

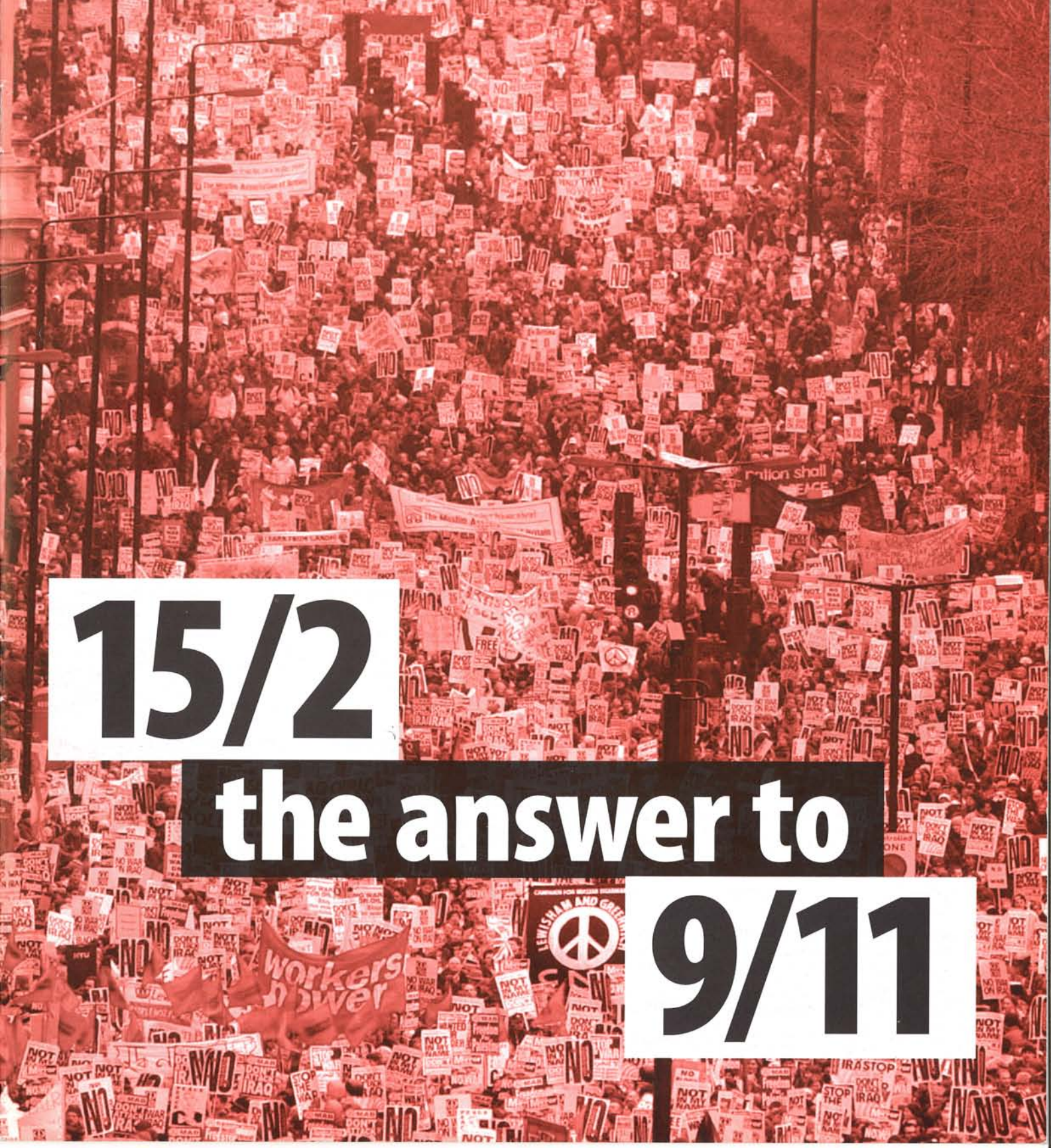
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15/2

the answer to

9/11



Globalism's imperial war



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Cover picture: PA

Campaign Against Racism and Fascism

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The war on Iraq is the opening salvo in a war to redesign the world to the needs of corporate America. The plans for it were already in place long before 9/11 – in the September 2000 report of the Project for the New American Century (PNAC), for instance, which mapped out a strategy for 'American global leadership' well into the future. That among its founder members were Dick Cheney, Donald Rumsfeld and Paul Wolfowitz, now at the centre of the US administration, attests to the seriousness of the project. That its implementation awaited a corporate President 'elected' by the corporate machine and not by popular vote attests to its viability. And '9/11' presented the occasion, the 'catastrophic and catalyzing event' – like a new Pearl Harbor which, the report hinted, would mitigate the unpopularity of war. The impetus for the war, however, derives from the imperative of global capital to break free of the geopolitical fetters that prevent it from bestriding the world.

The history of the last thirty years is the history of the 'struggles' of global capital to overcome the three major obstacles to such domination. In the first phase – a rough periodisation would put this between 1970 and 1980 – it was confronted with a resurgent working-class movement both in Europe and the United States. The oil crisis (1973) and the defeat in Vietnam, followed by Nixon's impeachment, added to America's woes. In Britain, the miners brought down a Tory government, and public sector workers embarrassed a Labour government, which was toadying to the IMF, in the 'winter of discontent'. Capitalism was certainly in crisis.

But in the wings stood a technological revolution – the microprocessor was invented around 1970-73 – which promised to rescue capital from labour by shifting the whole basis of production from labour power to electronics and computers. All it needed for take-off was the defeat of organised labour. Thatcher was the instrument of that defeat in the UK, as Reagan was in the US.

In the ten years (1980-90) that it took to undermine the trade union movement and disaggregate the working class, the micro-electronic technologies gathered pace, transforming not only industry but the whole of society. Capital was now free to roam the globe – for labour, for markets, for resources – facilitated by monetarist policies, by deregulation and privatisation. Which, in turn, shifted the concerns of government from social welfare to social control. And international bodies such as the IMF and the World Bank tied debtor Third World countries into structural adjustment programmes, and so wove them into the global project.

There was still the opposition of the Communist bloc to overcome, though – compounded now by the wars of liberation in Mozambique, Guinea-Bissau and Angola, and the rise of left-wing regimes in Chile, Nicaragua and Grenada. But with the overthrow of those regimes by the CIA, the Contras and other American agencies (regime change was more surreptitious then), the fall of the Berlin wall and the collapse of the Soviet Union, the next great obstacle to global capital was removed.

Corporations now had the whole world to operate in, and the economic policies initiated by the UK and the US in the 1980s – free markets, structural adjustment and privatisation – were reproduced across the globe. New international bodies and agreements, such as the WTO and NAFTA and TRIPs, sealed up trade and patent rights in favour of multinationals and the state itself became the servitor not of its people but of business conglomerates.

Today, there is not one country in the world that corporate capital does not penetrate, not one area of society it does not control, not one aspect of life it does not influence. Food conglomerates determine what we eat, pharmaceutical corporations govern our health, media magnates manipulate our thinking.

But global capital has not finished its marauding yet, or satisfied its greed. There's still the primal urge to refashion the geopolitical world to its absolute will. Where better to launch that project than in the Middle East, the oil fulcrum of global change?

However, the justification for such a strategy, enshrined in the Bush doctrine of pre-emptive strikes, regime change and full-spectrum dominance, all in the name of democracy, imposed from above, is so manifestly false and immoral that public opinion will not buy it. The march of millions all over the world on 15/2 attests to their disbelief. It was the one thing they all had in common: the refusal to believe the disinformation peddled by the information society. And the moment of disbelief is the beginning of rebellion.

The answer to 9/11 is 15/2. ■

A. Sivanandan

No welcome for Iraqis

Blair's claim to be waging war for the sake of Iraq's oppressed is belied by government attempts to keep Iraqi asylum seekers out, and its refusal to acknowledge Iraqis as refugees.

In the wake of the massive peace march of 15 February, Tony Blair scrambled to make the 'moral case' for war on Iraq, speaking passionately about the suffering inflicted on the Iraqi people by Saddam Hussein. His speech came at the end of the worst month ever for refugees seeking sanctuary in Britain, and only a fortnight after Blair himself had declared that if refugee numbers did not halve by summer he would consider pulling out of the Human Rights Convention. But how has his government been treating Iraqis seeking asylum in Britain?

Refusals

Many of the asylum seekers who have been arriving in the UK in the last few years have been from Iraq. In 2002, nearly 15,000 Iraqis sought asylum – over twice as many as in 2001, and around 14 percent of all applicants. Of this number, a total of 700 were recognised as refugees.

It is true that over 8,000 were granted a period of exceptional leave to remain – over four times those granted leave to remain in 2001. But this statistic conceals a legal battle by Iraqis (particularly Iraqi Kurds) to force the government to give proper recognition to their plight. And still, nearly 3,000 Iraqis were refused both refugee status and exceptional leave to remain in 2002.

Lost appeals

The Home Office maintains the contradictory position of refusing asylum, while at the same time recognising that it is not safe to return asylum seekers to Iraq. No Iraqis were removed in 1999 and 2000, and only 90 in 2001. But most were not granted leave to remain either – in 2001, only 1,855 Iraqis were granted exceptional leave, and over six thousand were given no status at all. For some time, Home Office officials simply failed to send Iraqi appellants' appeal papers to the adjudicators, and so Iraqi appeals against the refusal of asylum were not listed. When this was challenged, and the courts insisted that all asylum seekers were entitled to have their appeals dealt with reasonably promptly, the Home Office fought the appeals on the basis that Iraqi

Kurds could go and live in the 'autonomous zone' in northern Iraq – if only they could get there, which at present and for the foreseeable future, they can't. This fairytale argument was accepted by the Immigration Appeal Tribunal, and so most Iraqi Kurds lost their appeals, despite the fact that the Home Office and the courts accepted that they could not be returned to Saddam's Iraq.

Legal victory

After losing their appeals, Iraqi Kurds remained in limbo, rightless, entitled neither to work nor to asylum support – save for a discretionary, workhouse-style 'hard cases support'. In this situation, many simply disappeared into the twilight world of homelessness and destitution. But in 2002, the High Court ruled that the government was acting unlawfully in keeping irremovable Iraqi Kurds in this limbo, and ordered Home Office officials to consider the grant of exceptional leave, to enable them to live with a modicum of personal security and decency until the Home Office acts to return them to Iraq. Thus the improved statistics for 2002 reflect not government generosity, but a hard-won victory for Iraqi asylum seekers.

New border guards

Meanwhile, in common with its partners in the EU, and those queuing to join – not only the accession states of central and eastern Europe but also Turkey – the British government approves the spending of millions of euros on strengthening Europe's outer perimeter to prevent Iraqis (and Iranians, Afghanis and Somalis, who are the main asylum seeking groups) from reaching safety in Europe.

New technology

As part of this plan, the EU's Phare programme has, from 1997 to 2001, spent \$30.6m equipping Hungary's 11,900 border guards on its 170-kilometre border with the Federal Republic of Yugoslavia, which is seen as one of most popular transit routes, with everything from uniforms to mobile thermal imaging cameras, linked to a global satellite positioning system, which can spot people at up to 5km at night (apparently, not even a rabbit can pass by unnoticed). The EU wants a further 2,100 border staff to be recruited. The very latest state of the art technology is deployed to protect the border: a computerised van, dubbed the 'Schengen Bus' and described as a mobile border crossing, is equipped with an electron microscope and ultra-violet light scanner to scrutinise documents, a carbon dioxide detector to sense breath emissions, and a fibre-optic camera to check suspected concealed compartments. There is also a computer link to the interior ministry.

Now, in the shadow of war, what measures are being taken to ensure the safety of the Iraqis who, like the Kosovars fleeing Milosevic and NATO bombing in 1999, will need somewhere safe to go? Tony Blair has been silent on this – perhaps because the only preparations appear to be Turkish troops massing on the northern borders of Iraq to prevent refugees from leaving the country.

Blair will pay any price to support his ally in bombing Iraq. But neither the oppressed on whose behalf he claims to act, nor the refugees his policy creates, will get any help from him – and it is they who pay the price for his support of George Bush's reckless imperialism. ■



The hate industry

BRITAIN'S TABLOID MEDIA has become obsessed with 'scrounging' asylum seekers, out of control immigration, foreign 'plagues' and Muslim terrorists. The emerging politics of hate, fear and hysteria is set to dominate Britain in 2003...

FOLLOWING the anti-terrorist raids in Wood Green, north London, and the death of Detective Constable Stephen Oake during an anti-terrorist raid in Manchester, in early January, the nation's newspapers launched an unprecedented campaign against asylum seekers, encouraged by the supposed 'link' between terrorism and asylum. Suddenly, these two emotionally charged topics, hitherto kept mainly separate, have been fused into a morass of fear and insecurity.

Newspaper articles throughout January solidified the link, leading most people in Britain to believe that the asylum system provides an 'open door' for terrorists to enter Britain. Clamping down on asylum seekers is thus no longer just about preventing 'abuse' by 'scroungers' but a matter of national security. Resentment has turned to fear and anger. And the media are cleverly manipulating this fear to legitimise ambitious changes to Britain's asylum, immigration and human rights policy.

Minorities demonised

In fact, only a tiny handful of the hundreds of thousands of asylum seekers in Britain have been charged under the anti-terror laws. And if, as has been widely proposed, all asylum seekers were detained for security checks, then it would, one imagines, not be beyond the resources of Al Qaeda to arrange false travel docu-

ments so that a terrorist could enter Britain along with the 90 million other foreign visitors who come each year. Yet the people are demanding some kind of reassurance. They are being sampled, surveyed and focus-grouped. They are encouraged to write in, sign petitions, 'get angry', as the *Sun* told its readers. The circle is completed as the people tell the newspapers exactly what the newspapers told them. They fear that their government has lost control of its borders and all sorts of dangers – terror, disease, immigration – are being allowed to pass unchecked. 'The people agree with us,' proclaim the media.

And the government has to respond. A bold proposal is required. Blair promises to halve the number of asylum claims by the autumn – an impossible promise, especially if he also intends to go to war against Iraq. But, if that fails, Britain shall withdraw from its international human rights commitments, as long recommended by the *Mail* and the rest of the right-wing press. It is easier to demonise a minority to give the people some sense of security, no matter how false and fleeting, than change foreign policies that are the causes of terrorism and refugee flight in the first place.

The attack on human rights

The anger generated by the asylum issue has now been turned, in the hands of the *Mail* and its cohorts,



On 14 January 2003, Rebekah Wade took over as editor of the *Sun*, after an ignomi-

nious reign as editor of the *News of the World*, during which she was criticised for stirring up vigilante groups to attack suspected paedophiles whose names and addresses had been published by the paper. The victim, in one case, turned out to be a paediatric nurse, not a paedophile. With a record such as that, few were surprised when, soon after taking over, Wade launched a populist campaign on asylum seekers. A petition calling on Tony Blair to 'stop Britain becoming a soft touch for illegal asylum seekers' is said to have attracted

600,000 signatories, and the paper claims it to be the biggest newspaper petition in history.

In early February, the *Sun* published the mobile phone number of Abu Hamza, their favourite bogeyman, and effectively invited readers to make abusive phone calls to him. Presumably this would have made it difficult for journalists themselves to get through for their daily fix from the rent-a-quote cleric. But it also meant that a man from Newport, Gwent, whose mobile phone number differs from Hamza's by one digit, received 200 death threat phone calls in one morning, from *Sun* readers who misdialled. ■



The *Daily Mail* and *Mail on Sunday* are owned by the Harms-

worth family, who also enjoy the use of the title Lord Rothermere. Control of the *Mail* through the Harmsworth line stretches back to 1934 when the paper's then owner, Harold Harmsworth, used it to promote support for Oswald Moseley's blackshirts. The current Lord Rothermere IV, Jonathan Harmsworth, has a salary of £447,000.

The *Daily Mail* is edited by Paul Dacre whose salary last year was £754,000 plus £300,000 worth of share options. In an interview last year, Dacre admitted that 'the old *Daily Mail* was slightly racist'. He hoped that the current *Mail* could attract black

ASYLUM: CAN IT GET ANY WORSE?



Have a heart: protestors hand in a giant heart to the *Mail's* office in London, 27 January 2003.

into a stick with which to beat Britain's human rights laws. In the *Sun*, Richard Littlejohn wrote, on 20 February 2003, that the European Convention of Human Rights (ECHR) is 'one of the most wicked pieces of legislation ever brought into British law... little more than a charter for terrorists, gangsters, illegal immigrants, drugs dealers'.

Similarly, a pamphlet by Myles Harris, published in January by the right-wing think-tank Civitas, entitled *Tomorrow is another country*, and extracted in the *Mail* on 21 January 2003, argues that Britain should cease its membership of the ECHR. Harris' theme is that Britain's doors are open by law to all who seek entry chanting the mantra of human rights. His message is that we are being overrun by foreign frauds, cheats and liars, and there is nothing we can do about it while the Human Rights Act remains in force. Therefore it must be repealed.

But while the *Mail* describes Harris as a man who has been 'researching the asylum crisis', in fact, he has sat in on a few asylum appeal hearings and his report is a hodgepodge of factual and legal error, prejudice, assumption and partiality. He tells his readers that 'only 9 per cent of men and 13 per cent of women are granted asylum; the rest present cases which are concocted or have only the vaguest approximation to the truth'. Yet, any fair reading of Home Office statistics shows that at least 42 per cent of claims are valid, when successful appeals and exceptional leave to remain are included. He tells his readers that 'the Human Rights Act has the effect of surrendering the right to decide who can and who can't enter the UK'. Yet, as he ought to know, the European Court of Human Rights recognises the sovereign right of states to control their borders. He even tells his readers that 'by 2050, whites will be in the minority in London and, by 2100, in the entire country', though projections of that kind wrongly assume that descendants of immigrants will have as many children as immigrants do.

The funniest part of the Harris polemic is where he describes how we can avoid employing immigrant

labour. We need, he says, to raise the retirement age to 70, curb social security and work longer hours. Strange how those proposals weren't headlined.

Blair's appeasement

Nevertheless, the panic button had been pressed by the *Mail* and the *Sun* and so Tony Blair responded. Within a week, Blair was promising to withdraw from article 3 of the ECHR if the number of asylum claims was not halved by the autumn.

This was despite the fact that Britain has already suspended Article 5 of the ECHR, following the introduction of the Anti-Terrorism, Crime and Security Act (2001). Article 5 prevents detention without trial. But the government has argued that it needed to have this power because there might be some people in the UK who were suspected terrorists but for whom there was insufficient evidence to prosecute under earlier anti-terrorist laws, and who could not be deported either, because of article 3 of the ECHR – they might face the death penalty or torture in their home country.

A year later and it seems dropping article 5 was not enough and article 3 has to go too. By proposing to withdraw from Britain's commitment not to deport someone who would face a risk of torture or death in their home country, Blair has finally abandoned any pretence of wanting to protect genuine refugees. But the ECHR does not allow governments any opt-out from article 3 as it is considered a fundamental right. Britain would therefore have to withdraw from the entire convention and then seek to re-sign but with newly added opt-out clauses. On asylum, it seems that the government follows a path of appeasing the papers first, and working out the legalities later.

Infectious diseases?

It has long been a stock in trade of racists to link alien groups to the spread of disease. And, in recent months, the tabloid newspapers have revived this ignoble tradition, finding that epidemics are not only another crisis to blame on immigrants, but can also serve as an appropriately xenophobic metaphor for immigration itself. Diseases, such as tuberculosis (TB) and HIV, are described as spreading unchecked from the Third World, becoming a drain on the NHS, while a 'soft touch' government chooses to ignore the problem. An article in the *Daily Mail* of 5 December 2002 is typical. Under

and Asian readers: 'I wish I could get more black and Asian reporters working for us, but they don't come into journalism'. Or perhaps they choose to work elsewhere.



In December 2002, the *Star* led a popular 'campaign' on asylum, saying that they were 'flooded with thousands of calls, letters and emails from angry readers fed up with immigrants complaining when they are given priority for free housing and live free off the state'. Edited by Peter Hill, who was selected as last year's *What the Papers Say* Editor of the Year, the *Star*, like the *Express*, is owned by Richard

Desmond (personal worth: £300m). According to Hill, Desmond 'says what he thinks about the front page, giving us the benefit of his extensive experience in publishing'. That experience is mainly in pornography, as producer of magazines such as *Readers' Wives* and *Asian Babes*.

SEND THEM BACK

ANDY B: Why don't we put all Asylum seekers in a boat & Bomb it 4 target practise.

DON: Who does vladimiras anurijevas think he is, people here r greatful 4 what they get, if u don't like it tuf go back 2 lithuania,

DISGRACEFUL. SELFISH. UNGRATEFUL ASYLUM SEEKERS. SEND THEM BACK. - CARL

Daily Star, 6 December 2002

DAILY EXPRESS
CIRCULATION 900,000

Richard Desmond took ownership of the *Express* in November

2000. Soon afterwards, a dispute flared up between journalists and management over coverage of asylum seekers. For a while, the dispute was reflected in bizarre inconsistencies on the tabloid's pages, as positive stories on asylum written by sympathetic journalists were emblazoned with negative, hate-filled headlines at the behest of management, which bore little relationship to the actual story. January saw the paper herald a 'campaign' against the BNP which was somewhat undermined by the virulent anti-immigrant 'campaign' on other pages.

Mr Asylum Seeker

MR ASYLUM SEEKER was asleep in his house, far far away. He was having a dream about a magical land.

He dreamt of a country where he could get a free house, go to hospital for free and where his children would get a free education. A place where he would not be turned away.

And the next morning, he got up, he yawned, he packed his suitcase and he hitched a lift – with all his friends.

He goes through Belgium but most of his friends are stopped and sent home. He doesn't want to join them so he goes to Holland but he realises he can't stay.

So on he travels to Britain, where he knows he can slip through a net with very big holes in it.



The Sun, 21 January 2003

the headline 'TB epidemic alert'; it claimed that the UK has a worse TB problem than the Third World, and that one in six of immigrants are carriers.

Then, on 26 January 2003, an article by Anthony Browne (the *Times*' environment editor and also author of a pamphlet entitled *Do we need mass immigration?*, published by Civitas) appeared in the *Mail on Sunday*, entitled 'Madness of Blair's imported plagues'. In the midst of the national mood of panic about

terrorism, Browne argued that: 'We live in fear of foreigners bringing death to our land... But... it is not by allowing in terrorists that the Government's policy of mass immigration, especially from the Third World, will claim most lives. It is through letting in too many germs.' A longer version of the article appeared in the *Spectator* that week. And the following day, Trevor Kavanagh wrote in the *Sun* that immigrants had brought 'alarming levels of infectious TB, Hepatitis B [and] incurable Aids' to Britain.

All these articles demanded that immigrants be tested on coming to Britain and that if they carry a contagious disease they should be prevented from entering. The government soon decided that it needed to be seen to be doing something. So on 13 February, the *Times* quoted unnamed government sources saying that compulsory health screening of immigrants was being considered, although it was not clear if those tested positive would be denied entry, as the tabloids had demanded.

Deprivation ignored

But what is the evidence that migration is bringing an epidemic of TB to Britain? Most experts believe poverty is the major cause for the rise of TB in the UK since the mid-1980s. The greater incidence of TB among immigrant communities reflects, therefore, the greater poverty that these groups suffer here.

The *Mail's* claim that the rate of TB in Britain is worse than in some Third World countries depends on comparing the rate in one of Britain's poorest areas – Brent – with the average level for a country such as Brazil, which contains extremes of wealth and poverty.

And the statistic that one in six new immigrants is infected, conceals the fact that the vast majority of these people contracted the disease after they arrived in Britain when they were forced to live in poor housing with insufficient funds to have a proper diet.

A report published by the Public Health Laboratory Service last year, which looked at the incidence of TB among South Asians in West Yorkshire, found that deprivation – such as poor heating, diet, etc. – weakened the immune system and made lung diseases, such as TB, more likely. This analysis was echoed by a King's Fund report, published in December 2000, which found that the majority of asylum seekers arrived in Britain in good health, but some became ill once here, because of overcrowding or unsanitary conditions. Further evidence comes from a scheme that has been operating since last July, in which around 5000 asylum seekers in Kent have been tested for various infectious diseases. Not one proved positive for any infectious disease; many, though, were found to have suffered gunshot wounds and injuries from torture.

A drain on the NHS?

In recent years, the NHS has found January one of its most difficult months, as the burden of winter illnesses hits overburdened GPs. Normally, the newspapers blame the government for inadequate funding of the NHS, as reports come in of elderly women denied treatment. But this year, asylum seekers have become scapegoats for the shortage of doctors.

On 19 January, the front page of the *Mail on Sunday* had the headline 'Widow, 88 Told By GP: Make Way For Asylum Seekers'. Lydia Perry, of Stoke, had been taken off her GP's books, it was claimed, because of the burden of asylum seekers. Dr Paul Golik, secretary of the North Staffordshire local medical committee, was quoted as saying that GPs in the area were being forced to accommodate up to 200 asylum seekers each month, causing a major shortage of doctors.

In Derby, there was local anger after Central Derby Primary Care Trust announced the opening of a practice specifically for asylum seekers. Patients had previously been told that the new practice would be used for general practice as well as asylum seekers' needs. This proved not to be the case and 1,900 patients who, had earlier seen another surgery closed, were forced to move to different surgeries around the city. Dr Peter Moss, a senior practitioner in the area, told the *Derby Evening Telegraph* that 'in essence I am almost practising veterinary medicine when dealing with asylum seekers'.

Yet, in both these cases, asylum seekers are just a tiny percentage of the numbers of patients that doctors have to deal with. And the shortage of GPs far outweighs the added 'burden' that asylum seekers bring. The surgery at which Dr Peter Moss works struggles to provide for its 15,000 patients, but only one per cent of them are asylum seekers. And, of course, to only see immigrants as a 'drain' on resources ignores the fact that the NHS's shortage of doctors could be eased by recruiting some of the estimated 770 qualified doctors who have come to Britain as refugees. The British Medical Association estimates that it costs £250,000 to train a doctor from scratch, whereas retraining a foreign doctor costs £5,000.

TALIBAN SURVIVOR KILLED IN SOUTHAMPTON



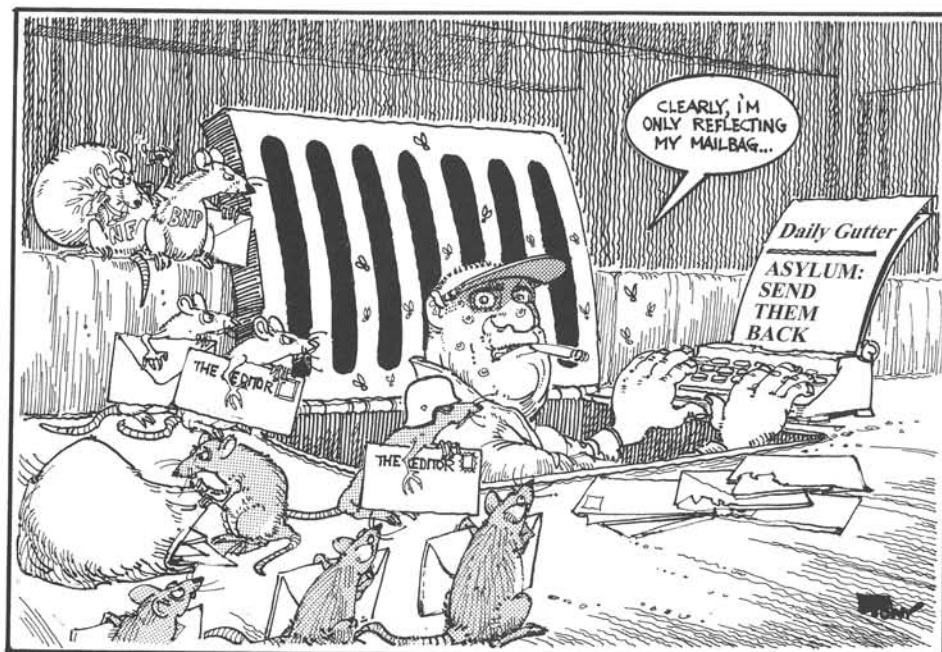
Police have launched a murder inquiry after a 22-year-old Afghan asylum seeker died in Southampton on Monday 10

February. Mohammed Isa Hasan Ali had survived imprisonment and torture at the hands of the Taliban regime. But a year and a half after seeking asylum in Britain, he was dead. Alexander Briant, of Witney in Oxfordshire, has been charged with manslaughter in connection with this incident.

The Afghan asylum seeker was attacked

in the early hours of Sunday morning after he had been in the city centre for a night out. A post mortem has found that he died as a result of a blow to the back of the head, which caused a fracture to the skull. He had entered the UK via Dover in June 2001 and had been accommodated in Newcastle before coming to Southampton. Prior to his seeking refuge in Britain, he had been imprisoned and tortured by the Taliban, an ordeal which led to loss of sight in one eye and severe lacerations to his back. ■

ASYLUM SEEKERS AHEAD IN THE ASYLUM LUNACY



Health tourism?

A couple of days after the *Mail on Sunday* front page, Shadow Health Secretary Dr Liam Fox wrote to all Primary Care Trusts and Hospital Trusts in the UK, suggesting that British citizens were being denied access to treatment on the NHS because of 'preferential access' given to asylum seekers. He also claimed that the NHS was becoming a 'health tourism destination' – the idea being that immigrants select Britain as a destination in order to milk the NHS for free treatment. This is an argument that has found increasing favour on the pages of the *Mail et al.* in recent months. It has also received backing from Civitas. In *Tomorrow is Another Country* (see above), 'bogus' asylum seekers are por-

trayed as melting into their communities, living without documentation, but, somehow, miraculously benefiting from free health care.

The attempt to blame immigrants for the NHS crisis has also led to the formation of a new campaign group. HealthWatch UK, a group under investigation by the Charity Commission, was set up last year to campaign against 'unentitled' foreigners gaining access to the NHS. It has run a series of newspaper advertisements presenting its arguments, although, ironically, the *Daily Mail* refused to print them because they were considered too political. The source of the group's funding has not been disclosed but it appears to have won the support of some doctors.

What these scare stories ignore is that, since the 1980s, doctors and hospitals have been forced to question new patients about their immigration status, to prevent non-emergency hospital treatment being given to 'illegals'. Doctors have thus been given the

added burden of having to become immigration police and asylum seekers have been subjected to a second-class health service. Numerous reports have documented the cruelty that has been meted out by the system to asylum seekers. In 2000, for example, the Audit Commission described the case of a pregnant asylum seeking woman who went to see her GP for pre-natal care, but had her pregnancy terminated because an interpreter was not available and so the doctor was left to 'guess' what the patient was asking for. And, last year, the High Court heard the case of an Ethiopian woman who was denied tokens for formula milk for her baby girl, even though being HIV positive means she cannot breastfeed.

The fact is that asylum seekers are being scapegoated for the under-funding of the NHS because they are an easy target. ■

BIRTH OF A MOVEMENT?

Not since dockers marched in support of Enoch Powell has England seen such a large anti-immigrant mobilisation.

SITTINGBOURNE, KENT On 24 January, a public meeting was held in Sittingbourne to discuss plans to turn the Coniston Hotel into an induction centre. The hall was packed with 500 people inside and an estimated one thousand gathered outside. John Owen, a local resident, told the meeting: 'We have had enough. We want an end to mass immigration to this country. If our views are ignored there will be hell to pay.' A few days later, a car was rammed into the rear doors of the Coniston.

PORTLAND, DORSET On 27 January, 500 protestors came to a public meeting to oppose plans to accommodate 750 asylum seekers at the Hardy Blocks, part of a former naval base on the island of Portland, Dorset. Shortly after the meeting

ended, a fire was started on the first floor of the Hardy Block. Earlier in the same week, protestors broke into another block on the site and hung a banner declaring 'No asylum here'.

LEE-ON-SOLENT, HAMPSHIRE Two thousand people attended a march on 23 February protesting against Home Office plans to turn the former naval airbase HMS Daedalus into an asylum centre.

SALTDEAN, SUSSEX More than 250 people assembled in Saltdean, Sussex, to fight plans to house 60 asylum seekers in a nearby hotel.

BICESTER, OXFORDSHIRE A group of villagers, living close to the proposed site for a 'reception centre' four miles outside Bicester, have formed the Bicester Action Group and put up

posters warning of increased crime and a drop in house prices.

THROCKMORTON, WORCESTERSHIRE

In July 2002, up to 600 people demonstrated against plans to build an accommodation centre near Pershore, Worcestershire. The campaign won support from local resident and fashion designer, Stella McCartney, as well as her father, Paul, and Songs of Praise presenter Toyah Wilcox.

CAYTHORPE, LINCOLNSHIRE Villagers at Caythorpe, near Grantham in Lincolnshire, have successfully protested at plans to convert a former agricultural college into accommodation for asylum seekers. A public meeting attracted 200 locals from the village which has a population of 1,500.

Terrorising communities



John Harris/Report Digital

Gareth Peirce, a leading human rights lawyer, writes of the implications of the use of anti-terror legislation in the UK

The state has always had an appetite for greater control of the population. For a long time, the Home Office has clearly had a wish-list of special powers.

These are always to hand for ministers, who also have an appetite for announcing new initiatives to deal with supposed problems when it is politically expedient. The 1998 bombings in Nairobi and Dar es Salaam were originally invoked as a pretext for new anti-terrorist powers, even though urgent provisions that MPs were recalled to rush through parliament, have yet to be used four years later. With each new ministerial wish to be seen to be taking new measures – either for domestic political consumption, or to demonstrate support for international allies in the war on terror – there are only more and more extreme measures left to announce. Thus, each new piece of legislation is not only an additional weapon in the state's prosecutorial armoury, it is, inevitably, incrementally more severe, since all other less severe measures have long since been similarly rushed in for identical given reasons.

With the present war on terror, the Home Office wish-list finds new opportunities. The military/secret-state complex has increasingly found that the magic word is terrorism. A secret state is led by the intelligence services, which say, we know the real threats – trust us. The government listens and legislates accordingly.

The terrorism scare is based, in disturbingly large part, on mythology, eg upon suggested alliances or links by Muslims worldwide with Al Qaeda. The fear is similar to the old Communism scare, except that the people targeted are more vulnerable because they are refugees, who might well be dead had they not fled. Those targeted cannot understand the basis of the scare as articulated. Many are now languishing in prison without any comprehension as to why.

Yet the government evades responsibility for problems it has, in fact, helped to create or perpetuate. The UK government has supported and is still propping up many appalling regimes, which generate dissidents, who are then labelled as terrorists by the countries from which they have fled. It is no coincidence that so many of those targeted and arrested are Algerian or Egyptian.

Terrifying Muslim communities

The use of anti-terrorist powers has now paralysed and terrified significant parts of the Muslim community in this country. These powers have the psychological force of a nuclear bomb thrown at the entire community, and the fallout continues.

There has been an apparently random, open-ended series of arrests. People are targeted not on the basis of any actions they have taken or any links with illegal organisations but on the basis of links with others who have links with still others and so on ad infinitum. All the arrested are Muslims and most are refugees.

It is now furthermore clear to that community that if you associate with anyone who has been already arrested here (or in their home country), then you yourselves become intensely vulnerable to arrest. This fear is explicitly intended: Special Branch officers have visited individuals and said, Don't help the families of people detained – or else!

Our worst fears about the anti-terrorist powers are now being realised. The disease of racism, the creation of fear, hatred and racism for refugee communities is not merely spreading, it is rampant. It is fed daily by the press. Any reader of a British newspaper is now able to believe that refugees are terrorists, that they not only lie and cheat but conspire to poison the population, bring disease and threaten the entire fabric of society. There is no longer any pretence of guaranteeing *sub judice* rules for those actually accused of crimes. The witch hunt has moved towards medieval consequences.

Some of those people accused are arbitrarily prosecuted under the Terrorism Act. At least they are presented with evidence which the defence can challenge.



CARF

Picket outside Bow Street Magistrates Court in January 2003

Of the 304 people arrested under anti-terrorist legislation since 11 September, only 40 have been charged. And none of these have yet been found guilty of involvement in an Islamic terrorist group. But the ever harsher counter-terror policing provisions are terrorising refugee communities and stifling freedom of speech.



A protest against the banning of the PKK.

But the political context remains ever present in the legislation and in the claimed judicial procedure which follows from it. If a defendant has a copy of a Bin Laden video, then the prosecution cites this as evidence of membership in an Al Qaeda cell. In such a case, the defence can try to educate the jury about the context, but the jury has already come to its conclusions since the accused and the issues in the case have been long since tried and convicted in the press.

Internment

Since the Anti-Terrorism, Crime and Security Act (ATCSA) 2001 was enacted in December 2001, more than a dozen Muslim men have been detained for an indefinite period. For those detained without trial by the USA in Guantanamo Bay, the mask of legal pretence is removed. However, the mask is still on for the smaller-scale internment in this country, which maintains a façade of legal procedure.

Even though it was always said that the power to detain individuals indefinitely was an outrage, it was hoped, however optimistically, that arguments in a legal form could successfully challenge the internment provisions. But the courts have shown that they provide no safeguard; they can't deliver justice.

Legal representation is worthless if we can't know the allegations and investigate them, and if we can't even speak to the internees.

Any Muslim, who is a foreign national, can be targeted for internment. For example, some internees have been accused of helping Chechen resistance. The UN Charter and Universal Declaration of Human Rights guarantee to all peoples a basic right of defence, including armed resistance as a last resort against tyranny as well as a right to self-determination. But even in the face of genocide, resistance is portrayed as part of a worldwide network of Islamic extremists and hence a route that leads the security service to its ever-present spectre of Al Qaeda. When politicians and prosecutors use this mythology, they are simply repeating what MI5 told them.

The internees have 'vanished'. The government intends that no one should know about them. Most internees don't want their names mentioned in the press because they have families at risk in Egypt, Algeria, Morocco or Libya. Journalists have hounded those who have chosen to return to their own countries; as a result, one was harassed after he returned to Morocco. Some internees have requested visits from journalists, to explain their situation on an anonymous basis, but these requests have been denied by the very home secretary who interned them in the first place.

Bans on organisations

The power to ban organisations sends the message: you are labelled terrorists here as well as by the repressive regime from which you fled. Banning Al Qaeda in itself may have no clear meaning, because it may well not exist in any form in this country. But as well as Al Qaeda, the banned organisations included the LTTE (Tamil Tigers) and the PKK (Kurdistan Workers Party). Association with them can result in an individual being criminalised as a terrorist. Since the list was issued in early 2000, the LTTE has been de-proscribed in Sri Lanka and is involved in sustained peace negotiations with the government. The PKK was dissolved in 2002. But both remain on the list.

For its own political purposes, the UK government has used this legislation to persecute anyone associated with opponents of its allies. In autumn 2002 there was a trial of four Kurds accused of handling funds for the PKK. Although the organisation was already discontinued, the prosecution claimed that it still exists.

The defendants explained that they were circulating a petition for Kurdish rights. They gave a moving account of the reasons for their individual involvement in a wider protest against the powers of the Terrorism Act, at a demonstration at the Home Office. The prosecution however used photographs of the demonstration as evidence that the defendants had terrorist links, eg on the grounds that placards had listed several of the banned organisations. For the defence, Mark Thomas explained that the demonstration meant to ridicule the supposed links between the PKK and Al Qaeda. Other witnesses talked of the entire experience of the Kurds. The jury woke up to an understanding of Kurdish history, politics and protest; it did not convict the four defendants.

This example shows that it is just possible still to challenge the mythological basis of the anti-terrorist powers. But it also shows why the government prefers to use those powers in ways which avoid a jury trial, eg through internment. For those interned, they do not know how they could affect a tribunal similarly in their favour, since they are intended never to know what is said in secret to that tribunal and therefore cannot contest it. ■

A longer version of this article was first published by the Campaign Against Criminalising Communities (CAMPACC) www.cacc.org.uk.

Arrests under anti-terrorist legislation since 11 September 2001

Of the 304 people arrested under anti-terrorist legislation since 11 September, we list below the most significant cases

Abbreviations TA Terrorism Act 2000; all section references are to this act ATCSA Anti-Terrorism Crime and Security Act 2001

Person arrested			When arrested		Details
Mufti Mohamed Khan	M 40's	Saudi	11.9.01	Heathrow airport	Arrested under immigration powers at Heathrow, two hours after Twin Towers attack. Allegedly travelling on false documents on arrival from New York. Said to be one of Osama bin Laden's closest aides. Banned from entering the UK on 5.9.01 by David Blunkett. He was released then re-arrested under the TA. Returned to the US on 15.9.01; the FBI arrested him for questioning.
Lotfi Raissi	M 27	Algerian	21.9.01	west London	Arrested under the TA in connection with the World Trade Centre attacks. The unnamed man was released without charge after two days, Sonia Raissi after five days, Lotfi Raissi was released without charge but re-arrested on extradition warrant. He was released on £10,000 bail at an extradition hearing on 12.2.02 after the US failed to provide evidence of his involvement in training the September 11 terrorists.
Sonia Raissi	F 25	—			
Unnamed	M 29	Algerian			
Unnamed	M —	—	21.9.01	Birmingham	Arrested under the TA in connection with the World Trade Centre attacks; later released.
Baghdad Meziane	M 38	Algerian	25.9.01	Leicester	Arrested in connection with a plot to blow up the US embassy in Paris. Kamel Daoudi was 'returned' to France four days after his arrest. Baghdad Meziane and Brahim Benmerzouga were charged under s17 of the TA (funding of terrorism) and with conspiracy to defraud. Trial started at Leicester Crown Court 22.1.03, halted and jury discharged 6.2.03, restarted with new jury 10.2.03.
Brahim Benmerzouga	31				
Kamel Daoudi	23				
Seven unnamed men	M —	Iraqi and German	26.9.01	Suffolk	Arrested under TA and for immigration offences after six Iraqi men were found concealed in a truck outside RAF Lakenheath, Suffolk.
Unnamed	M 36	Arab	28.9.01	Gatwick airport	Arrested under the TA at Gatwick airport in transit from Middle East to the US. Released without charge then re-detained for immigration offences.
Sulayman Zain-ul-abidin	M 44	British	2.10.01	London	Arrested and charged under s54 of TA. Acquitted by Old Bailey jury 9.8.02.
Unnamed	M 24	—	2.10.01	London	Arrested at Waterloo station trying to leave London on Eurostar.
Unnamed	M 56	—	11.10.01	Bangor, north Wales	Arrested and held under the TA, released without charge five days later.
Yasser Al-Siri	M 38	Egyptian	23.10.01	Maida Vale, London	Arrested under the TA at his home. Charged a week later with three counts under TA and with criminal and public order offences.
Adnan Abdelah ❶	M 22	—	10.12.01	Newcastle	Acquitted of charges under s11 of the TA 5.02. Remained in immigration detention, deported to Morocco 12.02. See p13 for more details.
Djamel Ajouaou	M —	Algerian	19.12.01	London	Interpreter working for a London solicitor. Arrested and detained without trial under the ATCSA. Refused bail 21.12.01 by Special Immigration Appeals Commission (SIAC) as still considered a significant threat but was allowed to return to Algeria.
Mahmoud Abu Rideh ❷	M 31	Palestinian	19.12.01	London	Arrested and detained without trial under the ATCSA. Solicitors applied for bail 4.02 when he was on hunger strike and seriously ill. Bail refused. Transferred to Broadmoor psychiatric hospital 7.02 on Blunkett's orders; sent back to Belmarsh 1.03; went back on hunger strike. See p13 for more details.
Seven unnamed men	M —	—	19.12.01		Arrested and detained without trial under the ATCSA. Two have 'voluntarily' left the UK. Five remain detained without trial. All are Muslim.

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Rights denied: the UK's response to 11 September

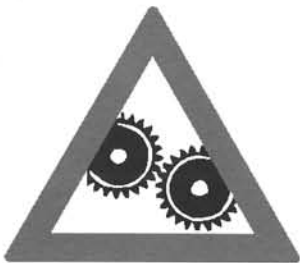
Amnesty International report EUR 45/016/2002



Person arrested				When arrested	Details
One unnamed man	M	—	—	18.1.02 London	Arrested under the TA. Released to Immigration Service and detained on suspicion of immigration offences.
Six unnamed man	M	—	—	29.1.02 Darlington	Three arrested in Darlington and another three in Teesside, all under the TA, on suspicion of fundraising for Islamic groups.
Mehmet Karayilan	M	48	Turkish	15.3.02 Dover	Arrested boarding a ferry in Dover. All denied charges of supporting the PKK (s12 of the TA) – acquitted 11.02.
Oruc Geksoyler	M	36			
Kahraman Ceren	M	52			
Noori Noori	M	38			
Muhammed Abdulah Azam and two unnamed men	M	25	—	15.9.02 Luton	Arrested under the TA. Azam was charged under ss57–58 of the TA and remanded into custody. The others were later released without charge. Trial due to start on 17.3.03.
Six unnamed men	M	—	Algerian	18.9.02 London	Arrested under TA, were under investigation for fundraising for Islamic groups. Of five others arrested at the same time, three were questioned on criminal and two on immigration matters.
Mouloud Sihali	M	26	Algerian	19.9.02	Sihali was arrested on 19.9.02 on criminal charges; re-arrested on 21.9 under TA and charged under s57; remanded into custody. Khalef was arrested soon after. On 7.10.02 both appeared at court jointly charged under s57. On 28.2.03 Sihali and Khalef appeared at court with Rabah Kadre (see arrests on 9.11.02), all facing charge of conspiring to produce a chemical weapon – ricin.
David Aissa Khalef	M	30	—	9.02	
Abu Qatada	M	42	—	24.10.02 London	Disappeared in 12.01 when ATCSA powers came in. Arrested under the ATCSA and detained at Belmarsh.
Rabah Chehaj-Bias	M	21	North African	9.11.02 London	Arrests under TA were linked by the media to an alleged plot to attack the tube with poison gas. Rabah Chehaj-Bias, Rabah Kadre and Karim Kadouri were charged under s57 and remanded into custody. They pleaded not guilty to the charges. Two men were released on bail and another was freed with no further action being taken.
Rabah Kadre	M	35			
Karim Kadouri and three unnamed men	M	33			
Unnamed	—	—	—	1.12.02 Manchester	
Hassan Butt	M	22	British	3.12.02 Manchester	Arrested under the TA, taken to London for questioning, then released without charge. Allegedly a member of al Muhajiroun.
Unnamed	—	—	—	3.12.02 Manchester	Arrested under the TA, released without charge.
Ten unnamed people	—	—	—	5.12.02 London	Arrested under TA, all released, six re-arrested for criminal offences.
Rory O'Driscoll	M	29	British and	11.12.02 London	Seven arrested under the TA; six were charged on 14.12.02 under ss11 and 15 (membership and fundraising for DHKP–C Revolutionary Peoples' Party, a proscribed organisation). One unnamed person was released on bail. Six appeared in court 10.2.03. Conditions of bail prohibit possession, distribution or sale of <i>Vatan</i> or <i>Ekinke ve Adalet</i> , magazines which are both legal in Turkey.
Allaatin Kalander	M	38	Turkish	and Cheshire	
Gurkan Gur	M	39			
Songul Ozgur	M	36			
Selver Kapan	F	30			
Birten Kalayci	F	30			
Unnamed	—	—			
Eight unnamed men	M	—	—	17.1.02 Leicester	Arrested under the TA. Five were released on bail pending fraud inquiries; the other three were released to Immigration Service and detained on suspicion of immigration offences.

Arrests under anti-terrorist legislation *continued*

Person arrested			When arrested		Details
Abdellah Abdelhafid	M 33	Algerian	18.12.02	London and Edinburgh	Eight men arrested, all charged under s57 of the TA, refused bail and committed for trial at the High Court in Edinburgh.
Mourad Idir Abes	27				
Karim Benamghar	31				
Salah Moullef	32				
Hakim Ziem Sofiane Lahamar	31				
Hassim Ziem	—				
Ghalem Belhadj	36				
Karim Ziem	—				
Soner Koyuncu	M 30	—	28.12.02	Kendal, Cumbria	Charged 2.1.03 under s15 of TA, refused bail and remanded into custody. Further charged 10.1.03 with receiving money, possessing property and being concerned in funding arrangements, all for the purpose of terrorism (ss16–17)
Gultekin Onur	M 38				
Samir Feddag	M 26	Algerian	5.1.03	Wood Green, London	Seven men arrested under the TA after raid where traces of ricin found. Samir Feddag, Mouloud Feddag, Mustapha Taleb and an unnamed 17-year-old all charged under s57 in connection with an alleged plot to use ricin. Also charged under Chemical Weapons Act 1996. Mustapha Taleb also charged under s57 of the TA. Nasreddine Fekhadji was charged with two offences of possessing false documents. An unnamed man was released and re-arrested on drugs and immigration matters. Another was released into the custody of Immigration Service. In linked arrest, Mouloud (Mohammed) Bouhrama was arrested on 22.1.03 in north-east London, and charged under s57 of the TA and under the Chemical Weapons Act.
Mouloud Feddag	18	Algerian			
Mustapha Taleb	33	Algerian			
Nasreddine Fekhadji	—	North African			
Mouloud Bouhrama and three unnamed men	31	Algerian			
	17				
	33, —				
Four unnamed men	M —	Algerian	9.1.03	London	Arrested by customs officers outside a bureau de change carrying over \$16,000, on suspicion of terrorist links.
Six unnamed people	—	—	12.1.03	Bournemouth	Five men and a woman arrested under TA. Five men were released on bail 13.1 pending further inquiries, the woman was released then re-detained on immigration matters.
Kamel Bourgass	M 27	Algerian	14.1.03	Manchester	Three Algerian men arrested under the TA after tip-off from Special Branch. Allegedly linked to the ricin arrests on 5.1.03. PC Stephen Oake died during their arrests. On 17.1 Kamel Bourgass was charged with his murder and the attempted murder of four other police officers. Khalid Alwerfeli was charged under the TA. One man was arrested and detained under the ATCSA. Another man gave himself up to police a day after the raid and was handed over to immigration officers.
Khalid Alwerfeli and two unnamed men	29				
	23				
	32		15.1.03	Manchester	
Three unnamed men	M —	—	16.1.03	Gatwick airport	Detained by immigration officials while 'in transit', then arrested under the TA.
Three unnamed men	M —	—	18.1.03	Oakley, Gloucestershire	Arrested and questioned under TA after acting suspiciously near GCHQ spy base.
Samir Asli and six other unnamed men	M 29	Six North Africans and an East European	20.1.03	Finsbury Park mosque, London	Arrested under TA during raid on Finsbury Park mosque. Allegedly linked to the 'ricin' arrests on 5.1.03. Samir Asli charged on 27.1 under s57 (possessing articles for terrorist purposes) and remanded into custody. Three men were released and then re-arrested for immigration offences. Another man was released then re-arrested for possession of a CS gas canister and immigration offences. One man was released with no further action and the last was still being questioned over terrorism-related offences.
	31				
	40				
	23				
	48				
	38				
	22				
Abdul Hamid Maskine-Djabar	M 30	—	29.1.03	Manchester	Arrested in three locations in Manchester and taken to London for questioning. On 1.2.03 they were all de-arrested under TA and then re-arrested and charged with possessing false documents.
Kamel Mouzoug	32				
Krimou Azzouz	35				
Mourad Khif	31				
Unnamed	M —	—	29.1.03	north east London	Arrested under TA.
Seven unnamed people	—	—	6.2.03	Edinburgh, Manchester and Glasgow	Six men and a woman arrested in different locations under TA and taken to Scotland for questioning. The British woman was released two days later. Police say arrests linked to TA arrests in Scotland and London.
Unnamed man	M —	—	6.2.03	London	Arrested under TA on arrival from Paris on Eurostar. The <i>Sun</i> claimed he was an Algerian arrested through Franco-British security co-operation.
Two unnamed men	M 25	Iraqi Kurd	13.2.03	nr Leeds Bradford airport	Arrested under the TA when seen acting suspiciously near Leeds Bradford airport; released without charge two days later.
	26				
Two unnamed men	M —	—	13.2.03	Heathrow airport	Arrested under TA near Heathrow airport perimeter fence and taken to Paddington Green station for questioning. They were both later released without charge and one was re-detained by the Immigration Service.
Four unnamed people	—	20's	13.2.03	Langley, Berkshire	Four people, all in their 20's, arrested under TA, in a village under a Heathrow flight path. Released without charge and re-detained by the Immigration Service.
Hasil Mohammed Rahaham-Alan	M 37	Venezuelan	13.2.03	Gatwick airport	Found with live grenade in his luggage after arriving on a flight from south America. Charged with possessing an article for the purpose of committing a terrorist act and possession of an explosive substance with intent to endanger life or damage property and carrying a dangerous article on a British registered aircraft.



The new laws: key provisions

Terrorism Act 2000

- Section 11: Membership of a proscribed organisation
- Section 12: Support for a proscribed organisation
- Section 15: Fund-raising for a proscribed organisation
- Section 16: Use and possession of property for terrorist purposes
- Section 17: Funding arrangements for terrorist purposes
- Section 18: Money laundering in relation to terrorist property
- Section 54: Weapons training – offering training or instruction
- Section 57: Possession of articles for terrorist purposes
- Section 58: Collection of information for terrorist purposes

Anti-Terrorism, Crime and Security Act 2001 (ATCSA)

The key power used under the ATCSA, which came into force in December 2001, is section 23 – detention without trial of foreigners suspected of terrorism and who cannot be deported. The Special Immigration Appeals Commission (SIAC) deals with bail applications and reviews cases every six months. In October 2002, the Court of Appeal unanimously ruled that the indefinite detention without trial of foreign suspected terrorists under ATCSA was lawful. Individual internees' appeals will be heard in May 2003.

■ Acquitted but still deported

Adnan Abdelah (see table ①, p10) claimed political asylum on his arrival in the UK in April 2001. His bragging about the September 11 attacks and knowledge of bombs led to his arrest. At his trial in May 2002 at Newcastle Crown Court, Adnan denied charges of membership of a proscribed organisation (Hamas iz as-din-al-quezzem) under s11 TA, and one charge of witness intimidation. On 23 May, the judge ruled there was no case to answer and directed the jury to clear Adnan. He remained in immigration detention pending an asylum appeal, after which, on 19 December, he was deported to Morocco under police escort on a chartered flight from Newcastle airport. The Attorney General has meanwhile referred the decision to acquit Adnan to the Court of Appeal, at the request of Special Branch.

■ ACTSA detainee on hunger strike

Mahmoud Abu Rideh (see table ②) came to the UK in 1995 with his family, and was granted refugee status in 1997. The Home Office accepted that he had been the victim of torture while imprisoned in Israel. He was arrested in December 2001 under the ATCSA and was detained without trial at Belmarsh high security unit. Several psychiatrists gave evidence at a bail hearing in June 2002 that Mahmoud should be released to a low-level secure mental hospital because of his fragile health. The application was rejected. On 24 July 2002, Mahmoud was transferred to Broadmoor psychiatric hospital on the orders of David Blunkett. In January 2003, Mahmoud was sent back to Belmarsh, where he is on hunger strike.

Blunkett's law OF inhumanity

CARF looks behind the High Court ruling against the new asylum support provisions

8 January 2003 was the first day of bitter cold of the winter in London. But in Croydon, a long line of people of many nationalities stood queuing for hours in the street, apparently heedless of the snow whirling round their heads. By the end of the day, three were in hospital, suffering from hypothermia.

Those in the queue included survivors of brutal rape, torture and degrading treatment, witnesses to appalling atrocities, some still terrified, some numbed with shock, hardly registering where they were.

CARF



Picket outside the Home Office on 8 January 2003 against the withdrawal of support for destitute asylum seekers

They were queuing outside the Home Office in Croydon, desperate to ensure that they made their claim for asylum 'as soon as reasonably practicable after arrival' so as not to lose rights to all asylum support under provisions of section 55 of the Nationality, Immigration and Asylum Act 2002 which came into force that day.

Under the new law, adult asylum seekers deemed to have applied for asylum late get nothing at all to keep them alive, unless they have children under 18. They are expected to go home, or get help from a charity or from their community in Britain. The government doesn't care what they do: they will only get support if they are near death.

Courageous judge

On 19 February 2003, a courageous High Court judge, Mr Justice Collins, decided that the new law was no law at all – the law itself was illegal, as it condemned everyone,

the genuine refugee who could not go home as well as the chancer who could – to utter destitution and misery. He described the situation of some of those refused support:

■ **'J' is an Iranian Christian who arrived in the back of a lorry the day before the provisions came into effect.** He was dropped off in London, where he knew no one and did not know what to do. He found an Iranian who lived in Newcastle and who took him home overnight and then took him to a solicitor, who sent him the following day to North Shields immigration office. He said he hadn't applied at the port because it was very cold and he just wanted to go somewhere warm.

■ **'F' is an Angolan ex-soldier suspected of spying there.** He arranged his escape through an agent, who instructed him not to speak to the immigration officer at the airport. He travelled to Newcastle, as instructed by the agent, and claimed asylum on the day he arrived. He had £1.50 on him and had to sleep rough overnight.

■ **'M' is a Rwandan woman who had been regularly raped and beaten by Tutsis in a refugee camp.** She travelled by lorry to Uganda where her uncle, believing it was not safe for her there, arranged her travel to the UK. She arrived on 7 January, did not know where to claim asylum, had no money and nowhere to live. She was taken to the Refugee Legal Centre the day after her arrival, but was told the Home Office was not accepting any more applications that day. After her interview at Croydon the next day, she went to Croydon police station, where police allowed her to stay the night sitting on a chair provided she did not fall asleep. After that, she had nowhere to go, and was feeling ill, cold and hungry, and survived only because a stranger took pity on her.

■ **'D' is a 22-year-old Angolan whose father was an opposition activist.** He came downstairs and found his father shot dead and his mother and sister naked, having been raped by soldiers. He was taken to prison with his mother, who was repeatedly raped, and he was interrogated and beaten. He claimed asylum on the day he arrived, and was accepted to have been suffering from trauma as a result of what had happened in Angola. He had stomach pains, insomnia and nightmares. He was found a bed for one night but then had to sleep rough outside the Home Office.

■ **'B' is an Ethiopian girl of 16 who was detained and ill-treated as a result of her father's politics.** She was brought to the UK by an agent who left her at the airport. She tried to claim asylum at the information desk but was told it was too late that day. She spent the night there and then was referred to Hillingdon Council's asylum team. There, her age was questioned, and she was refused support on the grounds that she was over 18 and had not claimed asylum immediately on arrival.

■ **'Q' is a 20-year-old Iraqi Kurd who arrived in London in a lorry on 8 January at 5am.** He had no money and spoke no English. He found an Arabic speaker and was told to go to Croydon. He walked for three hours until he reached the Home Office. He said he had stomach ache and toothache and was feeling sick and tired. He slept the night in a tunnel by a phone box.



The judge held that in each case the decision refusing support was flawed because NASS officials had not asked the right questions, or had wrongly disbelieved applicants' stories of their arrival. But he went further, condemning the entire scheme as inhuman, and quoting in support an eighteenth-century case about 'the law of humanity, which is anterior to all positive laws, and obliges us to afford foreigners relief, to save them from starving'.

Home Office dishonesty

The Home Office barrister shamelessly stated that 'Parliament has now removed the law of humanity' in section 55. But the judge rejected the argument. He held that parliament 'can surely not have intended that genuine refugees should be faced with the bleak alternatives of returning to persecution (itself a breach of the Refugee Convention) or of destitution'.

The decision also exposed the dishonesty of the Home Office in its application of the law. When the measure was introduced, as the 2002 Nationality, Immigration and Asylum Bill was going through parliament, the government said it would be used against people who had been in the country for a while and had then claimed asylum just to get support. Home secretary David Blunkett told parliament, 'We are saying to people, "If you have been here some time, by all means tell us how you got here, what your circumstances are, the means of entry and what you have been doing since you reached this country and we will provide you with support"'. But when section 55 came into force in January, a much more draconian interpretation was adopted. NASS officials were instructed to refuse support to all childless asylum seekers who failed to claim at the port.

The reaction of the Home Office was predictable: David Blunkett once more railed against interfering judges who prevent him from carrying out the policy agreed in parliament, and the *Daily Mail* was apoplectic in its fury at judges who don't put Britain first. The Home Office appeal against the ruling will be heard on 3 March. Until then, all asylum seekers can sleep in beds and can be fed. But if the Court of Appeal's performance in the Oakington detention case and other human rights cases is anything to go by, Blunkett's law will be restored in all its proud inhumanity by spring. ■

■ Stop press

As CARF goes to press, David Blunkett is appealing against the high court ruling, claiming that the denial of benefits is an essential part of a package to ensure that Britain is not a 'magnet' for asylum 'abusers'.

Yarl's Wood update



The trial of the Yarl's Wood defendants is due to start on 23 April at Harrow Crown Court. Thirteen men have been charged with offences including arson and violent disorder as a result of a fire on 14 February 2002 at the centre (see *CARF* 67). The trial is expected to last three months.

Supporters of the accused have expressed concerns about the fairness of the trial as so many of the witnesses to the events on 14 February 2002 have been deported.

Two defendants, Nassem Mosstafa and Aliane Ahmed,

remain in prison; the rest are now out on bail. Aliane was granted bail in January when arson charges were dropped against him but was re-detained under Immigration Act powers. He has tried to take his own life on a number of occasions.

The Campaign for Justice in the Yarl's Wood Trial is appealing for funds to get the bailed defendants, who are spread around the country, to court for the duration of the trial. The men, who are not allowed to work, have to find the money to attend court each day for the length of what may well be a very long trial. ■

Campaign for Justice in the Yarl's Wood Trial:
Emma Ginn 07786 517 379/
ginn_emma@hotmail.com
www.stoparbitrarydetentionsatjarlswood.co.uk

REVIEW

Into a world of hate

This book is written as a diary, starting in the autumn of 1996 and finishing in the summer of 2002. During this time, Ryan conducted a series of interviews with far-right

activists and leaders, faithfully reported here in nineteen chapters. But he doesn't just provide a linear narrative; Ryan fills in the background as each group, far-right event or country is encountered.

It is wrong, of course, to think that the far Right – in the US, the UK, in Austria, Germany, Belgium or

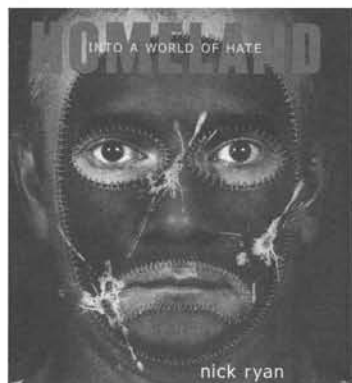
elsewhere in Europe – is of a piece. Ryan shows us, for example, the growing rivalries and schisms in Britain's Combat 18. He also pinpoints a variety of racist groups across the USA, from the old-style Nazi, Klan, and skinhead groups such as the National Alliance, to the newer 'Third Way' groups like the Council of Conservative Citizens (reportedly, similar to Nick Griffin's re-fashioned BNP).

The research for the book has involved the anti-fascist magazine, *Searchlight*, and its network of contacts in Europe and North

America. Some parts of the book lean more heavily than others on information supplied by anti-fascists. The chapter on the Austrian Freedom Party (FPÖ) and its leader Jörg Haider, has a large section devoted to interviews with anti-fascists. And, from them we learn how a more established far-right party like the FPÖ is able to use the protection of the courts and libel suits to forward its cause and silence opponents. In the chapter on Germany, as well as reports of meetings with fascists, we are given first-hand accounts of the treatment of asylum seekers. While the authorities restrict the movement of asylum seekers, limiting where they can purchase goods with their Smart cards, racists corral them further with their attacks and constant harassment.

Neither an academic tome, nor simply a handbook for anti-fascists, *Homeland*, with its informal style and faithful first-hand accounts, could well attract a new audience. Today, all too few people are aware of the growing threat of the far Right. Fewer still know the details of the policies and the fanaticism of the people revealed here. It is a timely book to win more people over to the anti-fascist cause. ■

Danny Reilly



Book details

Homeland: Into a World of Hate By Nick Ryan
(Edinburgh, Mainstream, 2003) 320 pp. £15.99

campaigns & reports

Injustice on video

Injustice, the documentary on the struggle for justice by the families of those who have died in police custody, has now been released on video. The film, which the BBC and Channel 4 refuse to show and whose public screenings the Police Federation threatened with legal action, will be the subject of an initiative by Index on Censorship which will challenge its ban. ■

Injustice is available direct from Migrant Media. Prices include VAT and delivery, cheques payable to Migrant Media: Individual £20, Community Organisation £40, Education/NGO's/Trade Union £80, Media/Commercial/Government £160.

Migrant Media: Studio 401, Greenheath Centre, 31 Three Colts Lane, London E2 6JB Tel: 020 7729 9109 Fax: 020 7729 6909
Email: sales@injusticefilm.co.uk
Web: www.injusticefilm.co.uk

Inquest records open verdict

In February 2003, the family of Jason McGowan were vindicated when a jury recorded an open verdict into his death. 20-year-old Jason was found hanged on New Year's Day 2000, six months after he began investigating the suspicious death of his uncle, who was also found in similar circumstances. Errol McGowan was found hanged after complaining about a campaign of racial harassment.

Within hours of Jason's death, police officers had decided Jason had taken his own life and failed to investigate the death properly. Officers failed to collect evidence – for example, fingerprints were not taken from the crime scene and CCTV footage was not collected. The first inquest into his death in 2002 failed to reach a verdict.

At the second inquest, the family walked out of the proceedings on the first day as they had no confidence in the hearing. However, they went back at the jury's request. Jason's uncle, Clifton, said of the verdict, 'It's absolutely brilliant. It shows that the family was totally right to campaign over the way the police treated the investigations into their deaths.'

The family are now awaiting the outcome of two complaints against the police over investigations into the deaths of Errol and Jason and are considering suing the police. ■

diary of race and resistance

DEC 2002-FEB 2003

RACISM

11 DEC 17-year-old James Morgan, who racially abused an Asian family, kicked down the door of their home and stabbed one man in Coventry, sentenced to a 12 month detention and training order after pleading guilty to charges of wounding and possession of offensive weapons; charges of racially aggravated assault dropped

13 DEC Two unnamed youths convicted of racially aggravated public order offences after a series of racist attacks on the Turkish staff of a kebab shop in Flint

14 DEC Three men, an Algerian, Libyan and Kurd, severely beaten in racist attack at pizza shop where they work in Durham, they all suffer head and facial injuries

21 DEC 41-year-old white man married to a black woman suffers a broken nose in an unprovoked attack that sees him and his wife racially abused by a white man in Chessington, Surrey

22 DEC Asian bus driver racially abused and attacked in his bus by gang of eight white youths in Chislehurst, Kent

30 DEC Racists target two homes with petrol bombs in Portadown, Co. Armagh, the Bulgarian and South African families living there escape serious injury

10 JAN 22-year-old Mohammed Isa Hasan Ali, an Afghani asylum seeker, dies a day after being attacked by a group of men in Southampton

19 JAN Three Iraqi asylum seekers attacked by gang of 12 white men in Plymouth city centre

24 JAN Neil Acount and David Norris electronically tagged and released from jail early after serving eight months of eighteen month sentence for racially attacking an off-duty police officer

27 JAN 36-year-old Somali man beaten unconscious and suffers broken ribs after racist gang attack by three white men in Northampton ■ Report by Valleys Race Equality Council reveals that 55 per cent of those interviewed had suffered racial harassment in south Wales

29 JAN 21-year-old Simon Bell sentenced to a two year community rehabilitation order with a condition that he attend an 'enhanced thinking skills' programme after admitting racial harassment of an asylum seeker in Tiverton, Exeter; he is acquitted on one charge of causing an explosion and four of making explosive substances

31 JAN 37-year-old Laurence Brogan, a Birmingham City supporter, sentenced to 180 hours community service and banned for three years from football matches after racially abusing an Asian police officer while

on his way to a match ■ Robert Robertson jailed for six and a half years for two-month campaign of racial harassment against Asam Voong and Ermei Tang, Chinese restaurant owners in Dunfermline

2 FEB 20-year-old Joseph Williams charged with racially aggravated criminal damage, damaging property, and drunken driving, after a fire at Coniston hotel which the Home Office wants to use an induction centre for asylum seekers

4 FEB Three men found guilty of racially aggravated assault on 22-year-old Jose Romao in Yarmouth in October 2002; the attack was recorded on CCTV

9 FEB Three young black men racially attacked by gang of 15 white men outside a Barnsley nightclub

ASYLUM & IMMIGRATION

17 DEC Dispersal of asylum seekers to an area in Huddersfield suspended after police request, they refuse to reveal which area or the reasons for the request; Immigration minister, Lord Filkin reveals that dispersals to parts of Manchester, Blackburn and Burnley have also been suspended

8 JAN Sections 54 and 55 of the Nationality Immigration and Asylum act come into force, depriving late asylum claimants of asylum support and removing rights of failed asylum seekers, overstayers and others to community care assistance

29 JAN Naval buildings on island of Portland, Dorset set alight hours after public meeting on the planned conversion of the buildings into an asylum centre

31 JAN Ukrainian asylum seeker, 42-year-old Mikhail Bogdanov, found hanged at Haslar Removal Centre, the day he was due to be deported ■ Home Office panel recommends citizenship tests for immigrants to UK

6 FEB Results from a Home Office pilot scheme in Kent shows that of 5000 asylum seekers tested for TB at an induction centre none were found to have the illness, while many had gunshot wounds or scars from whipping and beating

12 FEB Tony Blair promises a 'firm commitment' to halve the number of asylum seekers coming to the UK ■ The Times reveals government plans to introduce compulsory HIV and TB screening for all entrants to the UK

19 FEB High Court rules that section 55 of Nationality, Immigration and Asylum Act breaches the human rights of asylum seekers

3 MAR Inquest begins into the death of Ghanaian Joseph Crensil who died after a raid by police and immigration officials in November 2001

CRIMINAL JUSTICE

14 JAN Equal Opportunities Committee of Scottish parliament backs family of Surjit Chhokar in call for a public inquiry into his murder in 1998 and its subsequent investigations and prosecutions; the Justice Minister, Jim Wallace, and the Lord Advocate, Colin Boyd, refused a request for one in December

30 JAN Appeal court reduces sentences of four men convicted after Bradford riots but upholds the sentences of eleven others, in landmark appeal hearing into the sentences

31 JAN Black man Sylbert Farquharson awarded £243,488 compensation for assault, false imprisonment and malicious prosecution after arrest by Brixton police officers in 1995

3 FEB Family of Jason McGowan walk out of inquest into his death, protesting at the 'unfair proceedings'

18 FEB Four police officers deny charges of actual bodily harm after an alleged attack on 41-year-old cousin of Stephen Lawrence, Clarence Lawrence in Birmingham

27 FEB Inquest jury records an open verdict into the death of Jason McGowan who was found hanged in suspicious circumstances on New Year's Day 2000; six months after his uncle was found in similar circumstances

FASCISM

23 JAN Adrian Marsden elected with 28-vote majority to Mixenden ward in council by-election in Halifax, west Yorkshire; the BNP's fifth council seat since last year

28 JAN Adrian Marsden, BNP councillor, beaten up outside his home by unknown assailants, he suffers a black eye and broken ribs

4 FEB Anthony James White pleads guilty to stirring up racial hatred after giving out C18 and NF stickers to children on a bus in Leeds

10 FEB BNP criticised for leafleting the Chaucer school, Sheffield and offering prizes to children entering a competition to design a poster showing that whites are the victims of racism too

RESISTANCE

15 FEB Between one and two million people march in London to protest against the impending war on Iraq

25 FEB Six people appear in court on charges of highway obstruction in connection with anti-war sit-down in Piccadilly Circus on 15/2; four plead guilty and receive conditional discharges and two others face a trial after not guilty pleas

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