

EXECUTIVE SUMMARY

Control orders allow the British government to impose a series of restrictions on individuals to prevent or limit their involvement in suspected terrorist activities.

Those placed under control order have included:

- Faraj Hassan al-Saadi, convicted in Italy for membership of a terrorist group and described as the 'European envoy' of Musab al-Zarqawi, the former head of al-Qaeda in Iraq
- Mahmoud Abu Rideh, referred to in correspondence between senior al-Qaeda lieutenant Ayman al-Zawahiri and al-Zarqawi, a suspected fundraiser for the now proscribed Armed Islamic Group (GIA), and closely linked to al-Qaeda
- Abu Qatada, the al-Qaeda ideologue convicted *in absentia* in Jordan of terrorist offences
- Two Brits closely linked to the transatlantic airline 'liquid bomb' plot
- Six Iraqis suspected of a plot to detonate car bombs in London and of recruiting volunteers for jihad in Iraq. Two have subsequently escaped their control order
- A British Muslim who was partially radicalised by another British Muslim under a control order and then escaped his control order to fly to Pakistan in order, it is believed, to engage in jihad
- A suspected member of the Tunisian Fighting Group, convicted *in absentia* in Tunisia of terrorist offences
- A senior member of the Libyan Islamic Fighting Group (LIFG), a proscribed terrorist group, convicted *in absentia* in Morocco of terrorist offences relating to the May 2003 bombings in Casablanca
- Three members of the LIFG convicted in the UK of terrorism offences. One of these individuals had also fought jihad in Afghanistan and transferred money to a suicide bomber in Iraq
- An Ethiopian suspected of undertaking terrorist training in Somalia, who was also associated with the 21/7 suicide bomb plotters
- Zeeshan Siddiqui, who attended a terrorist training camp in Pakistan with members of the 7/7 and 'fertiliser bomb' cell and escaped his control order by jumping out the window of a psychiatric unit

The government places control orders on individuals who cannot legally be deported, often as they face potential torture in their homeland. This is in contravention of Article 3 of the European Convention on Human Rights (ECHR). Control orders are also often issued against those who cannot be prosecuted because the evidence against them was gained

CONTROL ORDERS

from secret intelligence and cannot be used in a criminal court. Restrictions contained in control orders include home curfew; electronic tagging; and banning travel abroad, the use of mobile phones, and the internet.

The legislation was introduced in March 2005. As of December 2009, there had been 45 individuals subject to control orders, and only 12 were still in force. At least 58% (n=26) of those under a control order are known to have entered the UK seeking asylum. At least 20% were known to be British citizens (n=9), and 16% (n=7) of those given control orders have absconded. This report studies those placed under control order between 2005-2009.

The control order system is flawed, with legal disputes and changes in legislation being compounded by the fact that the system's effectiveness has been limited and that the controls issued are often seen as an affront to basic human rights. However, at a time of a heightened terrorist threat, they are a useful national security tool. An overstretched Security Service is dealing with a large number of UK-based al-Qaeda sympathisers. Rather than weakening the current national security structure, politicians should be strengthening the state's ability to reduce the terrorist threat. Yet both the Conservative Party and the Liberal Democrats have called for the potential abolition of control orders, which would have the opposite effect.

Control orders perform an important function imperfectly. The new government should seriously consider retaining the system while robustly addressing its deficiencies.