

Home Office

FOI release

War Criminals

22693 We have received a request under the Freedom of Information Act 2000 for the following: 1) How many individuals suspected of war crimes...

31 May 2012

Details

22693

We have received a request under the Freedom of Information Act 2000 for the following:

- 1) How many individuals suspected of war crimes who are in the UK are currently in the files of the Exceptional Cases Unit?
- 2) What monitoring procedures are in place for this group of individuals?
- 3) Have any individuals been prosecuted for their crimes or related offences?
- 4) Have any individuals been forcibly removed from the UK?
- 5) Are any live investigations underway which the government hopes will lead to prosecution?

We released the following information on 31 May 2012.

1. The department responsible for war crimes screening within the UKBA is known as the Special Cases Directorate (SCD). The Directorate has a broad range of responsibilities and so not all cases currently being researched by SCD will reach the threshold of 'suspected war criminals'. Cases are referred to SCD when there are indicators that someone may be associated with war crimes. Following this, in-depth research, analysis, interviews etc. need to be carried out before SCD can deduce, as per the requisite test and standard of proof, whether someone has been involved in international crimes (war crimes or crimes against humanity). To give you some idea of how many people are eventually found to be war criminals by SCD, between July 2010 and December 2011, adverse recommendations for immigration action were made in 207 cases.
2. Regarding monitoring procedures, since September 2011 it has been possible to apply restricted leave to individuals who have been excluded from the protection of the Refugee Convention because there are serious reasons for considering they have committed an international crime. This policy applies to those who cannot be removed because there is a real risk they will be tortured or killed if returned to their country of origin. It enables the UKBA to apply certain restrictions to the individual around employment, residence, movement and educational opportunities. This can require the applicant to report to an immigration officer or police station on a regular basis.
3. Based on the cases currently being processed within SCD, none of the individuals have been prosecuted for their crimes or related offences in the UK.
 1. Between 1 August 2005 and 31 December 2011, 40 suspected war criminals were removed from the UK.
 2. Live investigations which may lead to prosecution is a matter for the Metropolitan Police and Crown Prosecution Service. However between June 2010 and December 2011 805 people were researched by UKBA because of their suspected involvement in war crimes or crimes against humanity. During this period adverse immigration action was recommended in 207 cases because of suspected involvement in war crimes or crimes against humanity.

Within the 207 cases for which adverse immigration action was recommended, there were:

- 78 applications for nationality
- 103 applications for asylum
- 17 applications for leave to remain
- 7 applications for leave to enter
- 2 individuals banned from the UK as a result of Home Secretary exclusion orders

Within the 78 nationality applications - naturalisation cases:

- 66 people were refused citizenship
- 10 are pending a decision
- 2 were granted citizenship

Within the 103 Asylum application cases, there were:

- 25 awaiting final decision by the Region responsible
- 13 granted restricted or discretionary leave
- 14 granted asylum, of which 11 were granted at appeal
- 2 excluded and appeal allowed (ECHR only)
- 14 Appeal ongoing
- 31 excluded and enforcement action ongoing
- 3 excluded and removed
- 1 deceased

Within the 17 Leave to Remain application cases, there were:

- 4 awaiting final decision
- 3 granted restricted or discretionary leave
- 2 granted ILR
- 2 refused and appeal allowed
- 4 appeal ongoing
- 2 refused and enforcement action ongoing

Within the 7 Leave to enter application cases:

- 7 were refused entry

Of the 2 Home Sec exclusion application cases:

- 2 were excluded