



# INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

*" dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights "*

16 September 2005

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

## Proposed UK anti-terror law raises serious concern

The ICJ today expressed concern over new counter-terrorism legislation proposed by the UK Government that would allow the police to detain suspects for up to three months without charge and introduce broadly defined offences of indirect encouragement and glorification of terrorism.

“Under international law a Government can criminalize incitement to violence, racial hatred and terrorist acts. But these proposals are so broad that they will threaten open and possibly controversial debate over terrorism,” said Nicholas Howen, ICJ Secretary-General.

The law would criminalize not only incitement to terrorism or violence which is already prohibited under UK law, but also statements glorifying past, present and future terrorism and statements that could be understood as indirect encouragement. The law would not require proof that the person intended to encourage or incite terrorism, or that it actually encouraged terrorist acts. It would be sufficient that the person has reasonable grounds to believe that members of the public – including those outside the United Kingdom – are likely to understand the statement as an indirect encouragement or inducement.

The breadth of the proposed offences, such as indirect encouragement or glorification of terrorism sets a dangerous precedent that would damage freedom of expression and undermine the very values of freedom that the law seeks to protect. It would create serious difficulties for the media, journalists, internet providers and others expressing their views or reporting about terrorism, its causes, manifestations or motivations.

The ICJ also expressed concern about the proposal to be able to hold terror suspects without charge for up to three months.

“This extension only erodes the right of any suspect to be informed promptly of the reasons for the arrest and of any charges against them. Such a long period in custody before being charged or released looks increasingly like a back door form of administrative detention,” said Nicholas Howen.

For further information contact Gerald Staberock - 00 41 (22) 979 38 00.

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

81A, avenue de Châtelaine, P.O. Box 216, 1219 Châtelaine, Geneva, 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)