



E-BULLETIN ON COUNTER-TERRORISM & HUMAN RIGHTS

No. 55, August 2011

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AFRICA & MIDDLE EAST

Ethiopia: UN Human Rights Committee concerned at overbroad terrorism offences

On 25 July, the Human Rights Committee issued its concluding observations on the compliance by Ethiopia with its obligations under the *International Covenant on Civil and Political Rights*. The Committee regretted that criminal offences were defined unclearly under the *Anti-Terrorism Proclamation 652/2009* and expressed concern at some of its provisions, including the criminalisation of encouragement and inducement of terrorism through publication. It also expressed its concern at the use of the anti-terrorism legislation to close newspapers and bring criminal charges against journalists.

Concluding Observations

Uganda/UK: Victim of rendition claims British complicity before UK Court

On 18 August, the UK organisation Public Interest Lawyers announced that Omar Awadh Omar, a Kenyan national subjected to rendition to Uganda in September 2010 and now charged with participation in the Kampala attacks of July 2010, has filed a case before the High Court alleging the participation of a British secret service agent in his torture and ill-treatment at the beginning of his detention in Kampala. Omar Awadh Omar maintains that he was kidnapped in Nairobi on 17 September 2010 and sent to Kampala where he was detained by the Rapid Response Unit, a law-enforcement agency in Uganda accused of practicing torture and extrajudicial killings. He alleges that he was interrogated and ill-treated by several FBI agents and one MI5 agent while in detention. On 26 August, the High Court dismissed the claim.

Press Article 1

Press Article 2

Press Article 3

Saudi Arabia: Draft anti-terrorism law to be modified, says Shura Council

On 6 August, a spokesperson of the Shura Council announced the revision of a draft Anti-Terrorism Law, leaked at the end of July, in order to ensure respect of citizens' rights. However, no details of the proposed amendments by the Shura Council, which has only consultative status, were communicated to the press, apart from references to changes to the offence of taking up arms against the king or crown prince or abandoning loyalty to them. Amnesty International had strongly criticized the draft legislation as an attempt to curb public protest and freedom of expression and association. On 2 August, Human Rights Watch sent a letter to King Abdullah bin Abd al-'Aziz requesting substantial modification of the draft law and outlining that the current draft undermines international human rights law, in particular through problematic definitions of terrorism; broad restrictions on rights to freedom of speech, peaceful assembly, and association; excessive police and prosecutorial powers, infringing the right to privacy; and intrusions on the independence of the courts and on the right to a fair trial.

Draft Law (A)

AI Statement (E)

HRW Letter (E)

HRW Memorandum (E)

Press Article (E)

Syria: UN Human Rights Council establishes Commission of Inquiry to investigate serious human rights situation, including possible crimes against humanity

On 23 August, the UN Human Rights Council adopted a resolution strongly condemning the continued grave and systematic human rights violations committed by the Syrian authorities and establishing an independent Commission of Inquiry to investigate the situation. The crackdown in Syria against peaceful protesters, which the Government justifies as a legitimate counter-terrorism campaign, has claimed the lives of more than 2,000 people. The resolution is also based on the findings of a mission of the Office of the High Commissioner for Human Rights, which found that crimes against humanity may have been committed. The mission was not allowed to enter Syrian territory but gathered

evidence from alleged victims fleeing Syria. On 3 August, the Security Council called on Syria to stop the repression and violations of human rights and to begin implementing announced reforms. Calls have emerged, including by the ICJ and the World Organisation against Torture (OMCT), for the Security Council to refer the situation to the International Criminal Court.

[HRC Resolution](#)

[SC Pres. Statement \(2011/16\)](#)

[OHCHR Report](#)

[HRHC Speech](#)

[SRs Speech](#)

[NGOs Statement](#)

[Press Article](#)

Iraq: United Nations concerned at abuses of counter-terrorism legislation

On 8 August, the UN Assistance Mission for Iraq (UNAMI) and the Office of the High Commissioner for Human Rights released a report on the human rights situation in Iraq in 2010. Among the many findings, the report documents that in Iraq almost all the arrests carried out under the Counter-Terrorism Law are executed without a warrant, which is obtained retroactively only after the arrest. The report also expresses concern that the *Law on Anti-Terrorism (Law No. 3/2006)* of the Kurdistan Region is used to keep some individuals in detention without charge or without producing them to the courts for trial for extended periods. Furthermore, the report reminded the Government of Iraq that it is under an obligation to ensure treatment in accordance with international human rights law, including in respect of the principle of *non-refoulement*, for the population in Camp New Iraq (former, Ashraf Camp). Most of these persons are said to be members of or sympathisers with the Peoples' Mujahedeen Organisation of Iran, considered by Iraq and Iran to be a terrorist organisation.

[Report](#)

[UN Statement](#)

Algeria: After ten years in detention, suspect Malik Medjnoun convicted of terrorism

On 18 July, after a one-day trial, Malik Medjnoun was convicted and sentenced to twelve years of imprisonment on the charges of "membership of a terrorist group" and "complicity in murder" for the alleged murder of Kabyle singer Lounès Matoub. Malik Medjnoun was arrested in 1999 and kept in detention without trial since that time. For seven months he had been kept in *incommunicado* detention and allegedly subject to torture. Amnesty International has alleged that the trial was manifestly unfair and called for his immediate release, reparation for his suffering and for investigations to be opened on Medjnoun's allegations of torture.

[NGO Statement](#)

Egypt: Victim of rendition from Sweden finally released from prison

On 2 August, Ahmed Agiza, an Egyptian national subjected to rendition in 2001 from Sweden, after the Swedish authorities handed him and another victim, Mohammed Alzery, over to the CIA, was released from the Tora Prison in Cairo. After his rendition he had been convicted by a military court to 25 years of imprisonment, a term later reduced to 15, for membership of a terrorist organisation. The UN Committee against Torture had found in 2005 that the rendition violated Sweden's obligations under the Convention against Torture, in particular the principle of *non-refoulement*. Ahmed Agiza was allegedly ill-treated during the transfer and subjected to torture while in detention in Egypt. He and his family are now asking Sweden to issue him a residence permit to allow him to go back to that country.

[Press Article 1](#)

[Press Article 2](#)

AMERICAS

USA: US citizens may sue former Secretary of Defence Rumsfeld

On 8 August, the federal Court of Appeals for the Seventh Circuit allowed a civil lawsuit to proceed for damages against former Secretary of Defence, Donald Rumsfeld, for the alleged torture of Donald Vance and Nathan Ertel, two US citizens. The two plaintiffs allege to have been unlawfully detained *incommunicado* and tortured for several months at Camp Cropper in Baghdad (Iraq) by US forces. Donald Vance and Nathan Ertel were security officers employed by a private contractor in Iraq and whistleblowers providing information to the FBI of alleged criminal offences committed by the company. During their detention, they were allegedly subject to the same torture “detention programme” in use for “terrorism suspects”. The Federal Court found that no qualified immunity was applicable and that a constitutional cause of action existed for the claim for violation of their constitutional rights to be free from cruel and unusual punishment and of due process (*Bivens* claim), because they are US citizens. On 2 August, the District Court of the District of Columbia granted leave to proceed to a similar lawsuit also brought by a US contractor in Iraq, who has demanded to be taken off a terrorist watch list. Similar cases brought by non-US citizens in federal court and claiming the same legal grounds have previously been dismissed.

Ruling 1

Ruling 2

USA: No duty to disbar Guantánamo interrogation psychologists, says NY court

On 11 August, New York State Supreme Court Judge Saliann Scarpulla dismissed a case brought by the Center for Justice and Accountability, the New York American Civil Liberties Union and psychologist Steven Reisner against the State Office of Professional Discipline seeking the opening of an investigation and the revocation of the licence of Dr. John Francis Leso, a psychologist accused of participating in torture and ill-treatment practices by overseeing and designing detention and interrogation techniques of detainees in Guantánamo. The Office of Professional Discipline (OPD), a division of the New York State Education Department, had dismissed the complaint on jurisdictional grounds. Judge Scarpulla reportedly dismissed the complaint for lack of standing, ruling that Dr Reisner, while being entitled to file complaints with the OPD, did not have an equivalent right to have an investigation carried out according to the *New York Education Law*.

Case Documents

Press Article

USA: CIA sanctioned but held not in contempt for destroying torture tapes

On 1 August, Judge Alvin Hellerstein of the US District Court for the Southern District of New York ordered the CIA to pay the fees of the American Civil Liberties Union’s lawyers for having destroyed 92 videotapes in 2005 allegedly depicting the torture of two prisoners, Abu Zubaydah and Abd Al-Rahim Al-Nashiri, which were requested under court order in the ACLU-brought case under the *Freedom of Information Act* (FOIA). The Judge also ordered the CIA to produce the most recent policy on destruction of documents to verify that such conduct does not recur in the future. However, the District Court Judge refused, in his judgment from the bench, to hold the CIA in contempt of court. The ACLU expressed the view that the lack of contempt of court left unaddressed ACLU’s “larger concerns about accountability”.

Case Documents

NGO Statement

USA: Attorney General invokes state secret doctrine in effort to block anti-discrimination lawsuit

On 1 August, US Attorney General Eric H. Holder filed a declaration with the US District Court for the Central District of California applying the state secret privilege to information related to a counter-terrorism investigation under dispute in the case *Yassir*

Fazaga et al. v. FBI et al. The action was brought by three US citizens alleging that counter-terrorism investigations through an informant in Muslim communities and Mosques resulted in the indiscriminate gathering of personal information of hundreds, possibly thousands, of Muslim Americans based solely on their religion. The Attorney General and the Justice Department maintained that information covered by the state secret privilege would be necessary to establish whether the investigations were based on religious discrimination and requested the Court to dismiss the case on the grounds of the state secrecy and of sovereign immunity.

[AG Declaration](#)

[DoJ Motion to Dismiss](#)

USA: Account of Bin Laden's killing corroborates extrajudicial killing theory

On 8 August, journalist Nicholas Schmidle published in the *New Yorker* magazine a detailed account of the operation which led to the killing of Osama Bin Laden, based on the interviews and private conversation with persons and officers involved in the operation. From the published story, it appears that there had never been a policy to capture Osama Bin Laden alive, as maintained by the White House, and that the Navy SEALs summarily executed him while he was unarmed.

[Press Article](#)

USA: Inter-American Commission on Human Rights again calls for Guantánamo closure

On 22 July, the Inter-American Commission on Human Rights adopted a resolution in which it declared the detention of the 78 Guantánamo detainees designated by the US Government to be subject to indefinite detention constitutes a violation of their fundamental rights and called on the United States to “close the Guantánamo Bay facility without delay and try or release the detainees through a process undertaken in full accordance with international human rights and humanitarian law”. The Commission expressed concern at the fact that the 78 individuals are subject to indefinite detention until “hostilities have ceased”; that only 59 *habeas corpus* proceedings have been resolved, with a number of detainees cleared for release but maintained in detention; and at the detention of children in Guantánamo. Regarding the transfer of cleared detainees, the Commission deplored “the absence of mechanisms to review the Executive’s decision to transfer detainees”, in light of the principle of *non-refoulement*.

[IACHR Resolution](#)

[IACHR Statement](#)

USA/Afghanistan: Transfer of prison to Afghanistan delayed

[See, ASIA & PACIFIC](#)

Chile: Abuse of anti-terrorism law against Mapuches brought before Inter-American Court

On 7 August, the Inter-American Commission on Human Rights brought a case before the Inter-American Court of Human Rights against Chile on behalf of Segundo Aniceto Norín Catrimán, Pascual Huentequero Pichún Paillalao, Florencio Jaime Marileo Saravia, José Huenchunao Mariñán, Juan Patricio Marileo Saravia, Juan Ciriaco Millacheo Lican, Patricia Roxana Troncoso Robles, and Víctor Manuel Ancalaf, leaders of the Mapuche indigenous group. The complaint alleges that Chile violated their rights to a fair trial and non-discrimination, through their prosecution and conviction for widely defined terrorism offences, including that of terrorist threats, which are contained in the Pinochet-era Anti-Terrorism Law.

[IACHR Statement \(E\)](#)

[Press Article \(S\)](#)

ASIA - PACIFIC

China: Government begins harsh counter-terrorism operation in Xinjiang

On 17 August, news reports informed that the Chinese Government had launched a two-month "strike hard" crackdown against violence, terrorism and radical Islam following renewed ethnic violence in the western region of Xinjiang. On 30 July, two attacks on a restaurant and a night market had reportedly left 14 people dead. The Chinese authorities blamed Uighur "terrorists" trained in Pakistan, but revealed no evidence in that respect. According to Radio Free Asia, the Government has appointed some 200,000 people as "security personnel" watching the population and their apartment blocks. The same news media reported that a number of people had been detained following the appearance of leaflets in southern Aksu city calling for independence from Beijing. The Government's measures are said to include 24 hour patrols of trouble spots, identity checks and street searches of people and vehicles, and the use of accelerated trials.

[Press Article 1](#)

[Press Article 2](#)

[Press Article 3](#)

[Press Article 4](#)

India: Mumbai attacks suspect appeals death sentence to Supreme Court

On 29 July, Mohammad Ajmal Amir Kasab, a Pakistani national alleged to be the lone survivor of the 2008 Mumbai terror attacks, appealed to the Supreme Court to reverse his conviction and death sentence. On 21 February, the Bombay High Court had upheld the sentence, pronounced on 6 May 2010, on multiple counts of murder, waging war against India, conspiracy and terrorism. Mohammed Ajmal Kasab is the lone accused in connection with the attacks in Mumbai of 26 November 2008. The Bombay High Court also upheld the acquittal of co-accused Fahim Ansari and Sabahuddin Ahmed for lack of corroborative evidence.

[Press Article 1](#)

[Press Article 2](#)

Thailand: First trial of former opposition members clears them of terrorism charges

On 27 July, the Samut Prakan Court acquitted of the charges of terrorism Virasak and Ekarin Boonniran, in the first verdict delivered on the terrorism-related charges against them after the political violence of 19 May 2010. Another 19 leaders of the United Front for Democracy against Dictatorship (UDD) and other 15 detainees are awaiting trial, set to begin in August 2012. The Court convicted Virasak and Ekarin of arson based on their admission of having launched a Molotov, which did not explode, in a bank. However, the Court acquitted them of violating the Emergency Decree and of terrorism charges.

[Press Article](#)

Afghanistan/USA: Transfer of prison to Afghanistan delayed

On 12 August, the *Washington Post* revealed US officers admitted that the deadline to hand over the Parwan detention centre at Bagram airbase to Afghan authorities, set for January 2012, will not be met due to lack of trust in the Afghan judicial system. The detention centre reportedly holds 2,600 inmates, many detained arbitrarily without trial. In particular, the news article stresses that US authorities are concerned at the Afghan judges' inability to handle classified information. In May 2011, Human Rights First (HRF) published a report on Bagram (Afghanistan). In the report, the NGO found that, overall, the system does not meet due process requirements, and noted that the Afghan justice system does not provide a minimum level of due process in national security cases.

[HRF Report](#)

[Press Article](#)

Sri Lanka: Emergency legislation to be repealed at end of August, says President

On 25 August, President Mahinda Rajapaksa addressed the Sri Lankan Parliament and presented his proposal to let lapse the Emergency Regulations, thereby officially putting an end to the state of emergency which has governed the country for the last 28 years. The President justified this move on the basis of the absence of any "terrorist" attacks since the

defeat of the Liberation Tigers of Tamil Eelam (LTTE) in May 2009. The emergency legislation had given police and security agencies sweeping powers of arrest and detention, including the right to hold a prisoner for up to a year without charge. However, similar powers are also contained in the *Prevention of Terrorism Act*, which allows police to search and detain anyone suspected of “terrorist activity” without a warrant, and which will remain in place.

[President Statement](#)

[Press Article 1](#)

[Press Article 2](#)

Malaysia: Authorities release detainees under anti-terrorism laws

On 2 August, eight immigration officers suspected of trafficking activities were released after having been detained without charge since mid-October 2010 under the emergency counter-terrorism legislation *Internal Security Act 1960*, apparently on the basis that their actions could undermine national peace and security. The Minister of Home Affairs had reportedly declared that the release was decided because they had “shown remorse and repented for their actions and have promised not to repeat the offence”. On 29 July, six Parti Sosialis Malaysia (“PSM”) leaders were released after almost one month in detention without charge under another emergency legislation, the *Emergency Public Order and Prevention of Crime Ordinance 1969*. Amnesty international and the Malaysian Bar Association have called for an end to the abuse of emergency legislation and indefinite administrative detention.

[Law \(ISA\)](#)

[Law \(EPO\)](#)

[NGO Statement 1](#)

[NGO Statement 2](#)

[Press Article](#)

Philippines: Government tries to stiffen anti-terrorism law

On 16 August, President Benigno S. Aquino III presented before the Legislative-Executive Development Advisory Council (LEDAC) a proposal for reform of the counter-terrorism legislation *Human Security Act 2007*, for inclusion in the administration’s legislative agenda. The President reportedly declared that the reform aims at restricting certain guarantees for suspects in order to enhance the use of the legislation by security forces. In particular, the President has been reported to seek a drastic reduction of the \$11,700 fine for law-enforcement officers for every day of unlawful detention of a terrorist suspect, and to delete the provisions requiring terrorist suspects to be notified when they are placed under surveillance. Human Rights NGOs have criticized the move by stressing that there are other problems with the *Human Security Act 2007* from a human rights point of view, such as the wide definition of terrorist activities.

[List of Draft Laws](#)

[Press Article 1](#)

[Press Article 2](#)

EUROPE & COMMONWEALTH OF INDEPENDENT STATES

UK: Torture inquiry boycotted by human rights NGOs for flawed procedure

On 3 August, Justice, The AIRE Centre, Amnesty International, British Irish Rights Watch, Cageprisoners, Freedom from Torture, Human Rights Watch, Liberty, Redress and Reprieve sent a public letter to the UK Torture Inquiry expressing their concern that the Terms of Reference and the procedures contained in the Protocol do not comply with Article 3 of the European Convention on Human Rights and that these NGO will refuse to submit evidence or interventions to the inquiry. The NGOs asserted that the inquiry “does not have the credibility or transparency” to ensure “the truth about allegations that UK authorities were involved in the mistreatment of detainees held abroad” is brought to light. They indicated that that they were particularly “disappointed that the issue of what material may be disclosed to the public will not be determined independently of Government and, further, that there will be no meaningful participation of the former and current detainees and other interested third parties.” The Inquiry replied by stating that it will continue its work regardless of the NGOs’ observations.

[NGOs Letter](#)

[Inquiry Statement](#)

[NGO Statement](#)

UK: Newspaper reveals intelligence policy allowing complicity in torture

On 4 August, the newspaper *The Guardian* published a UK secret policy document issued in 2002, and modified in 2004 and 2005, which guided intelligence officers' actions in the handling of information suspected to be obtained by foreign intelligence agencies through the use of torture or inhuman or degrading treatment. The policy states that, when the risk was suspected and the information was considered highly important or related to life-threatening situations, senior level officers were to be consulted. Those officers "will balance the risk of mistreatment and the risk that the officer's actions could be judged to be unlawful against the need for the proposed action". At this point, "the operational imperative for the proposed action, such as if the action involves passing or obtaining life-saving intelligence" would be weighed against "the level of mistreatment anticipated and how likely those consequences are". In the most extreme cases, Ministers were to be consulted. The secret policy was reportedly part of the UK Torture Inquiry, but not made public in accordance with its procedure.

Policy Document

Press Article

UK: Counter-terrorism newsletter asks to report anarchists to police

On 29 July, the City of Westminster circulated its Counter-Terrorism Focus Desk briefing which relates information, orders and initiatives related to counter-terrorism. In a part of the newsletter, the City of Westminster recommends that citizens report to the Police any information they have relating to anarchists. The newsletter gives also its own definition of anarchism as a "political philosophy which considers the state undesirable, unnecessary, and harmful, and instead promotes a stateless society, or anarchy". A number of anarchist organizations and individuals have objected to be associated with terrorism, saying that they do not engage in criminal or violent conduct.

Counter-Terrorism Focus Desk

Press Article

UK: *Habeas corpus* not available to Bagram detainees, says High Court

On 29 July, the High Court of Justice ruled that a writ of *habeas corpus* could not be issued for Yunus Rahmatullah, a Pakistani national detained by US forces at Bagram (Afghanistan). Yunus Rahmatullah was apprehended by British armed forces in 2004 in Iraq and transferred for detention to the US military. The US authorities later brought him to the Bagram detention centre, where he is currently held, despite a Detention Revision Board decision that he is not an unlawful enemy combatant. The High Court ruled that the Memorandum of Understanding with the USA did not constitute sufficient legal basis to establish UK authority or control over the detainee and that a writ of *habeas corpus* would be useless. However, in the decision, Justice Laws maintained that, had he found UK authority or control existing, no issue of diplomacy could have prevented the writ from being issued.

Ruling

UK/Uganda: Victim of rendition claims British complicity before UK Court

See, AFRICA & MIDDLE EAST

Germany: Government tables draft law to extend counter-terrorism legislation

On 17 August, the Federal Government approved draft legislation extending the validity of a group of anti-terrorism and security laws for four years. As announced in the June agreement between the Ministries of the Interior and that of Justice, the draft legislation includes certain modifications to be introduced in the legislation, such as the possibility to retrieve centralised data from bank and airplane companies, and a shortening of the maximum data storage period from 15 to 10 years. The Government also agreed to

establish an independent commission to monitor the implementation of the anti-terrorism laws.

[Draft Law \(German\)](#)

[Gov. Statement \(German\)](#)

[Min. Interior Statement \(German\)](#)

[Press Article \(German\)](#)

Belgium: Court grants refugee status to former terrorism convict

On 1 July, the Aliens Appeal Council (*Conseil du Contentieux des étrangers*) reversed a first instance decision which denied refugee status to a Moroccan asylum seeker based on his conviction in 2006 for participating in the activities of a terrorist organisation, the Belgian branch of the *groupe islamique des combattants marocains (ou GICM)*, in particular by providing aid to send combatants to Iraq against the US army. The Council held that these facts did not constitute acts clearly contrary to the aims and purposes of the United Nations and therefore did not fall into the exclusion clauses for refugee status of Article 1F of the Geneva Refugee Convention. In so deciding, the Council followed a 2010 decision of the European Court of Justice in the case *B. and D. v. Germany*.

[Ruling \(F\)](#)

[Press Article 1 \(F\)](#)

[Press Article 2 \(F\)](#)

Turkey: MPs report difference of treatment between Kurdish and Turkish protesters

On 29 July, a mission by MPs of the Labour, Democracy and Freedom Block composed of Sırrı Süreyya Önder, Bengi Yıldız, Sebahat Tuncel and Ertuğrul Kürkçü visited the districts where riots had occurred on 18 July and reported that 22 arrested people of Kurdish origin had been taken to the Anti-Terrorism Branch to answer to the offence of propaganda for a terrorist organisation. By contrast, all of the non-Kurdish people arrested were brought to the Public Order Branch and would be considered for prosecution under ordinary criminal offences. The MPs denounce discrimination in the handling of these detainees.

[Press Article](#)

Turkey: Kurdish politician convicted for “propaganda for terrorist organisation”

On 3 August, Kurdish politician Aysel Tuğluk, independent Deputy for Van, was given a two-year prison sentence on the grounds of "making propaganda for a terrorist organization" in one of her speeches. The charges stem from a speech she delivered on 17 March 2010 in the Yüksekova district of Hakkari, a Kurdish-majority province on the south-eastern tip of the country. In the speech, she reportedly addressed the question of the opportunity of initiating talks with the PKK leader Abdullah Öcalan.

[Press Article](#)

Kazakhstan: UN Human Rights Committee concerned at lack of respect of refugees' rights

On 21 July, the Human Rights Committee issued its concluding observations on the compliance by Kazakhstan with its obligations under the *International Covenant on Civil and Political Rights*. The Committee expressed its regrets at reports that the authorities target “vulnerable groups such as asylum seekers, and members of Islamic groups in their activities to combat terrorism”. Furthermore, the Committee expressed its concerns at transfers or extraditions under the frame of the Shanghai Cooperation Organisation (SCO) of asylum seekers of Uzbek and Chinese origin who have “no protection under the principle of *non-refoulement* due to the State party’s obligations under the Minsk Convention on Legal Assistance for Persons from the Commonwealth of Independent States”. The SCO is a security organisation including the Russian Federation, Central Asian Republics, and China. The Committee was also concerned by the reliance of Kazakhstan on diplomatic assurances leading to risks of violations of the principle of *non-refoulement*.

[Concluding Observations](#)

Kazakhstan: Court orders block of 13 websites for terrorism propaganda

On 19 August, a court in Kazakhstan ordered a block on 13 foreign internet websites, including the popular LiveJournal Russian blog platform, on the grounds that they “spread materials with propaganda of terrorism and religious extremism and open calls to committing acts of terror and making explosive devices”, according to Ailana Iskendiroya, spokeswoman for the District Court in the capital Astana. The move reportedly comes after a series of attacks and clashes among armed groups.

NGO Statement

Press Article

Kazakhstan: Uzbek citizen arrested pending extradition for terrorism offences

On 24 August, news reports stated that Sobirjon Nosirov, an Uzbek citizen, was arrested in Oral (Kazakhstan) in late July and now risks extradition to his native country, Uzbekistan. Sobirjon Nosirov is reportedly wanted by Uzbekistan to answer charges of “terrorism, religious extremism, anti-constitutional activities, and the preparation and distribution of materials calling for mass unrest and disorder”. Uzbekistan is alleged to engage in the practice of torture or cruel, inhuman or degrading treatment on a widespread basis. Kazakhstan has recently begun implementing a policy of sending and extraditing Uzbek citizens and refugees to Uzbekistan in disregard of the principle of *non-refoulement*. Sobirjon Nosirov reportedly began a hunger strike on 20 August and is not allowed access to family members or lawyers.

Press Article

Kyrgyzstan: Turkish journalist extradited back home, despite claims of torture risks

On 3 August, Kyrgyz authorities extradited Turkish journalist Ali Osman Zor to Turkey. Mr Zor was arrested on 2 May and detained on suspicion of membership of a terrorist organisation, Al Qaeda. Turkey accuses him of being a member of the Great Eastern Islamic Raiders Front (İslami Büyük Doğu Akıncılar Cephesi, or, IBDA-C), which it classifies as a terrorist organisation. Ali Osman Zor had asked for asylum in Kyrgyzstan almost one year ago.

Press Article 1

Press Article 2

Tajikistan: BBC correspondent, on trial for terrorism, claims to have been tortured

On 16 August the trial began of Urunboy Usmonov, a BBC correspondent for Central Asia, who was detained by Tajik authorities last June for alleged connections with Hizb ut-Tahrir, a pan-Islamic organisation, which is considered to be a terrorist organisation by many Central Asian Republics. The BBC protested and expressed great concern, also stating that the family had reported that he appeared to have been beaten up after the arrest. The charges at trial have been modified from membership of Hizb ut-Tahrir to having with being in contact with this organisation without telling the authorities. On 19 August, the *BBC* reported that during last week’s hearings, Urunboy Usmonov said he had been burned with lit cigarettes and beaten while detained.

NGO Statement

Belarus: Terrorist suspects charged with offences carrying death penalty

On 2 August, the Prosecutor’s office announced that it would bring to trial in one month two suspects, named as Kovalyev and Konovalov, in connection with the Minsk metro bombing of last April which killed 15 people and wounded dozens more. The two defendants, whose first names have not been released, will be charged with terrorism, an offence which carries the death penalty. Belarus is the only country in Europe which still retains this punishment.

Press Article

UNITED NATIONS & REGIONAL ORGANISATIONS

UN: NGO files deletion application for four persons to Terrorism List Ombudswoman

On 14 June, the European Centre for Constitutional and Human Rights filed an application to the UN Ombudsperson on behalf of four Italian residents who have been included in the UN Terrorism Lists since 2003/2004. All four applicants have been cleared of any terrorist-related offences by the Italian courts, but they remain on the UN 1267 list as having “belonged to” an Italian terrorist cell allegedly connected to the Organisation of al-Qaida in the Islamic Maghreb (or GSPC). ECCHR pleads that they should have never been included in the list, as there was never sufficient evidence to substantiate the connection. Irrespective of the past allegation, the European Centre maintains there is no evidence, almost seven years later, that the individuals currently meet that listing criteria.

NGO Statement

UN: Counter-Terrorism Committee Directorate holds workshop on prosecution and intelligence information

Between 18 and 20 July, the UN Counter-Terrorism Committee Executive Directorate (CTED), with support from the Governments of the United States of America and Turkey, organised a workshop in Ankara (Turkey) gathering prosecutors from various jurisdictions and international experts. The workshop dealt with the handling of privileged or classified information, the protection of witnesses, and ways to establish cooperative relations with law-enforcement and intelligence communities, which may be critical to a successful prosecution.

UN CTC Statement

EU: Organisation back in EU Terrorism List, despite deletion by General Court

On 18 July, the Council of the European Union renewed the EU Terrorism List for the purpose of freezing assets destined to finance a terrorist organisation. In this latest version of the list, the Council re-inserted the organisation Stichting Al-Aqsa, which in January 2011 had been kept on the list only provisionally. In September 2010, the General Court of the European Union ruled that the organisation should be taken off the list. The decision is under appeal to the Court of Justice of the European Union. The General Court had ascertained that the administrative decision by the national authorities of the Netherlands, which was the basis of the Council’s decision to include the organisation, had been repealed by the Netherlands Government, making the EU insertion on the list illegitimate. The Council also excluded from the Terrorism List the Autodefensas Unidas de Colombia – AUC, a Colombian paramilitary group, which is considered as terrorist by the USA. The Council, however, maintained the Revolutionary Armed Forces of Colombia (FARC) on the list.

General Court Judgment

Council Regulation

Council Decision

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