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UNITED KINGDOM
“I want justice”



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“I want justice”

A former internee

Introduction

In November 2005 Amnesty International representatives met with four men and their families, who have effectively been persecuted by the UK authorities for nearly four years.

Three of them are Algerian, and cannot be named as a result of a contempt of court order ban; they are known only by letters allocated to them by the courts, namely: “A”, “G” and “H”. The fourth man, Mahmoud Abu Rideh, is a stateless Palestinian. They are all Muslim.

The UK authorities claim that they are involved in international terrorism. However, despite the wide-ranging anti-terrorism laws in the UK, at no point have any of these four men been charged and tried, let alone found guilty in a court of law in the UK of an offence in connection with these claims. Indeed, the UK authorities have stated publicly before the courts that there is insufficient evidence to support criminal charges against them. Moreover, the Attorney General stated in court that even if the UK Parliament lifted its self-imposed ban on the use of telephonic intercepts in criminal proceedings, there would not be sufficient evidence to support prosecution of these men. Nonetheless, the UK authorities maintain their claim that they are “suspected international terrorists”.

Up until August 2005, the UK authorities recognized, and publicly asserted, that none of them could be deported or otherwise forcibly removed from the UK owing to the UK’s international and domestic obligation not to return or transfer anyone to a country where s/he would be at a risk of being subjected to torture or other ill-treatment, or other serious human rights violations.

This report contains the testimonies that “A” and “G” gave to Irene Khan, the Secretary General of Amnesty International, and Mahmoud Abu Rideh and “H” gave to Kate Allen, the Director of Amnesty International UK.

Background

Together with other “non-deportable foreign nationals”, these four men were held for years in harsh conditions under severely restrictive regimes in high security establishments without charge or trial -- that is, interned -- under discriminatory anti-terrorism legislation hastily introduced post-11 September 2001, the Anti-terrorism, Crime and Security Act 2001 (ATCSA).¹ As a result, most of the men interned, and their families, have suffered serious

¹ For Amnesty International’s concerns about the serious human rights violations that the implementation of this legislation has given rise to, please see, *inter alia*, *Amnesty International’s Memorandum to the UK Government on Part 4 of the Anti-terrorism, Crime and Security Act 2001*, AI

deterioration of their mental and physical health. The implementation of this legislation violated the human rights of all the men detained pursuant to it. It permitted indefinite detention, ordered by the executive, on the basis of secret intelligence withheld from these men and their lawyers of choice, and which, therefore, they have been unable to refute.

In December 2001, almost immediately after the enactment of this legislation, eight people were detained, including three of the four men met by Amnesty International’s representatives in November 2005. Others were detained subsequently -- including the fourth man recently met by the organization’s delegates -- eventually bringing the total number of those interned under the ATCSA to 16. None of them has ever been questioned by the police, the security services or the Crown Prosecution Service since their arrest and detention under the ATCSA.

In May, June and July 2003, appeals brought by 10 men, including “A”, “G”, “H” and Mahmoud Abu Rideh, against their being labelled as “suspected international terrorists” under the ATCSA were heard in both open and closed sessions; all were dismissed in October of that year. Amnesty International observed a large part of these judicial proceedings and concluded that they had fallen far short of international fair trial standards, including the right to the presumption of innocence, the right to a defence and the right to counsel. Amnesty International also expressed grave concern at the reliance on secret intelligence, and at the executive’s and judiciary’s willingness to admit and rely on information extracted under torture.

In October 2004, 12 senior doctors concluded that all of the ATCSA internees they had examined had suffered serious damage to their health. The doctors stated that the indefinite nature of their detention had been a major factor in the deterioration of their mental health and that of their spouses.²

In December 2004, the Appellate Committee of the House of Lords ruled that the legislative provision permitting the indefinite detention of these men was disproportionate and discriminatory on the ground of nationality or immigration status and, therefore, incompatible with the right to liberty and the prohibition of discrimination.

By then, Mahmoud Abu Rideh, had spent more than two years at Broadmoor, a high-security psychiatric hospital in Berkshire, after his transfer there from Belmarsh high security prison, south London, in July 2002 following a catastrophic deterioration of his mental and

Index: EUR 45/017/2002; *United Kingdom - Rights Denied: the UK’s Response to 11 September 2001*, AI Index: EUR 45/016/2002, both published in September 2002; *United Kingdom - Justice perverted under the Anti-terrorism, Crime and Security Act 2001*, December 2003, AI Index: EUR 45/029/2003; *United Kingdom – Briefing for the Committee against Torture*, AI Index: EUR 45/029/2004, November 2004; *United Kingdom - Amnesty International’s submission of 14 October to the UK Parliament’s Joint Committee on Human Rights in connection with the Committee’s inquiry into the subject of “counter-terrorism policy and human rights”*, AI Index: EUR 45/050/2005; and *United Kingdom: Human rights are not a game*, November 2005, AI Index: EUR 45/043/2005.

² These findings were endorsed in January 2005 by the Royal College of Psychiatry.

physical health as a result of his internment which had begun in December 2001.³ “G” had been “released” on bail in April 2004 on very strict conditions effectively amounting to house arrest on exceptional medical grounds due to a severe deterioration in his health.⁴ The other two, “A” and “H”, had continued to be interned in high security prisons since December 2001 and February 2002, respectively.

In the aftermath of the above-mentioned Law Lords’ ruling, instead of providing prompt redress for the serious human rights violations these men had suffered, the UK government waited until March 2005 for the legislative provision which had been ruled incompatible with their human rights to lapse. However, even then, it did not give back the four men their freedom.

Instead, the UK authorities hastily passed another dangerous and ill-conceived piece of legislation, the Prevention of Terrorism Act 2005 (PTA), which was inconsistent with the spirit, if not the letter, of the December 2004 Law Lords’ ruling. The PTA gives a government minister unprecedented powers to issue so-called “control orders” to restrict the liberty, movement and activities of people purportedly suspected of involvement in terrorism, again on the basis of secret intelligence. The restrictions violate a wide range of human rights, including the rights to freedom of assembly, association, movement, and expression; the right to a fair trial and the right to liberty. Amnesty International considers that the imposition of such orders is tantamount to a government minister “charging”, “trying” and “sentencing” a person without the fair trial guarantees required in criminal cases.⁵

Between March and August 2005, the UK executive imposed on all four men -- and on others who had also previously been interned under the ATCSA -- “control orders” under the PTA subjecting them to severe restrictions which violated their human rights.

In August 2005, inexplicably and without any prior warning, the UK executive re-arrested “A”, “G”, “H” and other former internees; the “control orders” that had been imposed on them were discharged. “A”, “G” and “H”, together with others, were re-imprisoned under immigration powers, purportedly pending their deportation on national security grounds. Mahmoud Abu Rideh was not re-arrested and remains under a “control order”.

³ For Amnesty International’s concerns about Mahmoud Abu Rideh’s case, see, *inter alia*, *United Kingdom: Health Concern/Cruel, inhuman treatment*, June 2002, AI Index: EUR 45/010/2002; *United Kingdom: Further information on Health Concern/Cruel, inhuman treatment*, July 2002, AI Index: EUR 45/013/2002; *United Kingdom: Further information on Health Concern/Cruel, inhuman treatment*, August 2002, AI Index: EUR 45/015/2002; *United Kingdom: Health concern, Mahmoud Abu Rideh*, April 2005, AI Index: EUR 45/012/2005; and *United Kingdom: Further information on Health concern, Mahmoud Abu Rideh*, May 2005, AI Index: EUR 45/013/2005.

⁴ For Amnesty International’s concerns about “G”’s case, see, *inter alia*, *United Kingdom: Cruel, inhuman and degrading treatment/Medical concern*, March 2004, AI Index: EUR 45/011/2004; and *United Kingdom: Further Information on Cruel, inhuman and degrading treatment/Medical concern*, April 2004, AI Index: EUR 45/009/2004.

⁵ For Amnesty International’s concerns about the Prevention of Terrorism Act 2005, see, *The Prevention of Terrorism Bill: A grave threat to human rights and the rule of law in the UK*, February 2005, AI Index: EUR 45/005/2005.

It has been an incredibly difficult four years for us. We have lived with the consequences of our loved ones being imprisoned indefinitely without charge or trial; we have lived under the strain of complicated and severe restrictions under control orders. Yet our loved ones have never been charged with any criminal offence. For four years we have had no peace of mind, no family life. Our lives and the lives of our children have been torn apart.

Excerpt from a “Statement on Behalf of the Families of the Deportees”, 3 November 2005.

The UK executive maintains its claim that these persons are a “threat to national security”. It makes such an assertion notwithstanding the fact that it has stated before the courts that in respect of all the former internees, including Mahmoud Abu Rideh, “A”, “G” and “H”, there is insufficient evidence to support a criminal charge, and despite the fact that, throughout their ordeal over the years, the police, the security services or the Crown Prosecution Service have still not questioned them since their initial arrest under the ATCSA.

In August 2005, the UK government claimed that there now existed a reasonable prospect of effecting the forcible removal of “A”, “G”, “H” and others from the UK within reasonable time. The UK government asserted that it could forcibly remove these men, relying on the “successful” conclusion of memoranda of understanding (MoUs) containing so-called “diplomatic assurances” with certain foreign governments. The UK government asserts that these agreements relieve it of its domestic and international human rights law obligations not to forcibly remove these men. The UK government claims that these men, pursuant to the MoUs it has so far agreed with Jordan and Libya and to the successful conclusion of others such agreements with Algeria and other countries in North African and the Middle East, will not be tortured or otherwise ill-treated upon being forcibly sent there.

Amnesty International considers that such “diplomatic assurances” are not worth the paper they are written on.⁶ By definition, such assurances are only needed from countries where torture or other ill-treatment is widely known to be practised. Why should anyone trust the word of officials whose governments have already committed themselves -- by ratifying international treaties -- to prohibiting torture or other ill-treatment. And yet, such treatment continues in these countries and their authorities routinely deny it. Moreover, these agreements are being sought with countries which lack the legal safeguards to ensure that systems are in place to protect the rights of people in detention. The organization considers that diplomatic assurances are both evasive and erosive of the absolute legal prohibition of torture or other ill-treatment in general, and of the prohibition of returning or transferring anyone to a country where s/he would be at a substantial risk of such a treatment or being subjected to other serious human rights violations in particular, in addition to being inherently unreliable, morally questionable and in practice ineffective.

⁶ See *Reject rather than regulate - Call on Council of Europe member states not to establish minimum standards for the use of diplomatic assurances in transfers to risk of torture and other ill-treatment*, issued by Amnesty International, Human Rights Watch and the International Commission of Jurists in December 2005, AI Index: IOR 61/025/2005.

Upon being re-arrested on 11 August 2005, “A”, “G” and “H”, together with others, were detained in Long Lartin prison in Worcestershire, a prison with security features and systems which operates as a dispersal prison, and Full Sutton prison near York, a maximum security prison, very far away from their families (for those who are married), their lawyers and crucially their doctors.

Amnesty International was deeply concerned at being informed that those detained at Long Lartin prison were placed on “suicide watch”, including “G” who had been previously “released” on bail from detention under the ATCSA because his mental health had been so affected by the protracted incarceration without charge.

According to the information made public at the time by their solicitors, those detained at Full Sutton prison were held in the Special Secure Unit that had previously been found to be unfit for human habitation. Reports indicate that cells in that unit are even smaller than those in Belmarsh prison. In August 2005, the solicitors stated that the unit was literally covered in cobwebs, and that it remained unfit for human habitation.

Amnesty International expressed deep concern at what appeared to be the UK authorities’ continued disregard of the recent serious psychiatric history of these individuals and the reasons for that history, and at the consequences which their renewed detention would almost inevitably have on their mental and physical health.

In October 2005, “A”, “G” and “H” were granted “release” on bail on very strict conditions amounting to house arrest. Their bail conditions are stricter than those that had been imposed on them through “control orders”.

On 8 December 2005, seven Law Lords issued a judgment unanimously confirming the absolute inadmissibility in judicial proceedings in the UK of evidence extracted under torture. In the leading opinion, Lord Bingham of Cornhill, the Senior Law Lord, stated:

The issue is one of constitutional principle whether evidence obtained by torturing another human being may lawfully be admitted against a party to proceedings in a British court, irrespective of where, or by whom, or on whose authority the torture was inflicted. To that question I would give a very clear negative answer. ... The principles of the common law, standing alone, in my opinion compel the exclusion of third party torture evidence as unreliable, unfair, offensive to ordinary standards of humanity and decency and incompatible with the principles which should animate a tribunal seeking to administer justice. But the principles of the common law do not stand alone. Effect must be given to the European Convention, which itself takes account of the all but universal consensus embodied in the Torture Convention.

The judgment was the outcome of an appeal heard by the Law Lords in October 2005 against an August 2004 judgment of the Court of Appeal of England and Wales which had ruled admissible as “evidence” before the courts information obtained through the torture of a person who was not a party in the proceedings providing that the torture was not committed or connived at by UK agents. The appeal had been brought by 10 foreign nationals, including “A”, “G”, “H” and Mahmoud Abu Rideh, who had all previously been interned without charge or trial under the ATCSA.

Amnesty International had led a coalition of 13 other domestic and international non-governmental human rights organizations and the Law Society of England and Wales in making a joint intervention in the case by making written and oral submissions to the Law Lords, asking them to overturn the Court of Appeal's judgment. In the intervention to the UK's highest court, the lawyers representing the coalition put forcefully the argument that under international law torture is absolutely prohibited in all circumstances, and that no statement obtained through torture should ever be admitted as evidence except in proceedings against torturers.

Testimonies

The following are testimonies given by “A”, “G”, “H” and Mahmoud Abu Rideh to Amnesty International representatives in November 2005.

“A”

Nationality: Algerian

Age: 36

Family status: “A” is married with five children

“A” was arrested and detained by the UK authorities under the now lapsed Part 4 of the Anti-terrorism, Crime and Security Act 2001 in December 2001. He was held in Woodhill high security prison, Buckinghamshire, without charge, until he was “released” from detention in March 2005. His “release” followed the imposition of severe restrictions on him under a so-called “control order” pursuant to the Prevention of Terrorism Act 2001. He remained under the “control order” until August 2005, when he was rearrested and detained under immigration powers pending deportation on national security grounds. During his latest detention “A” was on “suicide watch” and anti-depressant medication. Medical evidence indicated that his mental health had deteriorated as a result of being rearrested. “A” was granted “release” from detention on bail on very strict conditions amounting to house arrest in October 2005 in part because his medical situation was relevant to the question of whether detention was truly necessary.

“A” currently lives under “house arrest” with his wife and children while he awaits his appeal against the decision to deport him, anticipated to take place in March or April 2006.

Amnesty International representatives, led by Secretary General Irene Khan, visited “A” and his wife at their home in November 2005. The following is an account of what he said.

After the terror attacks in London on July 7th I remember telling my lawyer that I expected to be arrested. I was arrested after the September 11th attacks in New York, and so I didn't expect that things would be any different. But my lawyer insisted that it would be too scandalous. She was wrong. The police came to my home in the early morning [in August]. There were many of them and they handed me a deportation order telling me that I was liable to be detained pending deportation. They told me to pack my bags and insisted on handcuffing me before I could say good-bye to my family. After I remonstrated about this with them, they agreed to let me say farewell to my wife and children without being handcuffed.

Following my arrest, the police took me to Woodhill prison where my property was taken from me and I was strip-searched twice. As a Muslim, this was a deeply humiliating experience for me. After four or five hours, the police put me into a van with two other people, and then we travelled for hours while I was still handcuffed; I was thirsty, but was refused water. After three or four hours we arrived at Full Sutton prison. I was not allowed to contact my lawyer for nearly three days. The detention conditions were extremely bad. I would have never dreamt that such conditions existed in Britain.

“A” described the effects the “house arrest” conditions have had on him and his family. *I am basically locked up at home for 24 hours a day. I cannot use the internet, and I am not even allowed into my own garden. I wear a tag so that the Home Office can monitor my movements. I have had many problems with the tagging device. The police have come to my home nearly 40 times since I was released on bail. They come because they say that the alarm from the tag has been triggered. It terrifies my children and the pressure of this situation is enormous on my family. I have a problem with depression and with high-cholesterol. I have asked the Home Office if I can see a doctor and they told me that they would arrange it in 24 hours. It has been two weeks now, and I am still waiting for approval to see a doctor.*

Amnesty International understands that as of early December 2005, “A” had still not had access to a doctor.

“A”s’ wife spoke of the toll that the last four years have had on her family.

We have lost all sense of normality. We have had problems with [the tagging] equipment so many times. There is always a loud knock, and then a house raid, but we live through it. We have problems that any normal family has, bringing up the kids and so on, but on top of all of this, we also have the pressure of this political and legal case. My daughter cries at the nursery all the time, she is crying for her father. My eight-year-old boy is hyper-active. I am sure that this is due to lack of discipline because his father has not been present. I am tired of all of this. I just want it to go away, but, we have learned to live one day at a time.

Both “A” and his wife are still waiting for the UK government to present charges against “A”.

Thus far, the government has only made allegations against me, allegations that have cost us the last four years.

“G”

Nationality: Algerian

Age: 36

Family status: “G” is married with one daughter

“G” is a 36-year-old Algerian torture survivor who fled to the UK in search of refuge and protection. He had polio as a child and suffered a permanent weakening of his right leg as a result. He suffers from a major depressive disorder. He was initially arrested and detained in the UK in December 2001 under the now lapsed Part 4 of the Anti-terrorism, Crime and Security Act 2001. He was held at Belmarsh high security prison in south London without charge, until April 2004 when he was granted “release” on bail under strict conditions amounting to “house arrest” because of severe mental illness as a result of being detained indefinitely. While in Belmarsh and under “house arrest” the weakening of his leg worsened, reportedly as a result of poor access to appropriate healthcare and his inability to exercise. In March 2005, a “control order” under the Prevention of Terrorism Act 2005 was imposed on him with conditions much the same as the ones imposed following the grant of bail. Under a “control order” -- eventually relaxed slightly -- he was given more access to physiotherapy and to exercise, and therefore he was able to walk using crutches. He then continued to live under “house arrest” until he was re-arrested and detained under immigration powers pending deportation on national security grounds in August 2005. He was detained at Long Lartin prison, Worcestershire, where he made a serious attempt on his life. In October 2005, due to severe depression manifesting in suicidal tendencies, a court ordered his “release” on bail on exceptional medical grounds. “G”’s fear of being forcibly returned to Algeria was accepted as a factor in his worsening health. He remains at home, once again under strict “house arrest” bail conditions. The weakening of his leg has worsened, yet again as a result of the inadequate access to healthcare, and when Amnesty International’s representative met him, he told them that he was using a wheelchair. He is currently awaiting his appeal against the decision to deport him.

Amnesty International representatives, led by Secretary General Irene Khan, met “G” and his wife at their home in November 2005. The following is an account of what “G” said.

I was re-arrested in August 2005 when more than 50 immigration, police, and special officers came to my home at 6am. Seven to 10 officers came inside the house while the rest waited in the street with four police vans. The police refused to let me phone my lawyer and also refused to tell me or my wife where they planned to take me. I don’t understand why the police had to come at that time in the morning and why so many of them came. After all, I was already under 24-hour surveillance and house arrest. I was always strictly monitored.

Following my arrest, the police took me to Long Lartin prison where I was detained from August to October 2005. When I arrived at Long Lartin, I was told I could only make one phone call: to my lawyer or to my wife. After phoning my lawyer, I was taken to my cell which

was extremely small and ill-suited to accommodate me and my wheelchair. I was therefore forced to reduce the width of my wheelchair in order to enter and exit the one-metre wide corridor directly outside of my cell. I ended up using my belt which I tied around the wheelchair seat. As I was unwell, I was transferred to the health care wing where I was prohibited from talking to any other patients, not allowed to talk to anyone; no association with any other patients!

Medical evidence, presented during a bail application, described “the prolonged distress, with physical symptoms, which “G”’s travails were having on his wife and their daughter”.

“G” and his family now live under strict house arrest conditions while they await the hearing for his deportation, anticipated to take place in March or April 2006. “G” recounted his bail conditions and the effects of them on himself and his family.

My bail conditions forbid me to use a mobile phone and other electronic equipment. I am not allowed to talk to anyone outside of my wife and child and others that have received clearance from the Home Office. Although I have access to my garden (albeit for a limited portion of the day) I fear that if I reply to any one of my neighbours saying hello to me I will be in breach of my bail conditions. So, I don’t even go out in the garden. Every night I fear that the police will come and arrest me again. I feel like I have lost all access to a normal life. I can no longer continue my studies and I continue to suffer from major depression. My physical state continues to suffer as well because I am unable to access the appropriate physiotherapy equipment while I am restricted to the confines of my home. The consequences of the state actions taken against me over the last four years, including the threat of deportation to Algeria, have been devastating to me and my family. My wife is receiving counselling for depression. We both have a hard time trying to answer the questions that my daughter has started to ask about our situation. Our neighbours have become suspicious of the family after witnessing my re-arrest in August. My wife and I live in a state of constant fear that the police will again come to our home unexpectedly, arrest me and deport me to Algeria. I’d rather die than be sent back to Algeria. I will hang myself if [they] send me to Algeria.

Please ask Mr. Blair and Mr. Clarke whether they would accept a son of theirs being arrested and held without charge the way that it has happened to me.

I want justice: the opportunity to defend myself, in a fair trial. But given what has happened in the last four years I don’t expect justice. I am not even allowed to know the evidence the state claims to have against me.

His wife also hopes for a fair trial and the opportunity to resume her life with her husband and daughter. She asks only one thing of the government, “give us our lives back”.

Mahmoud Abu Rideh

Nationality: stateless Palestinian

Age: 33 years old

Family status: married, with five children

Mahmoud Abu Rideh is a 33-year-old stateless Palestinian refugee and a torture survivor. He is married with five children. He has lived in the UK since 1997. He was originally arrested and detained under the Anti-terrorism, Crime and Security Act 2001 in December 2001 and held initially at Belmarsh high security prison in south London. Mahmoud Abu Rideh suffers from a severe form of post-traumatic stress disorder. The harsh detention conditions, when he was locked up for up to 22 hours each day, triggered frequent flashbacks of his torture, he started to self-harm, and attempted to take his own life on at least four separate occasions. He also suffers from sciatica, which had worsened during his confinement at Belmarsh forcing him to use a wheelchair at the time.

After having been held in detention for more than three years, Mahmoud Abu Rideh was “released” under a “control order” under the Prevention of Terrorism Act in March 2005. He remains seriously ill.

On 17 November 2005, Mahmoud Abu Rideh met with representatives from Amnesty International, led by Kate Allen, the Director of Amnesty International UK, at his home in the UK. During the visit, he expressed his fear at the actions of the UK authorities, and his worry over the effects this is having on his family.

If I could go back, I would go back to Palestine tomorrow. I've never been interviewed or questioned. This was the first time I've been arrested. They say I am a terrorist, but they've never presented any evidence [of this] to me in all these years. They treat me like a criminal. In fact, they treat criminals better. The Home Office says I've breached my conditions. I don't know what's going to happen. Since 2001 they've been saying they can't deport me, now I don't know. They are now deporting the others [i.e. the former internees] who face the same conditions.

Mahmoud Abu Rideh had been held in Belmarsh prison for more than six months in 2002. His mental health deteriorated to such an extent that he was transferred to the high-security Broadmoor psychiatric hospital in July 2002, although experts deemed it was clinically inappropriate to place him in an institution responsible for caring for dangerous and violent patients.

Concerning his time imprisoned, Mahmoud Abu Rideh said:

There were many racist incidents at Broadmoor and Belmarsh. I have plenty of witnesses who saw what happened to me, and I want to ask the government to investigate these incidents.

Mahmoud Abu Rideh described what it is like to be “at liberty” under a “control

order”:

I can't sleep. I spend all my time in the house. I don't go outside much; I'm just not up to it. I can't visit family or friends and [they won't come here] because they are too frightened. They are afraid of their names being given to the Home Office.

At first, I had to call in every morning at 4.30am. I couldn't sleep. I had to take sleeping pills. I asked the Home Office to change this, and they changed it to 5am. I still can't sleep. It's quite upsetting for my wife and children.

I've asked to go to the mosque for an hour every day. [The Home Office] didn't reply. I ask things of the Home Office, and they don't reply. We keep going around in circles.

I've asked [the Home Office] to have my travel documents [as a refugee living in the UK] renewed but they refused, saying I was involved in 'extremist activities in the UK and overseas' but I have never been questioned or charged with anything. Every time [things start to seem better], they pass an exception to the law.

Mahmoud Abu Rideh's wife expressed her worry about her husband and her family during this ordeal:

All this stress, all the time. We have five kids, but we are here alone [without extended family support]. We're worried about our children. They don't like to see the police come, and they were coming often to check if we had electronic equipment or access to the internet. I can't leave my husband by himself, he's very unwell. All the time we're under stress. If [my husband] is guilty, then charge him. If not, then leave him alone.

Mahmoud Abu Rideh continues to live in his home in the UK with his wife and family under a “control order”. He has never been charged with a crime, nor questioned in relation to any alleged crime.

“H”

Age: 33

Country of origin/Nationality: Algerian

**Family status: Married, no children but he cares for his wife’s nieces (aged 11 and 13);
Wife is a Somali-born UK citizen**

“H” is an Algerian man residing in the UK with his wife. In 1998, the UK government granted “H” indefinite leave to remain in the UK. In February 2002, he was first detained at Belmarsh high security prison, south London, under the Anti-terrorism, Crime and Security Act 2001 until his “release” under a “control order” imposed on him pursuant to the Prevention of Terrorism Act 2005 in March 2005. “H” was re-arrested on 11 August 2005 and held at Full Sutton prison, near York, until his “release” under strict “house arrest” conditions on 26 October 2005, following a grant of bail. He is allowed outside of his home for only 2 hours each day, and is restricted to areas within a certain perimeter. “H” suffers from post-traumatic stress disorder and depression, and was on “suicide watch” while in detention.

On 17 October 2005, “H” met with representatives from Amnesty International, including Kate Allen, Director of Amnesty International UK. He told them:

The authorities are playing politics with our lives. We don’t want to get caught up in their agenda, their politics. I would like to live like a normal person. I’m not sure why I’ve been labelled a ‘suspected international terrorist’. We’re being treated worse than ‘lifers’ in prison. We don’t want to be treated as scapegoats. If they say we’ve done something, they should’ve charged us. They’re ruining everyone’s lives – me, my wife’s and my family’s. If they’ve got anything against me then why not charge me through the normal criminal process?

“H” described his arrest on 11 August 2005 and subsequent detention:

When they came, it was 6am. I had just finished my prayers. My niece was with me. It was very hard to describe, hard to explain to my nieces and my wife. I was worried about their reaction. There were three police officers and an immigration officer. They banged loudly on our front door. There was someone filming the arrest. I was handcuffed. I wanted them to hurry so the neighbours wouldn’t be alerted. They wouldn’t say where they were taking me, but they said I had a right to appeal. They said I was to be detained pending deportation. What I don’t understand is why they had to come that way at 6am? I was wearing an electronic tag [under 24-hour surveillance]. They could always tell where I was. Why come like that at 6am?

They took me to Woodhill [prison] first, then to Full Sutton. There were five of us in the special security unit. It doesn’t even look like a prison; the officers call it ‘the Submarine’. I’m told [by other detainees] it was worse there than the special security unit at Belmarsh.

I was allowed legal visits, but was strip-searched before and after. I didn’t want my family to

visit me there; it wasn't the right place for that.

The second detention [in 2005] was very hard to take. I began taking anti-depressants, started to self-harm and was under suicide watch.

“H” explained how he felt about his “release”:

I was ‘released’, though not really. We haven’t even tasted what freedom feels like because of the bail order conditions. We’ve been moving from one nightmare to another. I now expect them to come, and wake up every day at 6am. I always expect them to come; they’ve always got something up their sleeve.

There’s a perimeter where I’m allowed to go [outside] for only 2 hours each day. I can go to the mosque, but I can’t go outside the perimeter. I have to call someone every day at a special ‘check-in’ time.

Before [under the “control order” conditions], I had 12 hours a day outside. I could go anywhere and had people cleared [to visit with]. Now the conditions are stricter. People have to be cleared by the Home Office, send their names and pictures to the Home Office and they are too scared. We don’t have social visits anymore, they’re much more formal. My wife has four sisters, but only one of them has been cleared [by the Home Office]. One sister-in-law comes to visit, but the others are too scared.

I want a normal life, not prestige. We have to use the back door to go out. I’m worried all the time about my family, how they’re going to take this.

The fear of deportation is terrible, not knowing your fate. We now don’t feel safe. It’s very tough on my family, and now they’re talking about sending us back ‘home’. They couldn’t deport us for three and a half years, so what’s changed that they can safely deport us now?

“H’s” wife echoed his fears:

This is not a normal life. I’m scared they might come again at night. The neighbours have asked me why this is happening, but I don’t know what to tell them...I can’t explain it.

Amnesty International’s recommendations in the cases of Mahmoud Abu Rideh, “A”, “G” and “H”

Amnesty International calls on the UK authorities to desist immediately from persecuting these men and their families. In particular, the organization urges the UK authorities to

- stop the deportation proceedings against “A”, “G” and “H” and rescind the deportation orders served on them;
- discharge the “control order” imposed on Mahmoud Abu Rideh;
- withdraw the memoranda of understanding (MoUs) already concluded with Libya and Jordan;
- desist from further pursuing other such MoUs with other foreign governments;
- if reasonable suspicion exists that “A”, “G”, “H” or Mahmoud Abu Rideh have committed a recognizably criminal offence, charge them promptly and bring them to justice in proceedings which fully comply with international fair trial standards;
- provide “A”, “G”, “H” and Mahmoud Abu Rideh with reparation, including adequate compensation, rehabilitation, redress, satisfaction and guarantees of non-repetition, for the very serious human rights violations they have endured for nearly four years; and,
- immediately repeal the PTA 2005.