

# **E-BULLETIN ON COUNTER-TERRORISM & HUMAN RIGHTS**

**No. 66, September 2012**

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## AFRICA & MIDDLE EAST

### **Ethiopia: Swedish journalists convicted for “terrorism support” freed after pardon**

On 11 September, journalists Martin Schibbye and Johan Persson left Ethiopia after having been pardoned by Prime Minister Meles Zenawi in August before his death. They had been convicted on 21 December 2011 of the charges of “rendering support to terrorism” and entering the country illegally for subversive purposes, and had been sentenced to eleven years of imprisonment. The two Swedish journalists were arrested on 1 July 2011 while they were reporting on the Ogaden National Liberation Front (ONLF), an outlawed armed insurgent group. Several international NGOs alleged that their trial was unfair and that the convictions were not based on credible evidence. The journalists reported that they had been subject to mock executions to extract “confessions” from them.

[NGO Statement](#)

[Press Article 1](#)

[Press Article 2](#)

### **Morocco: UN Special Rapporteur finds use of torture present in counter-terrorism measures**

On 22 September, at the end of a mission to Morocco, the UN Special Rapporteur on torture, Juan E. Méndez, while noting some progress by the State in eradicating torture, found that the practice of torture or cruel, inhuman or degrading treatment is still frequently linked to highly charged events, such as terrorism or large demonstrations. The Special Rapporteur also reported that allegations of torture rarely go prosecuted in the criminal justice system, as prosecutors and investigative judges often dismiss torture complaints or fail to investigate them.

[SR Statement](#)

### **Libya: United States Consulate attack labelled as “terrorist” by US**

An attack on the United States consulate on the night of 11 September in Benghazi led to the killing of US Ambassador to Libya, J. Christopher Stephens, and other three consulate personnel. The attack took place in the backdrop of large scale protests at the Consulate and elsewhere against a film from the US circulating on the internet widely seen as Islamophobic. The head of the US National Counter-Terrorism Center, Matt Olsen, referred to the event on 19 September as a non-premeditated “terrorist attack” on the basis of “indications” that some of those involved had “connections” with Al-Qaeda in the Islamic Magreb (AQIM). The attack was condemned by the UN High Commissioner for Human Rights, Navanethem Pillay, by the UN Special Rapporteur on the rights of freedom of peaceful assembly and association, Maina Kiai, and by several NGOs. The Libyan authorities announced on 23 September they would act to disband all militias still present in the country.

[HCHR Statement](#)

[SR Statement](#)

[NGO Statement](#)

[Press Article](#)

### **Egypt: UN Special Rapporteur concerned at use of torture information in special courts**

On 12 September, the UN Special Rapporteur on torture, Juan E. Méndez, expressed his concern at the use of information obtained by torture as evidence in the Egyptian Supreme State Security Emergency Court. The Special Rapporteur referred to the trial in 2006 of three persons convicted for terrorism offences and sentenced to death, which has been ruled in breach of the prohibition of torture under the *African Charter of Human and Peoples’ Rights* by the African Commission on Human and Peoples’ Rights in 2011. While the sentences of the three defendants were suspended and the case is being retried, the UN Special Rapporteur expressed concern that the new proceedings would be before a different chamber of the same special security court which has a history of using information obtained by torture as evidence.

[SR Statement](#)

[ACHPR Ruling](#)

### **Egypt: Concerns about reintroduction of emergency powers through new draft law**

On 18 September, the Egyptian Organisation for Human Rights (EOHR) expressed concern at new draft legislation aimed at “protecting society from dangerous people” which it says would *de facto* reintroduce many of the powers contained in the recently revoked Emergency Law. The new law, prepared by the interior and justice ministries, reportedly would give the interior ministry the right

to put suspects under house arrest for up to 30 days. It would also enable the ministry to put suspects under surveillance or to order them to carry out community service, for an indefinite period of time. In addition to acts of "thuggery" and terrorism, the law also covers many other crimes such as bribery, weapon trading, drug dealing, money laundry, currency forfeiting and prostitution.

[NGO Statement](#)

[Press Article 1](#)

[Press Article 2](#)

### **Iraq: Vice President sentenced to death *in absentia* for terrorism**

On 9 September, Iraqi Vice-President Tariq al-Hashemi was convicted on terrorism charges and sentenced to death *in absentia* for involvement in 150 bombings, assassinations and other attacks from 2005 to 2011. The trial of Tariq al-Hashemi, who has received refuge in Turkey, has been reportedly marred by restrictions to the defence, leading to the defence counsel withdrawing from the case and the appointment of new lawyers.

[Press Article 1](#)

[Press Article 2](#)

[Press Article 3](#)

### **Iraq: UN Special Rapporteur denounces execution of 21 people in a single day**

On 30 August, the UN Special Rapporteur on extrajudicial, summary and arbitrary executions, Christof Heyns, condemned the execution of 21 persons on 28 August, including three women, many of whom convicted for terrorism offences. Two days later, five other executions took place, bringing the total number of people executed in Iraq in 2012 to 96. Suggesting that the death sentences may have been ordered following unfair trials, the Special Rapporteur noted that "the arbitrary killing of people, also when it is committed behind a smokescreen of flawed legal processes, is not solely a matter of domestic concern," and added that "Iraq should take note that the international community will take strong exception to a continuation of its flagrant disregard of the norms applicable to the protection of the right to life."

[SR Statement](#)

[Press Article](#)

### **Bahrain: Human rights defenders convicted again for terrorism in re-trial**

On 4 September, 20 human rights defenders and political activists were convicted on charges relating to "conspiracy to overthrow the government", "espionage" and "violation of the Constitution." The sentences against the defendants ranged from five years to life imprisonment. The ruling of the Criminal Court of Appeal upheld the convictions and sentences of the detainees handed down last year by the National Safety Court and the National Safety Court of Appeal, two exceptional military courts. On 30 April 2012, the Bahraini Cassation Court ordered their retrial before a civilian court. The UN Secretary General, Ban Ki Moon, the UN High Commissioner for Human Rights, Navanethem Pillay, the ICJ and a number of NGOs have expressed the view that the trials were unfair.

[SG Statement](#)

[HCHR Statement](#)

[NGO Statement 1](#)

[NGO Statement 2](#)

[Press Article](#)

### **Yemen: UN report finds secret detention, torture and other violations in counter-terrorism operations**

On 5 September, the UN High Commissioner for Human Rights, Navanethem Pillay, published a report on the situation of human rights in Yemen between January and June 2012. Among the observations, the report documents reports that counterterrorism efforts, considered a priority by President Hadi and carried out by two security organs, National Security and Political Security, included episodes of "arbitrary arrests, prolonged detention without trial, secret or incommunicado detention, as well as torture and ill-treatment." The report also indicates that many of the persons arrested by National Security were non-violent activists and protesters.

[Report](#)

## AMERICAS

### **USA: Attorney General closes investigations on deaths in US custody**

On 30 August, Attorney General Eric Holder announced the closure of the investigation, begun last year by US Attorney John Durham, into the death while in US custody of Gul Rahman and Manadel al-Jamadi. Eric Holder announced that the Department of Justice would not pursue criminal action against those allegedly responsible as "the admissible evidence would not be sufficient to obtain and sustain a conviction beyond a reasonable doubt." Reportedly, Gul Rahman died in November 2002 at a CIA-run prison in Afghanistan, while Manadel al-Jamadi died at Abu Ghraib prison in Iraq in 2003, both after allegedly having been subject to torture and ill-treatment. The American Civil Liberties Union defined the Department of Justice's inaction as "nothing short of a scandal."

[DOJ Statement](#)

[NGO Statement](#)

[Press Article 1](#)

[Press Article 2](#)

### **USA: Guantánamo detainee dies while in detention**

On 8 September, a Guantánamo detainee, Adnan Farhan Abdul Latif, a 32-year-old Yemeni, died in custody. Latif had been detained at Guantánamo since January 2002 without charge or trial. He was reportedly found "unconscious and unresponsive" by guards in the prison's Camp Five on Saturday during a routine check, after having been on disciplinary status for splashing a "cocktail of urine and other body fluids" at a guard at least once. He is the ninth person known to have died in Guantánamo since the opening of the detention facility. Human rights advocates have called for an independent investigation into the death of Latif.

[Official Statement](#)

[NGO Statement 1](#)

[NGO Statement 2](#)

[Press Article](#)

### **USA: Federal judge blocks indefinite detention powers against terrorist suspects**

On 12 September, federal judge Katherine B. Forrest of the US District Court for the Southern District of New York issued a permanent injunction on section 1021(b) of the *National Defense Authorization Act* (NDAA), which authorizes the indefinite detention of any "person who was a part of or substantially supported al-Qaeda, the Taliban, or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act or has directly supported such hostilities in aid of such enemy forces." The judge described the statute's words as vague and ambiguous and "unconstitutionally overbroad" in that it "purports to encompass protected First Amendment activities." However, on an appeal by the Department of Justice, the Second Circuit Court of Appeal granted a stay of the District Court's decision pending its review of the case.

[DC Ruling](#)

[CA Stay Order](#)

[Press Article 1](#)

[Press Article 2](#)

### **USA: Federal judge restores court's authority over detainees' access to a lawyer**

On 6 September, Chief Judge Royce C. Lamberth of the US District Court for the District of Columbia found unconstitutional the practice of forcing lawyers of Guantánamo detainees to sign a Memorandum of Understanding (MOU) reducing their client's access to a lawyer and their capacity to access information, outside of *habeas corpus* actions. The judge ruled that the practice ran against the principle of separation of powers. The MOU also excluded any court's supervision and effectively gives Guantánamo officials veto power over the capacity of detainees to meet with lawyers. The judge instead reinstated a 2008 court order, which regulated lawyers' access to detainees and recalled that "the Court is simply not obliged to give the Executive the opportunity to create its own counsel-access provisions before stepping in and fashioning such procedures. To do so would be to allow the Government to transgress on the Court's duty to safeguard individual liberty by 'calling the jailer to account.'"

[Ruling](#)

[Memorandum](#)

### **USA/Libya: Human Rights Watch discovers US rendered opposition members to Gaddafi**

On 6 September, the Human Rights Watch report *Delivered into Enemy Hands: US-Led Abuse and Rendition of Opponents of Gaddafi's Libya* revealed that the US had, over several years beginning in 2003, arrested and subjected to unlawful rendition to Libya members of the opposition Libyan

Islamic Fighters Group (LIFG). The report, based on interviews with the victims and documents found in former Libyan intelligence chief's, Musa Kusa, office, documents that renditions had taken place with the aid of the United Kingdom and other countries in the Middle East, Africa and Asia. Five victims described torture and ill-treatment they underwent in two US-run detention facilities in Afghanistan, practices which included waterboarding, "being chained to walls naked –sometimes while diapered – in pitch black, windowless cells, for weeks or months; restrained in painful stress positions for long periods, forced into cramped spaces; beaten and slammed into walls; kept indoors for nearly five months without the ability to bathe; and denied sleep by continuous, very loud Western music. "

[Report](#)

[NGO Statement](#)

[Press Article](#)

### **Canada: Former Minister admits security certificate may have been based on torture information**

On 6 September, during a hearing of the Federal Court to determine the legality of a security certificate against Mohamed Mahjoub, former Public Safety Minister Stockwell Day said he had signed the security certificate after having been informed by an officer of the Canadian intelligence agency that some of the information used as a basis for the certificate may have been adduced by torture. Security certificates are issued for the purpose of allowing for the deportation of non-Canadian nationals suspected of terrorism connections and may lead to long-term detention when such an expulsion is not possible. Mohamed Mahjoub has been detained or under house arrest for the past 12 years based on secret evidence, but has not been charged with any criminal offences.

[Press Article](#)

### **Venezuela: Following unfavourable ruling, Venezuela announces withdrawal from the American Convention Human Rights**

On 10 September, Venezuela denounced the *American Convention on Human Rights* with the effect that it will not be subject to the jurisdiction of the Inter-American Court of Human Rights after one year from the denunciation. The decision followed a Court's judgment of 26 June that Venezuela had breached the right of Raul José Diaz Peña not to be subject to inhuman and degrading treatment, following based on the conditions of detention he was subject to from 25 February 2004 to 13 May 2010. Raul José Diaz Peña was convicted in 2008 in relation to the terrorist attacks on the Colombian Consulate and the Spanish International Commerce Chamber that occurred on 25 February 2003. In 2010, during a conditional release, he escaped Venezuela and travelled to the United States where he is currently seeking asylum. Venezuela's decision to withdraw was criticized by the UN High Commissioner on Human Rights, among others.

[IACtHR Judgment \(S\)](#)

[ACHR Denunciation \(E\)](#)

[OAS Statement \(E\)](#)

[UN HCHR Statement \(E\)](#)

[NGO Statement \(E\)](#)

### **Chile: UN Special Rapporteur concerned at use of anti-terrorism law against indigenous people**

On 7 September, the UN Special Rapporteur on the rights of indigenous people, James Anaya, reported the response of Chile's answer to an intervention by him, as well as the UN Special Rapporteur on counter-terrorism and human rights and the UN Special Rapporteur on torture, on the trial for terrorism of four Mapuche persons. Despite the Government's reply that the four had been acquitted of the terrorism charges, the UN expert expressed concern at the practice of charging Mapuche people under the anti-terrorism legislation, which puts them at risks at restriction on the right to a fair trial. The expert also stressed that the use of the anti-terrorism law in cases of social protests may foster conflict and a lack of confidence in the criminal justice system.

[Report \(Case no. CHL 1/2011 – S\)](#)

## ASIA - PACIFIC

### **India: Supreme Court confirms death penalty of Mumbai lone surviving attacker**

On 29 August, the Supreme Court of India dismissed the appeal against the conviction and death sentence of Mohammed Ajmal Mohammad Amir Kasab, the lone survivor of the Mumbai attacks which, in 2008, claimed the lives of 148 people and wounded other 238. The Court dismissed all procedural objections, holding that Mohammed Kasab had received a fair trial, that his first admission before a magistrate was given willingly, and that his lack of counsel at pre-trial stage was due to an express refusal by him not to have an Indian lawyer. The Supreme Court upheld the death penalty as punishment and declared that the death penalty remained constitutional in India and was necessarily applicable to this case. Mohammed Kasab has filed a plea of mercy with the President.

[Judgment](#)

[Press Article 1](#)

[Press Article 2](#)

### **India: Supreme Court orders retrial of terrorism suspect for fair trial breaches**

On 31 August, the Supreme Court of India ordered the re-trial of Mohammad Hussain, also known as Julfkar Ali, whose conviction for terrorism and death sentence had been vacated by a previous panel of the Supreme Court on 11 January. The previous ruling had considered that the first instance court had heard 52 prosecution witnesses in the absence of the accused's defence lawyer and decided that it constituted a manifest breach of his fair trial rights. Mohammad Hussain had been convicted in 2003 for an explosion in 1997 which claimed the lives of four people and seriously injured another 24 people. The Supreme Court rejected the previous position of Justice Chandramauli Kr. Prasad, who ruled for nullity of the procedure in light of the fact that a retrial 14 years after the events would violate Mohammad Hussein's right to a trial within reasonable time, and held that the risk of breach of such right had to be balanced with the seriousness of the offence.

[Judgment](#)

[Press Article](#)

### **Pakistan: UN Working Group finds ongoing enforced disappearances and impunity**

On 20 September, a delegation of the UN Working Group on Enforced and Involuntary Disappearance concluded a visit to Pakistan. In its preliminary remarks, the Working Group noted that in the post 9/11 period the "question of 'missing persons' began to raise real attention at the national level. There is acknowledgement that enforced disappearances have occurred and still occur in the country." While the Working Group welcomed the role played by the judiciary in trying to seek the truth in respect of "disappeared" persons, it also underlined that "courts have avoided using compelling methods to ensure the cooperation of law enforcement and intelligence agencies whose agents were accused of having perpetrated an enforced disappearance". It also expressed concern that military personnel cannot be submitted to trial before civil courts, a factor contributing to impunity. A report of the Human Rights Commission of Pakistan on its mission to Balochistan last May is also consistent with the Working Group's findings.

[UN WGEID Statement](#)

[HRCP Report](#)

### **Pakistan: Court acquits terrorism suspects pleading evidence was obtained by torture**

On 19 September, the Anti-Terrorism Court no. 2 Special Judge Rana Masood Akhter acquitted Noor Jahan, Rehmat Gull and Jamshed Khan, of charges of planning two suicide attacks in Islamabad and helping the suicide bombers involved in the attacks at the World Food Programme (WFP) of UN and at the entry gate of Pakistan Naval Headquarters in Islamabad in 2009. The defence lawyers had pleaded that their "confessions" had been obtained under torture and that they were in fact already in detention before the blasts of the WFP office. The judge ordered their release.

[Press Article](#)

## **Afghanistan/USA: US returns 3,000 prisoners to Afghanistan control, but keeps some 50 detained in US custody**

On 10 September, the US military officially handed over to the Afghani government the authority over more than 3,000 detainees held during the armed conflict. However, the US maintains control of a consistent group of prisoners, among whom around 50 non Afghani nationals, which the US says do not fall under the agreement with the Afghani authorities. The fifty people may continue to be detained indefinitely without charge or access to a lawyer or courts. The United States is said to have insisted that these detainees continue to be subjected to indefinite detention.

[Agreement](#)

[Press Article 1](#)

[Press Article 2](#)

[Press Article 3](#)

## **EUROPE & COMMONWEALTH OF INDEPENDENT STATES**

### **UK: Extradition of terrorism suspects stopped again by High Court**

On 26 September, the High Court granted a temporary injunction against the extradition of Babar Ahmad, Haroon Rashid Aswat, Syed Tahla Ahsan, Mustafa Kamal Mustafa, known more commonly as Abu Hamza, all UK nationals, Adel Abdul Bary, an Egyptian national, and Khaled Al-Fawwaz, to the United States to answer terrorism charges. This decision follows the European Court of Human Rights' rejection of a referral of the case to the Grand Chamber, therewith making final its 10 April's judgment that their transfer would not put them at substantial risk of being subject to torture or inhuman or degrading treatment or punishment, in light of the likely placement of most of them in the high security ADX Florence prison.

[Press Article 1](#)

[Press Article 2](#)

[Press Article 3](#)

### **UK: Home Office launches consultation on reduction of counter-terrorism border powers**

On 13 September, the Home Office Secretary, Theresa May, launched a public consultation on the scaling down of the counter-terrorism power of the Border Agency to stop and detain people at the border. According to news reports, under this power around 70,000 people per year are stopped. The Home Office announced that the proposed amendments to these powers are aimed at "reducing the maximum legal period of a schedule 7 examination from the current nine hours; requiring a supervisory officer to review, at regular intervals, whether an examination or detention needs to be continued; requiring examining officers to be trained and accredited to use schedule 7 powers; giving individuals examined at ports the same rights to publicly funded legal advice as those transferred to police stations; amending the basis for undertaking strip searches to require suspicion and a supervising officer's authority; repealing the power to take intimate DNA samples (such as blood and urine) from people detained during a schedule 7 examination".

[Home Office Statement](#)

[Press Article 1](#)

[Press Article 2](#)

### **France: Ministry of Interior reveals soon to be approved anti-terrorism law**

On 19 September, the Minister of Interior, Manuel Valls, announced in a speech before the Military School that the government would present on 3 October new counter-terrorism draft legislation. According to his speech, the new law will update the preventive instruments for intelligence services, including on access to electronic and internet data. It will also extend the competence of French courts to universal jurisdiction for terrorism offences committed by French citizens abroad. In a previous occasion, Minister Valls had indicated that the legislative text would also criminalise terrorism training of French citizens abroad.

[Speech \(F\)](#)

[Press Article 1 \(F\)](#)

[Press Article 2 \(F\)](#)

### **Italy: Supreme Court reopens case against military secret services for rendition; confirms conviction of CIA agents**

On 19 September, the Court of Cassation annulled the acquittals of former head of the Italian Military Secret Services, Nicolò Pollari, and of his deputy, Marco Mancini, for the kidnapping of the Muslim cleric, Hassan Mustafa Osama Nasr, also known as Abu Omar, in Milan in 2003 as part of the CIA rendition programme. The Court also ordered the retrial of secret agents Giuseppe Ciorra, Luciano Di Gregori e Raffaele Di Troia. Reportedly, the Court of Cassation did not agree with the reading of the secret of state of the Court of Appeal, which, according to that court, did not allow



for examination of the criminal liability of the Italian secret service agents. The Supreme Court has also confirmed the convictions and sentences of the 23 CIA agents. However, up to now, no Minister of Justice of Italy has ever put forward a request of extradition to the USA for them. Abu Omar was allegedly subjected to enforced disappearance and torture, including during 14 months subsequent detention in Egypt.

[NGO Statement \(E\)](#)

[Video News \(E\)](#)

[Press Article 1 \(Italian\)](#)

[Press Article 2 \(Italian\)](#)

### **Spain: NGOs and experts intervene in Supreme Court in support reopening of case against Bush's six torture lawyers**

On 26 September, the Center for Constitutional Rights and the European Centre for Constitutional and Human Rights, together with the ICJ and other leading organizations and scholars, submitted a third party intervention before the Supreme Court arguing that it should order the reopening the investigations against six senior legal officials of the Bush Administration for their alleged participation in or aiding and abetting torture and other human rights abuses. Investigative judge Eloy Velasco had closed the investigation on the grounds that the case was under inquiry in the USA, a decision confirmed by the Central Criminal Court (*Audiencia Nacional*). The brief argues that Spain should exercise jurisdiction under Spanish law because the US itself has failed to carry out any meaningful investigations and prosecutions against the officials, who are alleged to have provided legal justification for torture and ill-treatment practices against "war on terror" detainees. The officials are David Addington; Jay S. Bybee; Douglas Feith; Alberto R. Gonzales; William J Haynes; and John Yoo.

[Amicus Brief](#)

[NGO Statement](#)

### **Spain: Minister of Justice introduces criminal law reform**

On 14 September, the Minister of Justice, Alberto Ruiz-Gallardón, presented draft legislation directed at reform of the Criminal Code. Among the several amendments to existing criminal law, the new law would introduce, if approved, the punishment of "revisable perpetual imprisonment", a life imprisonment which would be subject to review after 25 or 35 years of actual detention. This penalty would be applicable to people convicted of terrorism with murder, genocide, of multiple murder and for "great killers", identified as those responsible for the death of minors, of murder following rape or serial killers. Furthermore, the legislation would introduce, including for convicted terrorists, "security custody", a preventive measure which may be imposed upon the completion of sentencing, where the convicted person is deemed to continue to pose a danger to society. This detention will have a maximum length of ten years.

[MoJ Statement \(S\)](#)

[Press Article 1 \(S\)](#)

[Press Article 2 \(S\)](#)

### **Belgium: Terrorism conviction flawed for use of information obtained by torture**

On 25 September, the European Court of Human Rights ruled that the conviction of Lahoucine El Haski for terrorism offences by a Belgian court had breached his right of fair trial under Article 6 of the European Convention on Human Rights, because declarations were admitted which may have been obtained by torture. The declarations were formulated by suspects arrested and interrogated in Morocco, where the European Court has found that there was a "real risk" that torture was practiced to obtain "confessions". The Strasbourg Court has ruled that Article 6 ECHR imposed on Belgium the obligation not to use this declaration as evidence, without having previously ascertained that they were not the product of torture.

[Judgment \(F\)](#)

### **Switzerland: European Court holds UN travel ban breached right to family life of Italian citizen**

On 12 September, the Grand Chamber of the European Court of Human Rights ruled that the ban from crossing the Swiss territory on Youssef Moustafa Nada, an Italian and Egyptian national resident in Campione d'Italia, an Italian enclave entirely surrounded by Swiss territory, constituted a disproportional infringement of his right to a family life and, hence, violated Article 8 of the

European Convention on Human Rights. The measure was decided by Swiss authorities in implementation of the UN Security Council resolution 1267/1999 due to Youssef Moustafa Nada's inclusion on the UN Terrorism List. The European Court held that the resolution gave enough latitude to the Swiss to allow for exceptions without infringing the Convention. The Court held that Switzerland was in breach of the applicant's right to an effective remedy, since there was a lack of a mechanism available in Switzerland for delisting.

[Judgment \(E\)](#)

[Switzerland Statement \(F\)](#)

### **Russian Federation: European Court stops extradition of "Islamist" to Uzbekistan**

On 18 September, the European Court of Human Rights ruled that Russian authorities could not extradite Sadirbek Shavkatovich Umirov, an Uzbek citizen, to Uzbekistan where he was charged in 2009 with overthrowing the constitutional order of Uzbekistan and involvement in religious, extremist, separatist and other banned organizations, and for membership of a group called *Warriors of Islam*. The European Court found that his extradition would breach his right not to be subject to torture or inhuman or degrading treatment, as there was a well-established record of torture and ill-treatment of similarly situated detainees in Uzbek jails.

[Judgment](#)

### **Kazakhstan: New law would introduce duty of media to fight terrorism**

On 23 August, draft legislation named "On amendments and additions to some legislative acts of Kazakhstan on combating terrorism" was publicized. The draft legislation, proposed following a series of alleged terrorist attacks in the Western provinces of the country, would impose an obligation on the media to contribute to counter terrorism activities. In particular the media will have to ensure the promotion of socially important values and to create conditions for a peaceful inter-ethnic and inter-religious dialogue, as well as to counter the spread of the ideology of terrorism.

[Press Article 1 \(R\)](#)

[Press Article 2 \(E\)](#)

[Press Article 3 \(E\)](#)

## **UNITED NATIONS & REGIONAL ORGANISATIONS**

### **UN: UN Rule of Law Declaration approved**

On 24 September, the High-Level Meeting of the 67<sup>th</sup> Session of the UN General Assembly approved a *Declaration on the rule of law at the national and international levels*. In the declaration, the UN Member States reiterate their "strong and unequivocal condemnation of terrorism in all its forms and manifestations" and reaffirm that "all measures used in the fight against terrorism must be in compliance with the obligations of States under international law, including the Charter of the United Nations, in particular the purposes and principles thereof, and relevant conventions and protocols, in particular, human rights law, refugee law and humanitarian law".

[Declaration](#)

[Meeting Webpage](#)

### **EU: Parliament approves resolution against impunity on CIA rendition programme**

On 11 September, the European Parliament adopted by 568 votes to 34, with 77 abstentions, a resolution condemning the practices of extraordinary rendition, secret prisons and torture as a violation of fundamental rights and called on the Member States and the EU institution to open or reopen investigations on the CIA rendition, interrogation and secret detention program. The resolution recalled that "in no circumstance does state secrecy take priority over inalienable fundamental rights and that therefore arguments based on state secrecy can never be employed to limit states' legal obligations to investigate serious human rights violations". The resolution criticized the delays and failure of Member States and EU institutions to expose the truth about their complicity with the CIA programme.

[Resolution](#)

[EP Statement](#)

## **Shanghai Cooperation Organisation: Report reveals human right violations committed under SCO**

On 12 September, the International Federation for Human Rights (FIDH) published a report on the human rights violations committed under the umbrella of the Shanghai Cooperation Organisation (SCO), a security multilateral organisation including Russian Federation, China and several Central Asian Republics aimed at addressing terrorism, extremism, and separatism. The report identified a number of violations of international human rights law and refugee law, including the obligation not to send a person to a State where he or she is at risk of torture.

[Report](#)

[Press Article](#)

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