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NEWS FROM AFRICA AND THE MIDDLE EAST

Bahrain: Government introduces bill on counter-terrorism

A new counter-terrorism bill containing broad definitions of terrorism and terrorist organizations and granting special prosecutorial powers with regard to such crimes was presented to parliament in late March. The bill transfers authority over key aspects of the investigation from the judiciary to the prosecution, including the authority to order up to 90-days of detentions on the basis of secret and undisclosed evidence. Bahraini human rights NGOs expressed concern about several of these provisions.

[Bill in Arabic](#)

[Excerpts of the Bill \(Eng\)](#)

[NGOs statement](#)

Kenya: Anti-terrorism operations violate human rights

In a report released in April, Amnesty International analyses the impact on human rights of the ongoing crackdown on “terrorism” in Kenya. The report documents human rights violations committed against alleged terrorists, including torture, arbitrary arrests and incommunicado detention.

[Report](#)

NEWS FROM THE AMERICAS

United States: Civil liberties lawyer found guilty of supporting terrorism

On 10 February, a jury in New York City found US lawyer Lynne Stewart guilty of defrauding the government, conspiracy, and providing support to terrorism. Stewart, a long-standing civil liberties attorney, represented Sheik Omar Abdel Rahman, who was sentenced for conspiring to commit terrorist attacks in New York in 1993. She was convicted for transmitting a message from her client to his followers in Egypt. The sentence is to be announced in July.

[More info](#)

NEWS FROM ASIA AND THE PACIFIC

Nepal: State of emergency justified as fight against terrorism

Following King Gyanendra’s proclamation of the state of emergency and dissolution of parliament on 1 February justified to fight against terrorism in the country, the human rights situation continued to gravely deteriorate. In a report released in March, the ICJ urged for the return to the rule of law and recommended that counter-terrorism legislation (TADO) be brought into conformity with international standards. On 30 April, the King lifted the state of emergency.

[King’s speech](#)

[ICJ report](#)

Philippines: New counter-terrorism law proposed

Following bombings in Manila, Makati City and Davao on 14 February, the Government urged Congress to pass an anti-terrorism law. The proposed bill includes provisions on financing of terrorism, broadening powers of search and arrest, and increased surveillance including the tapping of telephones. The Government is also considering a proposal from the military that the media be banned from interviewing terrorist groups.

[More Info](#)

Thailand: Religious leaders accused of supporting terrorism

On 11 March, eight religious teachers from the south of Thailand accused of being members of the separatist group Beisan Revolusi Nasional Malayu Pattani were charged with treason, separatism and murder at the Bangkok Criminal Court. They pleaded not guilty. If convicted, the defendants could face death penalty.

NEWS FROM EUROPE AND THE COMMONWEALTH OF INDEPENDENT STATES

UK: adoption of a controversial new control-order law

On 11 March, the UK parliament adopted a new counter-terrorism law introducing preventive control orders for terrorist suspects to supersede earlier administrative detention provisions. This legislation enables the executive to place far-reaching movement, communication and work restrictions on individuals for renewable periods of twelve months. Control orders are issued upon “reasonable suspicion” that an individual may pose a threat and are subject to judicial review. The law also foresees special “derogating control orders”, including house arrests, that would require derogation from article 5 of the European Convention of Human Rights. The ICJ and its UK section, JUSTICE, made a joint submission to the House of Lords.

Terrorism Act

ICJ and Justice submission

Swedish police tolerated ill-treatment of two Egyptians by US agents

An official investigation conducted by the Swedish Parliamentary Ombudsman concluded that the Swedish Police, when witnessing the transfer to Egypt of two Egyptians by US agents, tolerated inhuman and degrading treatment of these detainees. The two individuals were later tortured in Egypt despite diplomatic assurances by the Egyptian Government. The case is also pending before the UN Committee against Torture.

Ombudsman report

Russian Federation: European Court rules on first Chechen cases

In the first rulings on cases brought before the European Court of Human Rights on Chechnya, the Court held, on 24 February, that Russian security forces committed gross violations of human rights, including violations of the right to life, the prohibition of torture, the right to an effective remedy and the right to property.

Khashiyev and Akayeva case

Isayeva, Yusupova and Bazayeva case

Isayeva case

Council of Europe: Series of recent developments

The Committee of Ministers of the Council of Europe has adopted Guidelines on the Protection of Victims of Terrorist Acts which set out a range of rights and principles in the investigation and prosecution of such acts. The Committee of Ministers also adopted recommendations on the protection of witnesses and collaborators of justice and on “special investigation techniques” in relation to serious crimes, including acts of terrorism as well as a Declaration on freedom of expression in the fight against terrorism.

Guidelines

Recommendation witnesses

Recommendation SIT

Declaration

Council of Europe: Draft Convention on Prevention of Terrorism finalized

The Committee of Experts on Terrorism (CODEXTER) finalized its Draft Convention on the Prevention of Terrorism and submitted it to the Committee of Ministers. The Convention will criminalize public provocation of terrorism and the recruitment and training of terrorists.

[Draft Convention](#)

[ICJ Submission](#)

NEWS FROM THE UNITED NATIONS

Historic vote at the Commission on Human Rights: universal mechanism established to monitor counter-terrorism measures

The UN Commission on Human Rights has established by consensus a mechanism to monitor counter-terrorism measures worldwide that threaten human rights. The agreement came following a report by Robert Goldman. An expert known as “Special Rapporteur” will be appointed for three years to carry out the mandate.

[Resolution](#)

[Robert Goldman’s report](#)

UN Convention on Suppression of Nuclear Terrorism adopted

On 13 April, the UN General Assembly adopted by consensus the International Convention for the Suppression of Acts of Nuclear Terrorism, which will be open for signature from 14 September 2005. The convention makes it a crime for individuals to possess or use radioactive material or devices, and to use or damage nuclear power plants or reactors.

[Convention](#)

UN Secretary-General calls for adoption of a comprehensive terrorism convention

In his report “In Larger Freedom: Towards Development, Security and Human Rights for All”, UN Secretary-General Kofi Annan has endorsed the definition of terrorism of the High Level Panel he had convened and called on the member states to agree on such a definition in a comprehensive convention on terrorism. He also stressed that respect for human rights must be a core part of any response to terrorism.

[SG Report](#)

INTERNATIONAL NEWS

Madrid Summit confirms comprehensive approach to fighting terrorism

On 8-10 March, the International Summit on Democracy, Security and Terrorism held on the eve of the anniversary of the Madrid train bombing, adopted a comprehensive agenda for fighting terrorism in democratic states. It stressed the fundamental role that the respect for human rights and the rule of law play in any democratic anti-terror strategy. Nicholas Howen, ICJ Secretary-General, spoke at the Summit.

[More Info](#)

International Federation of Journalists debates impact of global war on terror

On 2-3 April, the ICJ addressed an international gathering of the International Federation of Journalists on the legal implications of the “war on terror”. The participants debated the impact of the fight against terrorism on freedom of the press and adopted a Declaration on Journalism, War and Civil Rights, calling for the protection of civil liberties and journalistic freedom in the fight against terrorism.

ICJ NEWS

ICJ Secretary-General addresses Chief Justices from Asia-Pacific

On 20 March, ICJ Secretary-General Nicholas Howen addressed Chief Justices from the region gathered at the 11th Conference of the Chief Justices of Asia-Pacific in Brisbane, Australia. The Secretary General underlined the leading role of courts in upholding human rights and the rule of law in the fight against terrorism.

Dutch Section of the ICJ holds conference on counter-terrorism and human rights

On 8 April, the Dutch Section of the ICJ (Nederlands Juristen Comité voor de Mensenrechten - NJCM) celebrated its 30th anniversary with a high-level conference on “fighting terrorism with human rights”. It discussed key legal challenges to the Dutch legal order, including the prevention, investigation and prosecution of terrorist offenses as well as problems encountered with counter-terrorism measures adopted at the regional level.

[NJCM webpage](#)

Andean Commission of Jurists presents Chilean and Peruvian experience of anti-terrorist legislation

At an ICJ parallel event on counter-terrorism measures in different regions, held during the UN Commission on Human Rights, the Andean Commission of Jurists (CAJ), ICJ affiliate, presented an analysis of anti-terrorist legislation in Chile and Peru.

[CAJ paper](#)

IN BRIEF

U.S State Department releases country reports on terrorism

The US State Department released on 27 April its annual country reports on terrorism.

[Report](#)

Human Rights Watch releases report on diplomatic assurances

Human Rights Watch released a report on diplomatic assurances, documenting the increasing reliance of governments on diplomatic assurances when extraditing or transferring persons to countries where they risk torture, cruel, inhuman or degrading treatment.

[Report](#)

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