends that it be further specified that these obligations apply wherever that arrest or detention takes place.

However, despite prominence of the issue of counter-terrorism in the inter-active dialogue, Amnesty International regrets the absence of recommendations relating to the UK's reliance on 'diplomatic assurances' to return individuals to states where they are at risk of grave human rights violations, including torture or other ill-treatment. The organization believes that the use of such assurances undermines international protection against *refoulement* and has urged the UK government to desist from relying on such assurances.

Amnesty International is disappointed at the lack of recommendations calling on the government to carry out effective, independent and impartial investigations into incidents where the actions of the police and other state agents may have led to the death or serious injury of members of the public. The organization is deeply concerned at the lack of an investigation into allegations of collusion of state agents with Loyalist paramilitaries in the 1989 murder in Northern Ireland of human rights lawyer Patrick Finucane, as well as the alleged subsequent cover-up. Amnesty International urges the government to take the opportunity of the review under the UPR to commit to repeal the Inquiries Act 2005 and to create a genuinely independent mechanism for judicial inquiries into serious allegations of human rights violations.

The organization is also concerned at the lack of investigation into cases where there are credible allegations that individuals have suffered human rights violations as a result of the UK's alleged involvement in the US-led programme of renditions and secret detention.