



AN INITIATIVE OF  
THE INTERNATIONAL  
COMMISSION OF JURISTS

# EMINENT JURISTS PANEL on Terrorism, Counter-Terrorism and Human Rights

27 February 2006

IMMEDIATE RELEASE

## EMINENT JURISTS EXAMINE HUMAN RIGHTS IMPACT OF FIGHT AGAINST TERRORISM IN EAST AFRICA

P  
R  
E  
S  
S  
  
R  
E  
L  
E  
A  
S  
E

The Eminent Jurists Panel on Terrorism, Counter-terrorism and Human Rights began its sub-regional hearing on terrorism and human rights in East Africa today. The public hearing in Nairobi, hosted by the Kenyan Section of the ICJ, is part of an independent global inquiry of eight eminent jurists appointed by the International Commission of Jurists (ICJ) to examine the impact of the fight against terrorism on human rights and the rule of law.

For the next two days, the Eminent Jurists will listen to submissions from civil society, lawyers, academics and governmental officials on the impact of special laws, policies and practices adopted to fight terrorism in Tanzania, Uganda and Kenya. The Panel will also meet with senior governmental officials in private in the course of its visit.

“The Panel has come to East Africa to hear concerns about terrorist activities and counter-terrorism measures directly from key actors”, said Justice Arthur Chaskalson, the Chair of the Panel and former Chief Justice of South Africa. “Any measure to counter terrorism must comply in law and practice with international human rights, refugee and humanitarian law as expressed in the ICJ Berlin Declaration on upholding human rights while combating terrorism and equally in Security Council Resolution 1456”, stressed Arthur Chaskalson.

East Africa is frequently referred to as a region of great importance in global efforts to counter terrorism. Kenya and Tanzania have direct experience of terrorist attacks. Of particular concern in Uganda has been the internal armed conflict with the Lord’s Resistance Army, which is responsible for massive human rights abuses, and which the government classifies as a terrorist group.

At the same time, new laws, policies and practices, justified as necessary to counter terrorism, have raised widespread concerns about their impact on the enjoyment of human rights in all three countries.

The Panel will be represented in East Africa by Justice Arthur Chaskalson, former Chief Justice of South Africa and the first President of the South African Constitutional Court, and Stefan Trechsel, former President of the European Commission on Human Rights and recently appointed judge *ad litem* to the International Criminal Tribunal for the former Yugoslavia.

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

33, rue des Bains, P.O. Box 91, 1211 Geneva 8, Switzerland  
Tel: +41(0) 22 979 3800 – Fax: +41(0) 22 979 3801 – Website: <http://www.icj.org> - E-mail: [info@icj.org](mailto:info@icj.org)

## Background

The Panel is a high-level panel of eminent jurists that exercises its mandate independently, with the logistical support of the ICJ Secretariat and its network of organizations. Arthur Chaskalson, former President of the Constitutional Court of South Africa, chairs the Panel. The other members are Georges Abi-Saab (Egypt), Robert K. Goldman (United States), Hina Jilani (Pakistan), Vitit Muntarbhorn (Thailand), Mary Robinson (Ireland), Stefan Trechsel (Switzerland) and Raúl Zaffaroni (Argentina).

The Panel will hold hearings around the world over a period of 18 months. On the African continent, the Panel will also hold a sub-regional hearing in North Africa. See for more information on the Eminent Jurists Panel at [www.icj.org](http://www.icj.org).

*For further information, please contact Samuel M'Bithi or Gerald Staberock (in Nairobi) at +254 (0)20 3875981 or Isabelle Heyer (in Geneva) at +41 (0) 22 9793821.*