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EMINENT JURISTS PANEL on Terrorism, Counter-Terrorism and Human Rights

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EMINENT JURISTS BEGIN HEARINGS ON COUNTER-TERRORISM LAWS, PRACTICES AND POLICIES IN THE MAGHREB

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The Eminent Jurists Panel on Terrorism, Counter-terrorism and Human Rights began its sub-regional hearings on terrorism and human rights in the Maghreb today. The hearing in Morocco follows hearings in other parts of the world, including Colombia, Australia, Kenya and the United Kingdom. Other visits are foreseen to the United States, Canada, South East Asia, the Middle East, South Asia and the Russian Federation.

The public hearings in Rabat, hosted by the Organisation Marocaine des Droits Humains, an affiliated organisation of the ICJ, is part of an independent inquiry by eight eminent jurists appointed by the ICJ to examine the global impact of the fight against terrorism on human rights and the rule of law.

Two members of the Panel, Professor Stefan Trechsel and Professor Georges Abi-Saab, will study the experiences in Algeria, Morocco and Tunisia with terrorism, counter-terrorism laws and policies, and their impact on human rights and the rule of law. Like other countries in the world, these three states have witnessed terrorist acts. Two of them have experienced terrorist attacks against civilians targets, while Algeria has gone through a ten-year long internal conflict characterized by numerous and often horrific forms of physical violence and terror. These countries have responded to these varied situations with special laws and policies that often constitute challenges to human rights.

“We want to learn directly from key actors here in Morocco but also from representatives from Algeria and Tunisia about their experiences with terrorism and counter-terrorism measures and their impact on human rights,” said Professor George Abi-Saab, one of the world’s leading international lawyer and former judge at the United Nations Tribunal for the former Yugoslavia and member of the Eminent Jurists Panel.

For the next two days the eminent jurists will listen to submissions from civil society, lawyers, academics and governmental officials. The eminent jurists will also meet with senior governmental officials of Morocco in the course of their visit.

“No one will doubt that States have a duty to protect people from terrorist acts and we need to understand the context of terrorism and counter-terrorism and the justifications for laws and policies to fight terrorism”, said Professor Stefan Trechsel, judge at the International Criminal Tribunal for the former Yugoslavia,

The ICJ is an international non-governmental organisation comprising sixty of the world’s most eminent jurists and has a worldwide network of national sections and affiliated organisations

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former president of the European Commission on Human Rights and member of the Panel. "At the same time any measure by any authority to suppress terrorism must be proportionate to the exigencies of the situation and respect in law and practice the rights of people under international human rights and humanitarian law," he noted.

Background

The Panel is a high-level body of eminent jurists that exercises its mandate independently, with the logistical support of the ICJ Secretariat and its network of organizations. Arthur Chaskalson, former President of the Constitutional Court and Chief Justice of South Africa, chairs the Panel. The other members are Georges Abi-Saab (Egypt), Robert K. Goldman (United States), Hina Jilani (Pakistan), Vitit Muntarbhorn (Thailand), Mary Robinson (Ireland), Stefan Trechsel (Switzerland) and Raúl Zaffaroni (Argentina).

Members of the Panel attending the Morocco hearing

Professeurs Georges Abi-Saab et Stefan Trechsel will attend the hearing on behalf of the Panel.

Georges Abi-Saab (Egypt) is one of the world's leading scholars in public international law. During his career, he has served as a judge at the Appeals Chamber of the International Criminal Tribunals for the former Yugoslavia and for Rwanda and *ad hoc* judge at the International Court of Justice. He is currently a member of the WTO Appellate Body.

Stefan Trechsel (Switzerland), an expert in criminal law and criminal procedure, Stefan Trechsel served for more than 20 years as a member of the European Commission on Human Rights, including as its President. He also has expertise on legal and justice reforms in the former Soviet Union and Russian Federation countries.

For more information on the hearing in Rabat, please contact Gerald Staberock (ICJ) at +41 79 377 54 46 or at + 41 22 979 38 00 or Amina Bouayach (OMDH), at +212 37770060.

For more information on the Eminent Jurists Panel, please consult the ICJ website: www.icj.org