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NEWS FROM AFRICA AND THE MIDDLE EAST

Bahrain: Counter-terrorism law reduces safeguards against torture

The UN Committee against Torture (CAT) expressed concern about the broad definitions of terrorism and terrorist groups and the erosion of judicial safeguards against torture in a proposed counter-terrorism law in Bahrain. The ICJ made a written submission to the CAT about the draft law.

ICJ Submission

CAT conclusions

Egypt: Wave of arrests following terrorist attacks in Cairo

Following the terrorist attacks in Cairo on 30 April 2005, the Egyptian authorities reportedly arrested and detained around 200 people from the villages of origin of the alleged perpetrators. The alleged instigator of the attacks reportedly died in custody, raising new concerns regarding torture and ill-treatment in Egypt, said by the UN Committee against Torture to be widespread (see *Agiza v. Sweden* case in News from Europe).

AI press release

NEWS FROM THE AMERICAS

Canada: UN experts criticize *refoulement* practices for terror suspects

The UN Committee against Torture (CAT) expressed concerns at the willingness of Canadian authorities to resort to immigration procedures to remove or expel suspected terrorists to countries where they face the risk of torture. Concerns also include the blanket exclusion of terror suspects from the process of assessing their refugee claim and the Supreme Court's failure to recognize the absolute nature of the torture prohibition.

CAT conclusions

Chile: Mapuche leaders re-tried under anti-terror legislation

Eight Mapuche community leaders will be retried under Chilean anti-terror legislation after the Supreme Court annulled the first proceedings last April, in which the defendants had been acquitted. The indigenous leaders are accused of forming a terrorist organization and of having carried out a series of attacks in lands they claim as ancestral.

Press article

Venezuela requests the US to extradite a Cuban terror suspect

On 17 May US immigration authorities arrested Luis Posada Carriles for illegally entering the country. Venezuela requested Posada's extradition as he escaped from a local jail while awaiting trial in 1985. Mr. Posada is accused of masterminding the blowing-up of a Cuban airliner off Barbados in 1976 which killed 73 people and of plotting to assassinate Fidel Castro.

Press article

US House of Representatives blocks Patriot Act's provision on libraries records

In a review of part of the Patriot Act, the House of Representatives voted on 14 June to block a provision that allows the FBI to access records of libraries and bookstores. While this revision still requires Senate approval, the Justice Department defended the provision as a valuable tool to fight terrorism.

Press article

NEWS FROM ASIA AND THE PACIFIC

Australia: Parliamentary inquiry into interrogation and detention practices

A Parliamentary Joint Committee is conducting an inquiry into the questioning and detention powers of the Australian Secret Intelligence Organisation (ASIO) contained in the ASIO Legislation Amendment (Terrorism) Act 2003. Some organizations, such as the Law Council of Australia (LCA), have expressed concern that the Act would violate basic rights by allowing people to be detained because they have certain information and not because they are suspected of having committed a criminal offence.

[Parliamentary Committee](#)

[ASIO Act](#)

[LCA Submission](#)

Malaysia: Royal Commission recommends revisions of Internal Security Act

The Royal Commission to Enhance the Operations and Management of the Royal Malaysia Police has recommended in a report released in May that the period of detention under Malaysia's Internal Security Act (ISA) be reduced to avoid suspects being exposed to torture. Section 73 of the ISA currently gives the police authority to arrest without warrant and detain any individual for a period of up to 60 days.

[AI Submission](#)

[Malaysian NGOs statement](#)

NEWS FROM EUROPE AND THE COMMONWEALTH OF INDEPENDENT STATES

Germany: Supreme Court confirms acquittal in 9/11 case

On 9 June the Supreme Court confirmed the acquittal of Abdelgheni Mzoudi, a Moroccan national and member of the so-called Hamburg cell surrounding Mohammed Atta, one of the 9/11 hijackers. Abdelgheni Mzoudi was charged with aiding in the preparation of the 9/11 attacks. A lower court acquitted the accused for lack of evidence after being unable to examine a key witness in US custody. The US Government refused to release transcripts and intelligence information to the court.

[Supreme Court press release](#)

[Lower Court ruling](#)

Sweden: UN experts criticize *refoulement* to Egypt

The UN Committee against Torture (CAT) held that Sweden violated the principle of *non refoulement* by transferring to Egypt Mustafa Kamil Agiza who was suspected of involvement in terrorist activities. The Committee said because the practice of torture is widespread in Egypt he was at risk of torture despite Egypt's diplomatic assurances. The Committee also found that Sweden denied his right to an effective remedy.

[CAT decision](#)

Russia: Acquittal of soldiers accused of killing civilians in Chechnya war

A jury in Rostov has acquitted a group of Russian soldiers who killed six unarmed civilians in the village of Dai in Chechnya in January 2002. This was a retrial after the Supreme Court had reversed an earlier acquittal based on the defense of superior orders. According to human rights organizations, this case illustrates the continuing pattern of impunity in Chechnya.

[IHF report](#)

[AI press release](#)

Turkey: European Court of Human Rights confirms findings in Öcalan case

On 12 May, the Grand Chamber of the European Court of Human Rights held that Turkey violated former PKK leader Abdullah Öcalan's right to liberty and security and to a fair trial. In particular, the presence of a military judge in parts of the proceedings violated the right to an independent tribunal. The Court also considered that the imposition of the death penalty pursuant to an unfair trial constituted cruel and inhuman treatment.

Grand Chamber ruling

UK: Counter-Terrorism practices criticized by Council of Europe expert bodies

The Commissioner for Human Rights, Alvaro Gil-Robles, has raised serious concerns regarding the new UK counter-terrorism law and the impact of counter-terrorism measures on immigrant communities. In another report, the Committee for the Prevention of Torture (CPT) found that the condition under which terrorist suspects have been held in the high-security prison of Belmarsh amounted to inhuman and degrading treatment. Finally, the European Commission for Racial Intolerance (ECRI) has drawn attention to discrimination against members of the Muslim community in the UK in connection with the fight against terrorism.

Gil-Robles report

CPT report

ECRI report

NEWS FROM THE UN AND REGIONAL ORGANIZATIONS

Security Council Counter-Terrorism Committee appoints human rights expert

The Counter-Terrorism Committee (CTC) appointed a human rights expert. This appointment has been a long-standing request by the human rights community as one step to ensure that human rights are fully integrated in the work of the CTC.

Security Council Counter-Terrorism Committee visits Kenya

In a visit to Kenya in May 2005, a CTC expert delegation stressed the importance of criminalizing terrorism and the adoption of instruments to control the financing of terrorism. The CTC praised Kenya for considering the creation of a terrorism financing unit.

Press release

EU Parliament releases annual report on human rights

In its annual report on the EU human rights policy, the European Parliament called for counter-terrorism measures to respect human rights. The report refers to the ICJ Berlin Declaration adopted in August 2004 and calls on the EU Commission to report on those states that are abusing the threat of terrorism to repress civil liberties.

Report

Council of Europe adopts Convention on prevention of terrorism

On 16 May, the Council of Europe adopted the Convention on the Prevention of Terrorism, criminalizing public provocation to commit terrorist acts, recruitment for terrorism and training of terrorists.

Convention

Explanatory Memorandum

ICJ NEWS

ICJ joins NGO call for action against the use of diplomatic assurances

The ICJ joined seven international human rights NGOs expressing concern over the increasing reliance on diplomatic assurances by governments in Europe and North America when sending alleged terrorist suspects to countries where they are exposed to serious risk of torture or ill-treatment. The statement sets out why diplomatic assurances are not an effective safeguard for countries with a record of systematic torture or cruel and inhuman treatment.

Statement

IN BRIEF

Increasing pressure to close down Guantánamo

Pressure on the US Government to close the detention centre at Guantánamo Bay is increasing. Criticism has been recently expressed by former US Presidents Bill Clinton and Jimmy Carter. Several human rights organizations such as Amnesty International and the Center for Constitutional Rights launched a campaign to close the detention centre.

AI campaign

CCR campaign

New report on counter-terrorism and EU criminal law

Amnesty International released a report analyzing the human rights implications of the criminal law responses to terrorism by the European Union.

Report

Freedom of the media under threat in the war on terrorism

The International Federation of Journalists and Statewatch launched a report entitled “Journalism, Civil Liberties and the War on Terrorism”. The report analyses current policies and the impact of counter-terrorism measures in 20 countries.

Report

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