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U.S. Department of State

United Kingdom Report on Human Rights Practices for 1996

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United Kingdom

The United Kingdom of Great Britain and Northern Ireland (UK) is a longstanding, constitutional monarchy with a democratic, parliamentary government. A lower legislative chamber (the House of Commons), the center of parliamentary power, is elected in periodic multiparty elections. An upper chamber (the House of Lords), with the power to revise and delay implementation of laws, is made up of hereditary and life peers and senior clergy of the established Church of England. There is an independent judiciary, but Parliament may overrule its decisions.

Throughout the United Kingdom, police forces are responsive to, and under the effective control of, civilian officials. The Security Service Act of 1996, giving the intelligence agency MI-5 jurisdiction to act in support of other law enforcement agencies in the prevention and detection of serious domestic crime, received royal assent in July. In some areas of Northern Ireland, because of continued terrorist violence, army units operated to reinforce the Royal Ulster Constabulary (RUC). Although the security forces generally respect human rights and the rule of law, some members of the police have committed human rights abuses.

The United Kingdom has a highly developed and diversified market-based economy that provides most residents with a high standard of living. Certain geographic areas, particularly older industrial areas including Northern Ireland, suffer from higher than average unemployment. In addition, unemployment tends to be higher among some demographic groups, such as youth and racial minorities. The Government provides comprehensive social welfare services, including a national health system, housing and family benefits, and heavily subsidized higher education.

The Government respected the human rights of its citizens, but there were problems in some areas. Police occasionally abused detainees. The controversial reversal by the RUC chief constable of his earlier decision allowed Protestant "Orangemen" to parade through a predominately Catholic nationalist area of Portadown on July 11, leading to serious and widespread public disturbances throughout Northern Ireland. Although the chief constable justified his decision as necessary to prevent loss of life, Irish nationalists argue that the RUC reacted more aggressively and vigorously to quell nationalist disturbances than toward loyalist lawbreakers.

In January the Government announced that it was setting up an independent inquiry into, and inviting public comment on, the future need for counterterrorism legislation in Northern Ireland. Such counterterrorism legislation was renewed and

strengthened by Parliament following the resumption of Irish Republican Army (IRA) terrorist violence in February. At year's end there was an upsurge in terrorist violence in Northern Ireland.

The Government is taking steps to combat violence against women and societal discrimination against nonwhite minorities.

Police believe paramilitary groups in Northern Ireland were responsible for nine killings as of September. Both Republican and Loyalist paramilitary groups continued to engage in vigilante "punishment" attacks on alleged "antisocial elements" and to exile "informers" by force. There have also been instances of arson against (Protestant) Orange halls and Catholic churches.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

There were no reports of political killings by the Government, but several deaths of persons during civil unrest, in the course of apprehension, or while in custody raised questions about whether police and prison officers had used improper restraining techniques or excessive force against minority group members and criminal suspects. The Home Office banned the use of one restraining technique that was alleged to have been the cause of a prisoner fatality.

David Ewen, pursued by police after stealing an automobile in February, was cornered by police vehicles and verbally warned. When he did not get out of the car, a police officer opened fire on the side of the stolen vehicle, killing Ewen. The policeman was charged with murder, and his trial continued at year's end. A jury returned a verdict in December of unlawful killing in the case of Oluwashijibomi Lapite, who died in police custody in December 1994 after being placed in a suffocating choke hold. The cause of death was listed as asphyxiation. Following this incident, the police issued new guidelines banning the use of the choke hold. The independent Police Complaints Authority decided that no disciplinary action would be taken against any officer involved. In December an inquest jury returned a verdict of accidental death in the case of Wayne Douglas, a suspected burglar who died in police custody in 1995. Douglas' family will appeal the verdict to the High Court. A jury returned a verdict in November of

"misadventure to which neglect contributed" in the case of Leon Patterson, who died in police custody in 1992 after being left naked and handcuffed on a jail cell floor. No police officers or jail personnel were punished in this case. In August an inquest reached a verdict of accidental death in the case of

Brian Douglas, an Afro-Caribbean man who in 1995 died from hemorrhages and a fractured skull 5 days after his arrest. Earlier in the year the Crown Prosecution Service (CPS) said that it would not prosecute the officers involved due to "insufficient evidence."

A police tribunal dismissed a case of neglect of duty against a senior police officer who supervised the police squad involved in the death of illegal immigrant Joy Gardner. This brought an end to all disciplinary proceedings in the case of Gardner, who died of brain damage in 1993 after police officers gagged her with adhesive tape when she resisted arrest. The Home Office no longer permits mouth restraints to be used in the removal of people under Immigration Act powers.

During July disturbances in Londonderry, Northern Ireland, an armored personnel carrier ran over Dermot McShane, a convicted Republican terrorist who had taken refuge behind a board fence during street fighting. The army claimed that the death was accidental, and the RUC appointed a senior detective to investigate. A police inquiry is under way into the death of Dairmud O'Neil, who was killed in September when police stormed a London residence where IRA bomb-making and other terrorist-related materials were found. A decision is pending by the CPS about whether to bring charges in the case of Richard O'Brien, an Irishman whom a Coroners Court found had been unlawfully killed by police in 1994. The CPS had earlier decided there was insufficient evidence to prosecute, but the family's attorney petitioned the CPS to institute criminal proceedings against the officers involved. Human rights monitors complained about delays in the criminal process.

Killings by Republican and Loyalist groups continued. In January a group calling itself "Direct Action Against Drugs" (DAAD), but believed to have strong links to the IRA, killed one person. In September the group claimed responsibility for the shooting death of a 31-year-old man. As of September, while there were numerous arrests, no persons had been charged in the cases of the DAAD murders of 1995 or 1996.

The January killing of reputed Irish National Liberation Army (INLA) chief of staff Gino Gallagher sparked a feud between two INLA factions, which through September resulted in six other deaths, including that of a 9-year-old girl.

Two innocent bystanders were killed and several hundred persons injured by the IRA when it detonated a massive bomb in the Docklands area of London in February, ending the cease-fire it had declared in August 1994 (see Section 1.c.). James Bradwell, a British Army warrant officer, died on October 11 from injuries sustained in an October 7 IRA double-bomb attack on a barracks and, minutes later, on a hospital at the British Army headquarters in Northern Ireland. Bradwell was caught in both explosions, caused by around 500 pounds of homemade explosives.

In July Michael McGoldrick, a Catholic taxi driver, was found murdered in his car in County Armagh, Northern Ireland. No one claimed responsibility for his murder, but it had the hallmarks of a Loyalist assassination and probably was perpetrated by a renegade faction of the Ulster Volunteer Force (UVF). In December a policeman was wounded during an IRA attack at a children's hospital; the subsequent wounding of a Republican in a car bombing thought to be perpetrated by a Loyalist group prompted fears of a resurgence of sectarian violence in the province.

The 1989 killing of Patrick Finucane, counsel to many IRA suspects, remains an open case. Although it was alleged that Brian Nelson, a former Loyalist paramilitary and agent for British military intelligence, assisted in targeting Finucane, the Northern Ireland DPP determined that the evidence was insufficient and decided not to bring charges against him. In February Nelson was freed from prison.

Coroners do not have the power to compel people who are suspected of involvement in extrajudicial killing to give evidence at inquests, and the relatives of those who have died do not receive advance disclosure of information, statements, and other evidence. In the June inquest into the death of Patrick Shanaghan, murdered by Loyalist paramilitary groups in 1991, the coroner agreed to applications by the Shanaghan family's lawyer to admit evidence that police officers threatened Shanaghan's life while he was under arrest and said that they would leak his name to a paramilitary group. The chief constable rebuked the coroner for straying outside his authority and refused to uphold the ruling.

b. Disappearance

There were no reports of disappearances attributed to the Government. At least 14 terrorist-perpetrated disappearances, dating back to 1972, remain outstanding without any significant investigative progress by the authorities. A seven-person RUC team works full time to solve the cases, but the victims, typically members of the security forces, suspected informers, or petty criminals have not been found.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law forbids torture and other cruel, inhuman, or degrading treatment. Confessions thus obtained are not admissible in court, and judges can exclude even voluntary confessions. Detainees who claim physical mistreatment have the right to an immediate medical examination. Such a claim must be examined by a trial judge. There were no reports that government officials used torture.

Several incidents of police brutality toward criminal suspects occurred, including toward ethnic minorities. In February Amer Rafiq, who is of Pakistani origin, lost an eye due to injuries sustained in a police van following his arrest in Manchester for alleged public disorder offenses. The London Metropolitan Police have had to pay damages in several instances. In March a Hong Kong native, who was thrown in the back of a police van, punched, kicked, and insulted by three constables, was awarded \$374,000 (220,000 Pounds) in damages against the London Metropolitan Police by a jury. Scotland Yard refused to discipline the officers involved and appealed the verdict.

Corporal punishment is still on the statute books in several British Caribbean dependent territories. It is rarely used in practice, but in May a British Virgin Islands youth was subjected to flogging after failing to pay a \$1,000 fine for illegal cultivation of marijuana.

The Independent Commission for Police Complaints (ICPC), established by the Government, supervises police investigations in Northern Ireland. Authorized to review all complaints, it automatically supervises cases involving death or serious injury. It accepts information provided by a complainant and by any other sources, as well as that discovered by the police. The ICPC can direct the chief constable to bring charges against police officers. The ICPC reported that in 1995 it had received 2,328 complaints of official abuse and that its investigations had led to informal disciplinary action in 99 cases, formal disciplinary charges in 22, and the lodging of criminal charges in 14 more. Local human rights groups complain that the ICPC's powers are inadequate because it cannot act autonomously; it can only review cases in which a state actor or a citizen has filed a complaint.

In 1993 the Northern Ireland Secretary named an independent assessor of military complaints to deal with procedures regarding complaints of abuses by the army; he, too, has no independent investigative powers. His third report, released in May, noted that the army had largely implemented the recommendations of the two earlier reports. There were only 19 complaints in 1995, down from 217 in 1994, as the cease-fires took hold. The assessor criticized delays in processing (nine cases took more than 8 weeks to resolve) and suggested that letters denying army culpability should, where reasonable,

give the complainants the benefit of the doubt in order to improve community relations.

The United Nations Committee Against Torture and many human rights groups have raised concerns about mistreatment of detainees in Northern Ireland, where suspects arrested under emergency legislation are interrogated in special holding centers.

In 1992 the Government appointed a senior barrister as Independent Commissioner for Holding Centers in Northern Ireland, with authority to make irregular, unannounced visits to any holding center, observe interrogations, and interview detainees. In January he and his deputy noted that 11 complaints of physical assault during detention (in a detainee population of 449) were received in 1995. Their report welcomed the Government's decision in January (not yet implemented as of October) to introduce a system for silent video recording of interrogations of suspects (at which legal representatives are not allowed) but called for introduction of audio recording as well.

There have long been accusations that security forces in Northern Ireland harass citizens, particularly young people, in areas where support for terrorists is considered strong. The Government strongly denies that such behavior is widespread or officially tolerated.

Police continue to use plastic bullets in crowd control situations, a practice restricted to Northern Ireland. The number of plastic rounds fired this year surpasses all but one prior year. This practice has been widely criticized by human rights monitors and the U.N. Committee Against Torture. The European Parliament has called for a ban on their use. According to RUC rules, plastic bullets should be aimed at the lower half of the body; numerous head and upper body injuries nevertheless have resulted from their use.

Prison conditions meet minimum international standards, and the Government permits visits by human rights monitors. A 1995 security crackdown has resulted in harsher prison regimes, particularly for those inmates categorized as "high risk."

In January the Home Secretary announced that female prisoners admitted to the hospital to give birth would no longer have handcuffs or any other physical restraints applied to them at any time during their hospital stays; nor would restraints now be applied during prenatal checkups unless there was a particularly high risk of escape.

IRA bombings targeting buildings and economic activities in England have resulted in civilian casualties. Two bombs in February in London injured a total of 108 persons, 2 fatally; another in June in Manchester injured more than 200. In September a police raid resulted in the seizure of 10,000 pounds of explosive material, ammunition, firearms, and vehicle booby traps from several caches in London. Police officials said that the evidence pointed to a planned large-scale terrorist attack. Republican terrorists are also believed to be responsible for a double explosion within Thiepval Barracks, Lisburn (British Army headquarters in Northern Ireland) on October 7. One soldier died later of injuries, and 31 people, including an 8-year-old girl, were injured.

Joseph Kelly, Brian McHugh, James Murphy, and Michael Phillips were arrested in London on September 23 following discovery of bomb-making and other terrorist materials at a London residence. The four were charged with conspiracy to cause explosions under the Prevention of Terrorism Act. They are being held at Belmarsh Prison awaiting trial.

Both Loyalist and Republican terrorists in Northern Ireland have carried out increasingly frequent "punishment" attacks, typically involving beatings with iron pipes and spiked clubs. The RUC recorded

79 Loyalist and 175 Republican assaults of this nature in 1996. Young men ages 14 years and over were the most frequent victims. In 1995 there were 141 Republican assaults and 79 by Loyalists. The Loyalists often, but not exclusively, target members of their terrorist cells who have broken ranks, while the Republicans more frequently extend their vigilante activities to the broader Catholic community, punishing "antisocial" activities (such as drug-trafficking and car theft).

d. Arbitrary Arrest, Detention, or Exile

British authorities can and often do make arrests or detain suspects without judicial warrants--especially in Northern Ireland, under laws applicable only there--when they believe that they have reasonable cause to suspect wrongdoing.

The Criminal Justice and Public Order Act of 1994 allows police officers to stop and search vehicles and pedestrians "where it appears expedient to do so in order to prevent acts of terrorism." The rules under the 1991 Northern Ireland Emergency Provisions Act permit an on-duty soldier or security officer to arrest and detain for up to 4 hours "a person who he has reasonable grounds to suspect is committing or has committed or is about to commit any offense." The Prevention of Terrorism Act (PTA) is the most reviewed piece of legislation in the United Kingdom. It expires every 2 years and, due to the changing security situation, is amended or altered to account for those changes.

Outside Northern Ireland, suspects arrested without warrants must be released within 24 hours (or 36 hours if a serious arrestable offense is involved) unless brought before a magistrate's court. The court may authorize extension of detention by 36 hours and on further application by another 24 hours. Defendants awaiting trial have a statutory right to be granted bail unless there is a risk that they would abscond, commit an offense, interfere with witnesses, or otherwise obstruct the course of justice, or unless they were on bail when the alleged offense was committed. The minority (about 3 percent) of defendants who are remanded in custody are protected by statutory custody time limits, which restrict the period for which they can be held while awaiting trial to a maximum of 182 days unless the court grants an extension. In 1995 (latest figures) the average period for which defendants awaiting Crown court trial were held in custody was 139 days.

The Prevention of Terrorism (Temporary Provisions) Act allows the police to arrest without a warrant anywhere in the UK persons they have reason to suspect of being involved in terrorism. The authorities may detain such persons (even those under the age of 18) up to 48 hours without legal representation or judicial review. Suspects may be interrogated during this time, and confessions obtained may be used in subsequent court proceedings. Under the 1989 PTA in England or Wales, detainees are granted the right to have lawyers present during interrogation, but this is not the case in Northern Ireland. Detention without charge may be extended up to a further 5 days on the authority of the Home Secretary or, in Northern Ireland, the Secretary of State for Northern Ireland. Extensive PTA detention powers were held in breach of a ruling by the European Court of Human Rights (ECHR) and have occasioned a derogation by the Government. For example, in February the ECHR ruled that the Home Secretary's power to decide whether or not to release young murderers violated article 5 of the European convention on human rights. The ruling calls for the Government to set up an independent judicial body to review the detention of juveniles who have committed murder.

Immigration legislation gives the power of administrative detention to immigration officers. There is no time limit for such detention and no right to have it reviewed by a court. In 1995 police detained a Punjab native with permanent residency in the UK, Raghbir Singh Johal, citing national security after the murder in London of a Punjabi newspaper editor. The Home Office has not permitted Singh to see any of the evidence on which it based its decision, has not told him what the allegations are against him, and will not afford him legal representation.

Refugee advocates complained about detention of about 750 asylum seekers, who are held in regular prisons and occasionally police cells, as well as in specially built detention centers. Unlike those accused of criminal offenses, the asylum seekers are given no written statement as to why they are detained, and their right to apply for bail is not automatic and requires a high level of surety. The Home Office states that detention is authorized only where there are good grounds to believe that a person will not comply with the terms of temporary admission and that the practice does not affect more than 1.5 percent of asylum seekers at any given time.

The Government does not practice exile (see Section 2.d. regarding exclusion orders), but terrorist organizations do. An organization that works with individuals and families under threat in Northern Ireland reported that up to the end of August it was aware of 238 cases of people who had been warned to leave the province, 63 of whom had actually done so. This compared with 215 cases for all of 1995.

e. Denial of Fair Public Trial

The judiciary is independent and provides citizens with a generally fair and efficient judicial process.

The UK has several levels of courts. The vast majority of criminal cases are heard by magistrates' courts, which are managed by locally based committees. Their decisions may be appealed to the Crown Court, which also hears criminal cases requiring a jury trial, or to the High Court. From the Crown Court, convictions may be appealed to the Court of Appeal, which in turn may refer cases involving points of law to the House of Lords. The Appellate Committee of the House of Lords (which consists of senior judges and is functionally distinct from the legislative arm) is the final court of appeal. Once all of these appeals have been exhausted, defendants in England and Wales may appeal to the Home Secretary to refer a case back to the courts if fresh evidence has emerged that casts doubt on the conviction. (Appeals may be made to the Northern Ireland Office and the Scottish Office in those jurisdictions.)

The law provides for fair trial, and the authorities respect this. In August the Home Office appointed the head of a new Criminal Case Review Commission to direct and supervise investigations into possible miscarriages of justice. The Commission, called for by the 1995 Criminal Appeal Act, is supposed to refer cases in which routine appeals have been exhausted for further appeal on factual, legal, and sentencing grounds. Members of Parliament objected when it turned out that the appointee belonged to the Freemasons, a secretive fraternal organization that includes in its membership many police officers. By year's end the Commission was not yet operational. Thus, cases involving possible miscarriages of justice must be referred to the Home Office for review.

Under the Criminal Justice and Public Order Act of 1994, judges have the power to instruct juries that they may draw an inference of guilt from a defendant's refusal to answer questions during interrogation or trial, although no conviction can be based solely on such an inference. Human rights groups and the U.N. Human Rights Commission have sharply criticized this change in the law. A similar provision is in effect in Northern Ireland.

Indigent defendants have the right to free counsel of their choice, with some exceptions. In June the European Court of Human Rights faulted the Government for not extending the duty solicitor scheme to poll and council tax defaulters, some 900 of whom are jailed annually.

All criminal proceedings must be held in public except those in juvenile court and those involving public decency or security. In a trial under the Official Secrets Act, the judge may order the court closed, but the sentencing must be public. Convictions can be appealed to successively higher courts.

In Northern Ireland, special "emergency" restrictions affect due process. Under the Northern Ireland Emergency Provisions Act of 1991 (EPA), the Government can suspend the right to trial by jury for certain terrorist-related offenses. Such offenses are tried instead by a "Diplock Court" consisting of a judge presiding without a jury. If the decision is to convict, the judge must justify it in a document that becomes part of the court record, and an appellate court may overturn it on substantive as well as legal grounds. The Diplock Courts have been widely criticized. The EPA also permits the use of uncorroborated confessions, but they cannot be the sole basis for conviction.

The 1988 Criminal Evidence Order allows judges to draw an adverse inference when a suspect refuses to answer questions. In February the ECHR found in *John Murray v. United Kingdom* that the denial in Northern Ireland of access to counsel for the first 48 hours in a situation where the right of the defense might thus be irretrievably prejudiced was, whatever the justification, incompatible with article 6 of the European convention on human rights.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Warrants are normally required for a police search of private premises. However, under the 1991 EPA, on-duty members of the armed forces or policemen in Northern Ireland may enter and search "any premises for the purpose of arresting a person for an arrestable offense, but only if he or she has reasonable grounds for believing that the person being sought is on the premises."

Primarily due to fear of intercommunal violence, many Protestant and Catholic families in Northern Ireland moved away from mixed or border neighborhoods.

In Northern Ireland, paramilitary groups have attacked and threatened to attack the homes and families of police and politicians.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Strongly held common-law tradition, an independent press, and a democratic political system combine to secure freedom of speech and the press, including academic freedom. Viewpoints critical of the Government are well represented. The print media are dominated by a handful of national daily newspapers, all privately owned and independent (although often generally aligned with a political party). About half the electronic media are run by the British Broadcasting Corporation (BBC), which is funded by the Government but enjoys complete editorial independence. The remainder are run by corporations under renewable government license.

Human rights organizations and journalists criticized the 1981 Contempt of Court Act, which allows courts to order a journalist to disclose a source if this is deemed to be "in the interests of justice." In March the ECHR found that the Government had violated the right to free expression when it held journalist William Goodwin and his publishers in contempt of court for refusing to disclose the identity of a source who had given Goodwin confidential corporate information that, if published, might have caused financial harm to a company.

The doctrine of Public Interest Immunity (PII) allows government ministers to prevent certain information from being disclosed during litigation, on the grounds that its revelation would be contrary

to the public interest. For those charged with disclosing official information, the 1990 Official Secrets Act denies any defense that the information is already in the public domain or that its publication is in the public interest.

b. Freedom of Peaceful Assembly and Association

The law provides for the right of peaceful assembly, but the right is routinely limited where it would impose a cost on public convenience. The annual "Marching season" in Northern Ireland, a period of several weeks in the summer during which the 100,000 members of the Orange Order and similar Protestant organizations stage traditional parades to celebrate their history and cultural identity, posed special problems to the Government as it tried to respect this right in practice. Similar organizations in the nationalist community also march during the summer, although the smaller scale of those parades has presented law enforcement authorities with fewer difficulties.

After initially prohibiting it, police permitted Orangemen to march along Garvaghy road in Portadown in July, despite local nationalist residents' objections. The RUC chief constable said that he reversed his decision because the potential for loss of life was very high as the likelihood increased, during a 5-day standoff, that more than 50,000 Orangemen would try to breach police lines. Many observers on both sides of the community perceived the Government's reversal in the face of unlawful Unionist protests as a victory of might over the rule of law, and the incident damaged the RUC's reputation as an impartial police force.

In July the Secretary of State for Northern Ireland appointed an independent commission headed by the Vice Chancellor of Oxford University to examine the parades issue and make recommendations for the future. The Government also announced that a review of the RUC's handling of public order situations would be undertaken by the Inspector of Constabulary, an independent inspectorate covering every police force in the United Kingdom, including the use of plastic bullets and would include the issue of police protection in the face of determined assaults.

Under the PTA, the Secretary of State for Northern Ireland may proscribe any organization that "appears to him to be concerned in, or in promoting or encouraging terrorism occurring in the United Kingdom and connected with the affairs of Northern Ireland." Membership in proscribed Loyalist and Republican paramilitary groups is punishable by up to 10 years' imprisonment. Supporting these paramilitary groups is also illegal and an imprisonable offense, as is wearing clothing that arouses "reasonable suspicion" that the wearer belongs to or supports proscribed organizations. Human rights monitors, while acknowledging the deterrent effects of proscription powers, argue for the repeal of this law because it violates the fundamental right of freedom of association and the individual's right to hold opinions and beliefs.

c. Freedom of Religion

Government policy and general practice ensure freedom of religion. There are two legally recognized official churches of the state: the (Anglican) Church of England and the (Presbyterian) Church of Scotland. Wales has not had an established church since 1920. Freedom of worship has been legally guaranteed to members of all faiths and denominations since the mid-19th century. Blasphemy of the Christian religion is outlawed. The blasphemy law, however, is rarely enforced. In Northern Ireland, the Constitution Act of 1973 prohibits public authorities from discriminating on the basis of religious or political belief.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Citizens enjoy freedom of movement within the country and in foreign travel, emigration, and repatriation. However, the Home Secretary may exclude from Great Britain anyone believed linked with terrorism in Northern Ireland, except anyone born in Great Britain or resident there for 3 years; and the Secretary of State for Northern Ireland can likewise exclude persons not native to or resident in that province. Currently 31 persons (down from 36 in 1995) are subject to exclusion orders. Several Members of Parliament, human rights groups, and the media have objected to exclusion orders. The Secretary of State need not reveal the grounds for exclusion, and the evidence is not tested in any court. There is no right of appeal to the courts, but appeal may be made informally to an independent advisor.

The Government cooperates with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. First asylum is provided under a temporary protection program started in 1992. All evacuees are screened by the UNHCR. Approximately 3,700 people have been accepted under the program, which allows them 6 months' "leave to enter the country" on arrival. They can then apply for an automatic 3 1/2-year extension of their stay and may apply for refugee status at any time. Such applications are considered in accordance with the criteria in the 1951 U.N. refugee convention. If recognized as refugees, they may remain indefinitely.

New measures beginning in February denied social welfare benefits to refugees who had not sought asylum as soon as they entered the country. The measures are intended to discourage false asylum claims. According to government reports, new asylum applications fell dramatically. After an Appeals Court ruled in July that the Government's plan to withdraw all benefits was illegal, the number of asylum applications nearly doubled, from 920 received in June, to 1,700 received in July. Immigration officials claim that this is proof that many claiming to be political refugees are actually economic migrants.

Saudi dissident Mohammed al-Masari entered the UK illegally and applied for asylum. His initial request was denied, due to the circumstances of his entry, but the courts prohibited immigration officials from deporting him to his home country because his safety there could not be guaranteed. The Government then considered sending Al-Masari to a third country, Dominica, but he was able to demonstrate that his safety could not be assured there either. Finally, Al-Masar