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Open letter to the members of the Security Council

Dear Ambassador,

As the Security Council will debate the work of its Counter-Terrorism Committee (the Committee) on Friday 18 January, I am writing to urge the Council to take concrete steps to ensure that member states do not violate the obligations and standards of international human rights law.

The Security Council has a duty to ensure that action taken by states fully complies with their obligations under the UN Charter to respect human rights. Amnesty International is very concerned that the Committee, when monitoring implementation of resolution 1373, is not tasked by the Council with ensuring that measures taken by states to combat Aterrorism@ are in conformity with their UN Charter obligations.

Next week the Committee will start examining more than 119 reports from states about measures taken following the attacks in the US on 11 September 2001.

Amnesty International has already studied several reports and notes that governments are simply describing the action they are taking, without indicating whether these actions are in conformity with their

international human rights obligations. Furthermore, there has been no response from Committee members to requests from the UN High Commissioner for Human Rights that the Committee assists states in ensuring the compatibility of the measures taken with their obligations under human rights law and the UN Charter.

Amnesty International is concerned that human rights may be violated in the implementation of measures to combat Aterrorism@ and that innocent persons may fall victim to such violations, as has frequently happened in the past. In fighting "terrorism" the challenge to states is to promote security while at the same time complying with their obligations to respect human rights.

The Committee has appointed six experts to examine the reports and recommend follow-up action, but we are concerned that none of the six are experts in human rights. Amnesty International therefore urges the Security Council to request the Counter-Terrorism Committee to:

- \$ appoint an expert in international human rights law to assist the Committee in monitoring the actions of states; and
- \$ provide specific guidance on how states can comply with international human rights standards in the context of implementing measures to combat Aterrorism@, for example, by requesting states to follow the supplementary guidelines for the submission of reports in compliance with international human rights standards prepared for the Committee by the UN High Commissioner for Human Rights.

The urgency of Amnesty International's concerns is demonstrated in our report, *Rights at Risk*, published today, describing human rights violations arising from "anti-terrorist" measures taken by countries around the world both before and after the attacks of 11 September. They include: indefinite detention without charge or trial,

incommunicado detention, which has facilitated torture, unfair trials and breaches of rights to freedom of expression, association and assembly. I attach a copy of the report for your information.

I hope that your government will respond positively to the recommendations in this letter.

Yours sincerely,

*Irene Khan
Secretary General*