



AN INITIATIVE OF
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EMINENT JURISTS PANEL on Terrorism, Counter-Terrorism and Human Rights

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Eminent jurists begin probe into counter-terrorism laws in South Asia

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The Eminent Jurists Panel on Terrorism, Counter-terrorism and Human Rights is holding public hearings in New Delhi on 27-28 February to assess the responses of South Asian countries to acts of terrorism and their impact on human rights.

The Panel will be represented by its Chair, Justice Arthur Chaskalson, former Chief Justice and first President of South Africa's Constitutional Court and Professor Vitit Muntarbhorn, leading human rights advocate and Professor of Law in Bangkok, who is currently United Nations' expert on human rights in North Korea. The hearing will be co-organized by the Institute of Social Sciences (ISS) and the International Commission of Jurists (ICJ).

"South Asia has lived through serious terrorist threats, both past and present. In response, countries have resorted to extraordinary laws, many of which have raised considerable concerns as to their impact on human rights and the rule of law", said Justice Chaskalson. "In times when the world is struggling to find a measured response to terrorism we want to hear about the experiences and the lessons to be learnt from South Asia."

The public hearing is part of a global inquiry by the Panel. It is the eleventh in a series of hearings held around the world by the Panel, a high-level and independent group appointed by the ICJ in October 2005. The Panel will issue a global report in autumn 2007.

"States have a duty to protect their citizens but must do so within and not outside the rule of law", said Professor Muntarbhorn. "We came here to listen to a wide range of perspectives reflecting both the demands of security and the need to protect human rights."

In two days of public hearings at the Ashok Hotel, the Panel will hear testimonies from present and former state officials, leading lawyers, senior retired judges, journalists, and national and international civil society organisations. Participants are coming from India, Nepal, Sri Lanka, Bangladesh, and the Maldives. The Panel will subsequently travel to Pakistan to complete its study on South Asia.

Justice J.S. Verma, former Chief Justice of India and former Chairperson of the National Human Rights Commission will speak in the opening session of the hearing. Following the hearing, the Panel members will hold private meetings with senior government representatives in New Delhi, including the Minister for Home Affairs.

On Friday 2 March 2007 at 12.00, the Panel will hold a press conference at the Press Club of India to share its conclusions with the media. Individual members of the Panel will be available for interviews upon request.

Background

The Panel is composed of eight judges, lawyers and academics from all regions of the world. It exercises its mandate independently, with the logistical support of the ICJ

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

Secretariat and its network of organizations. Justice Arthur Chaskalson, former Chief Justice and first President of the Constitutional Court of South Africa, chairs the Panel.

The other members are Hina Jilani (Pakistan), a lawyer before the Supreme Court of Pakistan and the UN Secretary General's Special Representative on Human Rights Defenders; Mary Robinson, now Head of the Ethical Globalization Initiative, and former UN High Commissioner for Human Rights and former President of Ireland; Stefan Trechsel (Switzerland), former President of the European Commission on Human Rights, and judge at the International Criminal Tribunal for the former Yugoslavia; Georges Abi-Saab (Egypt), former Judge at the International Criminal Tribunals for the former Yugoslavia and for Rwanda; Robert K. Goldman (United States), Professor of Law at American University's Washington College of Law, a former President of the Inter-American Commission on Human Rights and former UN expert on counter-terrorism and human rights; and Justice E. Raúl Zaffaroni (Argentina), a judge at the Supreme Court of Argentina.

The Panel has held hearings in Australia, Colombia, East Africa (Kenya, Tanzania and Uganda), the United Kingdom (in London on current counter-terrorism policies and in Belfast on lessons from the past), North Africa (Algeria, Morocco and Tunisia), the United States, the Southern Cone (Argentina, Brazil, Chile, Paraguay and Uruguay), South-East Asia (Indonesia, Malaysia, the Philippines and Thailand) and the Russian Federation. Other countries or regions where the Panel will also hold hearings include Pakistan, Canada, the Middle East and Europe. The final report of the Panel is expected to be published in autumn 2007.

For further information on the public hearing and to arrange interviews with the Panel, please contact:

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