



AN INITIATIVE OF
THE INTERNATIONAL
COMMISSION OF JURISTS

EMINENT JURISTS PANEL

on

Terrorism, Counter-Terrorism and Human Rights

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USA: Global counter-terrorism inquiry begins US hearings

The Eminent Jurists Panel on Terrorism, Counter-terrorism and Human Rights, a high-level and independent legal body appointed by the International Commission of Jurists (ICJ), opened today three days of hearings in Washington, D.C., on US counter-terrorism laws and policies, as it began the US leg of its investigations.

The hearing is part of a global inquiry by leading international judges and lawyers on how terrorism and counter-terrorism measures have affected human rights and the rule of law.

“Both terrorist attacks and counter-terrorism measures are having a profound impact on our societies. In the US, as in every country the Panel is visiting, we have come to listen to all views, to reflect on the last five years and ask how terrorism can be confronted while respecting human rights and the rule of law,” said Justice Arthur Chaskalskon, former Chief Justice of South Africa and Chair of the Panel. “For many people around the world, the legal traditions of the United States embody a strong respect for the rule of law and human rights. It is important that it should be, and should be seen to be, meticulous in crafting anti-terrorism measures that comply with international human rights and humanitarian law,” he added.

The Panel will hear testimony from experts and groups on subjects such as policies on detention and treatment of detainees and the rendition of terror suspects. The hearings will examine how terror suspects should be brought to justice and will discuss the impact of terrorism and counter-terrorism on society and fundamental freedoms, such as freedom of the press, the right to privacy and the right to non-discrimination.

Ms Karen J. Mathis, President of the American Bar Association, Mr Bradford Berenson, former Associate Council to President George W. Bush (2001-2003), Mr Kenneth Roth, Executive Director of Human Rights Watch and Mr Morton H. Halperin, US Advocacy Director of the Open Society Institute, will provide evidence to the Panel in its opening session on Wednesday.

In the course of the three-day public proceedings the Panel will listen to a wide range of perspectives, including victims of 9/11, leading US lawyers, academics, doctors, professional associations, national and international human rights organisations, counter-terrorism experts and US foundations. In the week following the hearings the Panel members will also meet with key government representatives in private and will travel to New York for high-level meetings with the United Nations.

The hearings in Washington, D.C. will be held at American University Washington College of Law and are open to the public and the media.

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

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Background

The independent Panel was convened in 2005 by the International Commission of Jurists to carry out a study and make recommendations on how to preserve the rule of law whilst effectively addressing the challenge of terrorism in its many complex global and local forms.

The Panel is composed of eight judges, lawyers and academics from all regions of the world. The Panel exercises its mandate independently, with the logistical support of the ICJ Secretariat and its network of organizations. Arthur Chaskalson, former Chief Justice and first President of the Constitutional Court of South Africa, chairs the Panel. The other members are 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; Hina Jilani (Pakistan), a lawyer before the Supreme Court of Pakistan and the UN Secretary General's Special Representative on Human Rights Defenders; Vitit Muntarbhorn (Thailand), Professor of Law at Chulalongkorn University in Bangkok and UN expert on human rights in North Korea; 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; Justice E. Raúl Zaffaroni (Argentina), a judge at the Supreme Court of Argentina.

The Panel is holding hearings around the world over a period of 18 months to study the experiences with terrorism and counter-terrorism worldwide. The Panel has already held six hearings (in Australia, Colombia, East Africa, the United Kingdom (London and Northern Ireland) and North Africa) and has received numerous oral and written submissions. Further hearings will take place in South America, South East Asia, the Russian Federation, Canada, the Middle East, South Asia and Europe. The Panel will issue a global report on terrorism, counter-terrorism and human rights based on the hearings and other information received in 2007.

For further information on the Eminent Jurists Panel and the hearings in the United States, see www.icj.org and www.wcl.american/events/icj.

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