

AMNESTY INTERNATIONAL

PRESS RELEASE

AI Index: IOR 40/022/2004 (Public)
News Service No: 250
8 October 2004

United Nations: Proposed Anti-Terrorism resolution undermines human rights

Amnesty International today made an urgent appeal to members of the UN Security Council to revise an anti-terrorism resolution which would seriously undermine human rights including the right to freedom of expression and religion.

Council members are under strong pressure from the Russian Federation to adopt the resolution today despite the use of language so broad and vague that peaceful political or human rights activists can easily be detained, prosecuted or extradited under its binding provisions.

The organization is particularly concerned that the resolution calls on states to bring to justice or extradite any person who "supports", "facilitates" or who even "attempts to participate in the ... planning [or] preparation of ... terrorist attacks". This language casts the net so wide that people, including human rights advocates or peaceful political activists can easily and unintentionally fall victim to the measures advocated in the resolution.

The resolution does not even require that acts contributing to "terrorists acts", such as unknowingly providing lodging, have to be intentional or done with the knowledge that they will assist the crime. In resorting to such exceptionally broad language, the resolution would call for measures which do not even permit individuals to foresee whether their acts will be lawful or not, a basic requirement in criminal law," Amnesty International said.

The organization condemns all attacks targeting civilians, including yesterday's deplorable bombings in Egypt. States have obligations to take measures to protect persons within their jurisdiction and bring to justice those responsible for such attacks. Measures taken must respect and protect the human rights of all concerned however.

While the present draft resolution is an improvement on previous drafts and includes some weak human rights provisions, it only tells states that they "*should*" act in accordance with their obligations under international law, including human rights law, instead of making it absolutely clear that they must do so.

Amnesty International calls on the Security Council to:

Include an operative paragraph in the resolution which specifies that all measures taken by states must be consistent with international law, in particular international human rights, refugee law and

humanitarian law. The UN Charter requires no less;
Clarify that no measures may violate in any way the absolute prohibition on torture and cruel, inhuman or degrading treatment or punishment, and that international cooperation in bringing suspects to justice must not include any loosening of the safeguards against torture and ill-treatment, including the rule of *non-refoulement*;
Define crimes only in a clear, narrow sense that are clearly understood and would prevent abuse;
Ensure that the call for "penalties consistent with their grave nature" does not constitute a call on states to impose capital punishment, which is a violation of the right to life.

Public Document

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

For latest human rights news view <http://news.amnesty.org>