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Middle East and North Africa: "The Arab Convention for the Suppression of Terrorism": a serious threat to human rights

As Arab Ministers of Interior conclude their meeting in Beirut, after agreeing on measures to combat "terrorism", and affirming implementation of the Arab Convention for the Suppression of Terrorism 1998, Amnesty International is again calling for the Convention, which it describes as "a serious threat to human rights", to be amended to conform with international human rights and humanitarian law.

"Measures to prevent 'terrorism' can only be effective if they also guarantee and protect human rights. Security and human rights go hand in hand - and are not alternative options," the organization said.

Amnesty International is concerned that the Convention, which is already in force, is being implemented in the absence of any monitoring requirement. States should be required to report on the measures taken to combat "terrorism" and their impact on human rights. "The absence of any monitoring and the likelihood that measures will be taken in secret substantially increases the risk that serious human rights violations will occur," Amnesty International said.

"Many of the provisions of the Convention do not conform with the obligations of member states of the Arab League under the UN Charter and international human rights law, and the Convention fails to recognize and maintain many other rights and obligations enshrined in human rights and humanitarian law," the organization said in a 68- page report -- [The Arab Convention for the Suppression of Terrorism](#) -- issued earlier this month.

"The definition of 'terrorism' in the Convention is so broad that it lends itself to wide interpretation and abuse," the organization said. Other terms in the Convention, including 'violence', 'terrorist purposes', 'terrorist elements', and 'terrorist groups' are not defined.

Among other concerns raised by Amnesty International are:

Freedom of expression: Some provisions of the Convention clearly threaten the right to freedom of expression, including those measures that, according to the Convention, aim to strengthen the "media services" of the security forces. In the absence of a clear definition of these measures there is a serious risk that they could be interpreted to allow for censorship and interference with freedom of expression, imposed or required by the respective authorities in the region, on the pretext of "security".

Privacy: The Convention does not require judicial review or prior judicial authorisation when surveillance and monitoring measures are used against individuals and groups.

Extradition: There are no safeguards in relation to surrender of individuals or extradition in the Convention. Amnesty International believes that surrender and extradition must not be carried out to a jurisdiction where alleged suspects would become prisoners of conscience, subject to the imposition of the death penalty, or torture, cruel, inhuman or degrading treatment or punishment.

Detention and fair trial: The Convention fails to incorporate safeguards for the rights of detainees, including guarantees for the right to be promptly brought before a judge, and to be tried within a reasonable time, or released. It does not include a prohibition of arbitrary detention, or a clear prohibition of torture. There are no provisions to allow for challenging the lawfulness of detention.

Judicial review and other safeguards: The Convention places wide-ranging powers in the hands of the executive and does not require any judicial review, prior judicial authorisation or similar safeguards, including mechanisms to scrutinize the activities of the intelligence services.

Death penalty: Under the pretext of punishing crimes of "terrorism", the Convention widens the scope of the death penalty in many countries and does not prohibit its imposition against minors, pregnant women and mentally handicapped persons.

Impunity: Some provisions in the Convention could provide impunity for perpetrators of certain crimes, including those crimes that fall clearly under the responsibility of the international community to investigate, and where there is sufficient evidence, prosecute on the basis of universal jurisdiction.

Refugees and asylum seekers: The Convention is generally silent about the duty to uphold the rights of refugees and asylum-seekers, and at the same time contains provisions that could lead to arbitrary prohibition of asylum-seekers or refugees from entering or residing in the country. Such decisions on asylum applications might be made not on the merit of the case but on the pretext that asylum-seekers or refugees can be considered to be "terrorist elements", a term that is not defined in the Convention.

Further, since the Convention includes wide extradition powers, "there is a risk that individuals might be returned to countries where they will face serious human rights abuses, including being subjected to torture, unfair trials, or the death penalty," Amnesty International said.

Read the Report:

[The Arab Convention for the Suppression of Terrorism: a serious threat to human rights](#)

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