



E-BULLETIN ON COUNTER-TERRORISM & HUMAN RIGHTS

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AFRICA & MIDDLE EAST

Nigeria: Abuja bombing suspects' lawyers denied access to courtroom

On 21 October, seven persons suspected of involvement in setting off bomb blasts on 1 October in Abuja were brought to court by the State Security Service. The court hearing was reportedly closed and the lawyers of the suspects were not allowed to access the courtroom. The names of the seven accused were not made public by the authorities, but the lawyers of three suspects identified their clients as Charles Okah, Ernest Orlu and Edmund Ebiware.

[Press Article](#)

Rwanda: Opposition leader arrested under terrorism charges

On 14 October, Victoire Ingabire Umuhoza, leader of the opposition party United Democratic Forces (FDU-Inkingi), was arrested based on the authorities' claims that she was collaborating in setting up a "terrorist group". The authorities allege that she ordered the establishment of a military wing of the Democratic Forces for the Liberation of Rwanda (FDLR), an unregistered opposition political party. On 26 October, a criminal court denied her bail. Human rights organizations accused the government of using terrorism charges to undercut political opposition.

[Press Article 1](#)

[Press Article 2](#)

Uganda: Constitutional Court quashes treasons and terrorism trials for flagrant fair trial violations

On 12 October, the Constitutional Court of Uganda dismissed the charges and ended the treason, murder and terrorism trials against Col. Kizza Besigye, Frank Atukunda and Patrick Okiring in the High Court and in the General Court Martial. The Court held unanimously that State agents had violated the fair trial rights of the accused by laying siege to the High Court and re-arresting the suspects to block their release on bail. The Court also found that the petitioners had been subject to cruel, inhuman and degrading treatment. The Court stressed that the siege of the High Court and the re-arresting of the suspects despite the judicial grant of bail had "grossly interfered with the exercise of judicial power."

[Judgment](#)

[Press Article](#)

Kenya: Court stops rendition to Uganda

On 28 September, Justice Mohammed Warsame suspended the rendition of Mohamed Aktar Kana by Kenyan authorities to Uganda where he was wanted in connection with the investigations of the 11 July Kampala bombings. Justice Warsame found that the rendition of Mr Aktar would have violated his basic rights of due process as it was done without following extradition procedures.

[Ruling](#)

[Press Article](#)

Morocco: Report documents human rights violations in counter-terrorism

In October, Human Rights Watch published a report on Morocco entitled "Stop Looking for Your Son"; Illegal Detentions under the Counterterrorism Law". The report sets forth allegations of human rights violations committed in counter-terrorism operations, including arrests by unidentified agents without explanation of the reasons for the arrest; torture and ill-treatment during interrogations; secret detention; and police detentions longer than the 12-days maximum established by Moroccan law.

[Report](#)

Yemen: Saleh Al-Shawish convicted of terrorism and sentenced to death

On 18 October, a court in San'a sentenced to death self-confessed Al-Qaeda member Saleh Al-Shawish. He was convicted on charges related to involvement in seven attacks on security facilities, training would-be suicide bombers and bomb-making. He is reported to have rejected a court's offer to assign a defense lawyer and turned down a request to appeal the verdict.

[Press Article](#)

Israel: Supreme Court denies entry to Nobel Prize Laureate after involvement in Gaza aid shipment

On 4 October, the Israeli Supreme Court rejected an appeal against deportation by the Nobel Peace Laureate Mairead Maguire. She was refused entry into Israel once at Ben Gurion International Airport, where she spent one week in detention. The Israeli authorities reportedly refused her entry because of her participation in a flotilla that tried to carry humanitarian aid to Gaza and was intercepted by Israeli authorities in a military operation. On 22 September, the Independent International Fact-finding Mission, entrusted by the UN Human Rights Council to investigate the Israeli attack on the flotilla of 31 May 2010 which took the life of nine activists, issued a report on its findings. The mission concluded that in Gaza a humanitarian crisis existed at the time of the interception, making the Israeli blockade, which Israel defends as a legitimate counterterrorism measure, unlawful.

[Judgment \(E\)](#)

[Judgment \(Hebrew\)](#)

[UN Report \(E\)](#)

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

Americas

USA: Federal judge denies call of "coerced" witness in Ghailani's trial

On 5 October, Judge Lewis A. Kaplan of the US District Court of the Southern District of New York ruled that the government could not call as a witness Hussein Abebe in the trial against Ahmed Khalfan Ghailani. Judge Kaplan disallowed the testimony because it would have been the product of statements made by Ghailani to the CIA under "duress". Ahmed Khalfan Ghailani is a former Guantánamo detainee charged with conspiracy in the bombing of the U.S. embassies in Tanzania and Kenya in 1998. The judge stated in his ruling that, despite "the perilous nature of the world in which we live", the Constitution "is the rock upon which our nation rests" and must be respected in all situations.

[Ruling](#)

[Press Article](#)

USA: Deceased Guantánamo detainees' families denied day in court

On 29 September, the US District Court for the District of Columbia dismissed a motion for reconsideration for a civil damages complaint against former Defense Secretary Donald Rumsfeld and several other unnamed officials, brought by the families of Yasser Al-Zahrani and Salah Ali Abdullah Ahmed Al-Salami, Guantánamo detainees who had been found dead while in detention in 2006. Judge Ellen Segal Huvelle refused the request to reformulate the complaint as an action for violation of constitutional rights by federal actors (*Bivens* claims), ruling that this remedy could not apply to claims arising from acts in a foreign country including, according to the Court, those in Guantánamo Bay.

[Ruling](#)

USA: Government has discretion on national security reasons to foreclose evidence from public

On 6 October, the US Circuit Court for the District of Columbia overturned a District federal court ruling and granted the motion of the Government to protect from disclosure

a declaration produced in the *habeas corpus* proceedings of Guantánamo detainee Djamel Ameziane. In a heavily redacted decision, the Circuit Court held that the District had to defer to the Government's assessment of the harm to foreign relations and national security which would have resulted from the official disclosure. Djamel Ameziane is an Algerian citizen who has been held in Guantánamo since 2002.

Ruling

USA: Military said to breach plea agreement with Guantánamo detainee

The military defense lawyer of Ibrahim Ahmed Mahmoud al-Qosi and the American Civil Liberties Union have alleged that the US military violated the secret plea agreement reached with Guantanamo detainee Ibrahim Ahmed Mahmoud al-Qosi. The detainee pleaded guilty last July to conspiring with al-Qaeda and providing material support for terrorism as cook and occasional driver of Osama Bin Laden. He was moved from a communal living camp to an isolation unit, reportedly in breach of the plea agreement that called for two years of detention in a communal living camp in addition to the eight already served.

NGO Statement

Press Article

USA: Omar Khadr pleads guilty following plea deal

On 25 October, Omar Khadr pleaded guilty to committing murder in violation of the law of war, attempted murder in violation of the law of war, providing material support to terrorism, conspiracy, and spying before a military judge, for having thrown a grenade that killed an American soldier during a 2002 fire-fight and having planted ten roadside bombs for Al-Qaeda. On 31 October, Khadr was sentenced to 40 years' imprisonment, but he will have to serve eight years under the plea agreement. Omar Khadr, a Canadian national, was 15 years old at the time of his detention by US forces in Afghanistan and in Guantánamo in 2002.

Defense Dep. Statement

NGO Statement

Press Article 1

Press Article 2

Mexico: Draft law to broaden the definition of terrorism introduced in Senate

On 5 October, Representative Arturo Zamora Jiménez introduced in the House of Representatives of Mexico a bill which aims to add to the definition of terrorism the intent of "intimidating the society". The Representative has reportedly justified this extension of the definition by citing the necessity to deal with the recent violent activities of organised crime in Mexico.

Draft Law (S - p. 102)

Press Article (S)

Colombia: Former President under accusation for illegal surveillance of judiciary

On 12 October, the House of Representatives' Chamber of Accusation announced the opening of investigations against former President Álvaro Uribe Vélez in order to examine allegations of his responsibility for the illegal surveillance carried out by the Colombian Security Service (DAS) against judges, lawyers, human rights defenders, including the members of the Supreme Court of Colombia. The decision followed the initiative of the *Procurador General* to impose disciplinary sanctions on nine senior officers, including Bernardo Moreno Villegas, administrative director of the Presidency Office under Uribe, with several years of disbarment from public service. The former President, who rejects the allegations, announced that he would bear the legal and political responsibility for the actions of his former director.

Procurador General Statement (S)

Press Article 1 (S)

Press Article 2 (S)

Press Article 3 (S)

Colombia: Apology of terrorism struck off from newly proposed security law

On 4 October, the Colombian Government announced that it would strike from the *Bill on Citizen Security (Seguridad Ciudadana)* the provisions which aimed to introduce an offence of “apology of terrorism”. The proposed offence faced strong criticism, including by some who said that there was a risk it could be used against human rights defenders, who have often been labelled by the previous administration as “terrorists”. On 5 October, the Government tabled the bill before the House of Representatives without the contested provision.

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

[Government Statement \(S\)](#)

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

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

Chile: Reform of Anti-Terrorism Law published

On 8 October, the *Terrorist Conducts and Sanctions (Amendment) Act (Ley que modifica disposiciones de la ley n. 18.314 que determina conductas terroristas y fija su penalidad)* was published on the Official Gazette of Chile. The law reportedly introduces a prohibition of its application to persons under 18 years of age, the reduction of punishment for the offence of arson and the necessity to prove the intention to cause terror in order to trigger the offence of terrorism. The amendments were proposed following the hunger strike of 34 Mapuche prisoners, detained under the Anti-Terrorism Law. The Mapuche prisoners announced that the modifications were insufficient and that the strike would continue.

[Law \(S\)](#)

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

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

ASIA - PACIFIC

Philippines: Constitutional claim against anti-terrorism law fails

On 5 October, the Supreme Court of the Philippines rejected several petitions by NGOs challenging the constitutionality of the *Human Security Act 2007*, an anti-terrorism law. The Court found that the petitioners lacked standing to bring the constitutional claim as they could not demonstrate an actual, or immediate danger of sustaining, direct injury as a result of the legislation. The Court specified that the provision allowing for judicial proscription of a terrorist organisation had not yet been applied.

[Ruling](#)

[Human Security Act](#)

[Press Article](#)

Sri Lanka: ICJ report documents mass administrative detention of LTTE suspects

On 27 September, the International Commission of Jurists published a briefing note entitled “Beyond Lawful Constraints: Sri Lanka’s Mass Detention of LTTE Suspects”, documenting the detention of nearly 8,000 rebel suspects since the end of the conflict with the Liberation Tigers of Tamil Eelam (LTTE). The ICJ found that these detentions, generally carried out under the Regulations 19 and 22 of the *Emergency Regulation* of 2005 and the *Prevention of Terrorism Act no. 48*, might constitute “the largest mass administrative detention in the world”.

[Report](#)

[Press Article 1](#)

[Press Article 2](#)

Sri Lanka: UN Committee concerned at detention of children under anti-terrorism laws

On 1 October, the UN Committee on the Rights of the Child published its concluding observations on Sri Lanka’s compliance with the human rights obligations enshrined in the *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*. The Committee expressed deep concern that children may be detained under the *Emergency (Miscellaneous Provisions and Powers) Regulation No 1*. of 2005 and the *Prevention of Terrorism Act* in unpublicised places of detention for up to one year, and denied access to a lawyer, family members, a judge or any other competent authority to challenge the lawfulness of their detention.

[Concluding Observations](#)

Viet Nam: Blogger charged with terrorism offence for posting articles

On 29 September, Vietnamese authorities announced that they had charged blogger Pham Minh Hoang with the offences of “activities aimed at overthrowing the government” (article 79 of the criminal code) and membership of a “terrorist organisation” (the banned opposition party Viet Tan). Pham Minh Hoang, a dual Vietnamese and French citizen, was arrested on 13 August in connection a series of articles he posted online. The NGO *Reporter sans frontiers* denounced the use of anti-terrorism legislation to silence opposition in the country.

NGO Statement

Viet Nam: Activist arrested and deported under anti-terrorism law

On 10 October, Hong Vo, an Australian citizen also known as Dinh Thi Anh Hong, was arrested on accusations of violating Article 84 of Viet Nam’s penal code, the offence of terrorism. She was detained after passing out T-shirts, hats and flyers in a demonstration in Hanoi with other members of Viet Tan, the Vietnam Reform Party, a banned group. On 21 August, she was released from detention and flown to Melbourne. The offence of terrorism under Article 84 has been criticised as an overbroad one, sometimes used to repress political dissent.

Law

Press Article 1

Press Article 2

Australia: Reform of anti-terrorism legislation tabled in Senate

On 29 September, Senator Scott Ludlam introduced in the Senate the *Anti-Terrorism Laws Reform Bill 2010*. The proposed legislation would, if approved, repeal the offences of sedition, of possessing items connected with terrorist acts, and of associating with a terrorist organisation. The bill would also remove from the definition of “terrorist act” references to “threat of action” and “advancing a political, religious or ideological cause”. It would furthermore exclude any reference to damage of property or interruption of communications.

Draft Law

Explanatory Memorandum

Press Article

EUROPE & COMMONWEALTH OF INDEPENDENT STATES

UK: National rights body worried at human rights compliance of intelligence rules

On 27 September, the Equality and Human Rights Commission wrote to the Prime Minister and the heads of UK intelligence agencies expressing “serious concerns” about the lawfulness of the recently published *Consolidated Guidance to Intelligence Officers and Service Personnel on the Detention and Interviewing of Detainees Overseas, and on the Passing and Receipt of Intelligence Relating to Detainees*. The Commission noted that the guidance does not provide for a prohibition on interviewing or seeking intelligence from detainees overseas when the UK officer knows there is a “serious risk of torture”, but only for a consultation with Ministers in these cases. The Commission argued that this rule was not in line with UK domestic law and international law obligations, including the UN Convention Against Torture.

Commission Statement

Guidance

Press Article

UK: Control orders must respect family life to be effective as preventive measures

On 10 September, Justice Mitting of the High Court of Justice granted a modification of a control order in relation to “CA”, a person suspected to have been involved in terrorism-related activity. The ruling upheld “CA”’s request to be relocated from a forced residence in Ipswich to Crawley where family resides. Justice Mitting concluded that the maintenance and resistance of the family bond was the best way to assure that “CA”

would not revert to terrorism-related activities. The ruling also acknowledged that “CA”’s family could not relocate to Ipswich in view of the purported widespread antipathy to Muslims there.

Ruling

UK: Parliamentary Committee on Human Rights publishes report on *Terrorist Asset Freezing Bill*

On 19 October, the Joint Committee on Human Rights published a report commenting on the human rights impact of the *Terrorist Asset Freezing Bill*, a draft legislation introduced in Parliament by the UK Government to replace the temporary regime enacted following a Supreme Court decision which quashed the previous system. The Committee expressed some concern at the maintenance of the use of closed material and special advocates. It also recommended that the standard of proof for the freezing of assets be that of a “balance of probabilities”, and welcomed the introduction of a full right of appeal against asset-freezes.

Draft Law

Report

UK: Hundreds of requests made to reopen Northern Ireland terrorism convictions

On 11 October, the newspaper *The Guardian* reported that hundreds of people who were found guilty of terrorism offences in Northern Ireland are attempting to have their cases reviewed by the Criminal Cases Review Commission on the grounds that their confessions were obtained under torture or ill-treatment. The newspaper also reported that some former detectives with the Royal Ulster Constabulary (RUC) said that they had been encouraged by senior officers to use systematic mistreatment against suspects in several detention centres in Northern Ireland, after the establishment of the Diplock courts in 1973.

Press Article 1

Press Article 2

France: Court rules that police custody for terrorism and serious crimes violates fair trial rights

On 19 October, the Criminal Chamber of the Court of Cassation ruled that the present regime of police detention (*garde-à-vue*) is not in compliance with the right to fair trial enshrined in Article 6 of the European Convention on Human Rights. The Court found that, even in cases of terrorism or serious crimes, the decision not to allow access to a lawyer from the first moment of detention could not depend only on the nature of the alleged offence; that the detainee must be informed of his or her right to maintain silence; and that he or she must have the assistance of a lawyer in order to prepare the defence and the interrogations. The Court, following a previous decision of the Constitutional Council, ruled that these modifications to the police detention regime would apply from 1 July 2011.

Judgment 1 (F)

Judgment 2 (F)

Judgment 3 (F)

Court Statement (F)

Justice Ministry Statement (F)

Italy: Prosecutor requests conviction of former intelligence director in rendition case

On 28 October, the public prosecutor requested the Appeal Criminal Court to convict and sentence to 12 and 10 years of imprisonment respectively the former director of the Military Intelligence Service, Nicoló Pollari, and senior intelligence officer, Marco Mancini, for their participation in the rendition of Hassan Mustafa Osama Nasr, also known as Abu Omar. Abu Omar was kidnapped by CIA agents in Milan in 2003 and secretly sent to Egypt where he endured several months of arbitrary detention and ill-treatment. Nicoló Pollari and Marco Mancini had been acquitted at the first instance trial because their responsibility could not be ascertained due to the invocation of the doctrine of secret of

state by the Italian Government. The first instance court had convicted 23 CIA agents and two Italian agents for the kidnapping.

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

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

[Video News \(Italian\)](#)

Spain: European Court finds investigations in torture insufficient

On 28 September, the European Court of Human Rights ruled that the investigations into allegations of ill-treatment of Mikel San Argimiro Isasa by the Spanish authorities were flawed and that Spain had therefore failed to comply with the European Convention on Human Rights. Mr Isasa claimed to have been subject to ill-treatment during his detention incommunicado for five days under suspicion of terrorist activity. The Court also pointed out some systemic faults, such as the lack of possibility for a detainee to request an examination by a medical expert of his or her choice.

[Judgment \(F\)](#)

Poland: Prosecutor opens investigation into torture in Polish CIA detention centre

On 7 October, the public prosecutor's office announced that it was opening investigations into the allegations that Abd al-Rahim al-Nashiri had been subjected to torture several times at the converted Stare Kiejkuty military base near Szymany in the Masuria region of Poland, an alleged secret CIA detention facility used in its rendition programme. On 27 October, news media reported that the same office was granting "victim status" to Mr al-Nashiri, a measure that will give his lawyers the right to participate in the proceedings. Abd al-Rahim al-Nashiri continues to be detained at the US military prison camp at Guantánamo Bay, Cuba. The BBC also reported allegations that Khaled Sheikh Mohammed had been detained in the same centre.

[Press Article 1](#)

[Press Article 2](#)

[Video News](#)

Turkey: Terrorism law violates freedom of expression, holds European Court

On 5 October, the European Court of Human Rights held that Turkey had breached its obligations under the European Convention on Human Rights by violating the right to freedom of expression of several owners, executive directors and editors-in-chief of the weekly newspapers *Politika*, *Yedinci Gün*, *Özgür Yorum*, *Analiz* and *Ayrıntı*. The Court found that the decision by courts to suspend the newspapers' publication for a period of one month under Article 6(5) of Law no. 3713, the *Prevention of Terrorism Act*, on the assumption that they conducted propaganda in favour of the Kurdistan Workers' Party (PKK), was not necessary in a democratic society and violated their freedom of expression.

[Judgment](#)

Turkey: Political leader sentenced for "spreading propaganda" of PKK

On 28 September, a criminal court sentenced Selahattin Demirtaş, co-leader of the pro-Kurdish Peace and Democracy Party, to a suspended sentence of 10 months of imprisonment for spreading propaganda for a terrorist organisation, the Kurdistan Workers' Party (PKK). The conviction reportedly refers to a 2006 interview in which Demirtaş, then the leader of the Diyarbakır branch of the Human Rights Association, had said that imprisoned PKK leader Abdullah Öcalan's "role should be considered in solving the Kurdish issue."

[Human Rights Association Website](#)

[Press Article](#)

Russian Federation: European Court finds rendition of terrorist suspect constitutes arbitrary detention

On 23 September, the European Court of Human Rights ruled that the rendition of Mukhamadruzi Iskandarov, a Tajik national, by Russian agents to Tajikistan constituted arbitrary detention in breach of Article 5(1) of the European Convention. The Court also found that the rendition was in violation of the prohibition of *non-refoulement* to countries where there is a real risk of torture or inhuman or degrading treatment or punishment. Mr

Iskandarov, a prominent opposition politician in Tajikistan, was kidnapped by Russian agents on 15 April 2005 and transferred to Tajik authorities, which had issued an arrest warrant against him for terrorism, gangsterism, unlawful possession of firearms and embezzlement. The rendition took place after Russian judicial authorities had refused to allow for his extradition.

Judgment

Russian Federation: Extradition of terrorist suspect to Tajikistan would violate *non-refoulement*, says European Court

On 21 October, the European Court of Human Rights held that the extradition of Abdurazok Abdurakhmonovich Gafarov by Russian authorities to Tajikistan would violate Russia's obligation under the European Convention on Human Rights to respect the principle of *non-refoulement* in countries where there is a real risk that the extraditee would be subject to torture or inhuman or degrading treatment. Abdurazok Abdurakhmonovich Gafarov is sought by Tajik authorities on suspicion of membership of Hizb ut-Tahrir, an Islamic organisation considered as terrorist by Russian and Tajik authorities. The Court also held that the suspect did not have at his disposal any procedure for a judicial review of the lawfulness of its detention pending extradition, and that at least part of this detention period was not in accordance with the law, in breach of Article 5 of the European Convention.

Judgment

UNITED NATIONS & REGIONAL ORGANISATIONS

UN: Security Council stresses importance of human rights and rule of law in countering terrorism

On 27 September, the UN Security Council held a meeting on "[t]hreats to international peace and security caused by terrorists acts". At the end of the meeting, the Security Council President issued a statement on behalf of the Council underlining the need to promote the rule of law, the protection of human rights and fundamental freedoms, good governance, tolerance and inclusiveness in order to address the conditions conducive to the spread of terrorism. The Council also reaffirmed that "effective counter-terrorism measures and respect for human rights, fundamental freedoms and the rule of law are complementary and mutually reinforcing, and are an essential part of a successful counter-terrorism effort," and noted "the importance of respect for the rule of law so as to effectively combat terrorism".

SC Presidential Statement (S/PRST/2010/19)

UN Statement

Press Article

UN: Committee against Torture's Chairman says torture in counter-terrorism favours terrorists' goals

On 19 October, after the presentation of the Committee's annual report to the General Assembly's Third Committee (Social, Humanitarian and Cultural Affairs), the Chairman of the UN Committee against Torture, Claudio Grossman, called on States to "reconnect with the values" of the Convention. Professor Grossman stated that the dismantling of the rule of law and the move towards "extreme" measures were fulfilling the aims of the terrorists. During the press conference he expressed surprise that people still talk about "this nonsense of ticking bombs, extraordinary situations as an excuse for torture".

Statement

ICAO: International conference adopts two anti-terrorism aviation conventions

On 10 September, a diplomatic conference of seventy-seven States under the auspices of the International Civil Aviation Organisation adopted in Beijing the *Convention on the*

Suppression of Unlawful Acts Relating to International Civil Aviation and the *Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft*. These treaties make it a criminal offence to use civil aircraft as a weapon, and to use dangerous materials to attack aircraft or other targets on the ground, including unlawful transport of biological, chemical and nuclear weapons and their related material. The treaties also establish an obligation to prosecute or extradite directors and organisers of attacks against aircraft and airports.

[Convention](#)

[Protocol](#)

[Final Act](#)

[ICAO Statement](#)

EU: General Court annuls asset freezing of listed person and holds that new UN Terrorism Listing system does not contain sufficient due process guarantees

On 30 September, the General Court of the European Union annulled the Council regulation that ordered the freezing of assets of Yassin Abdullah Kadi as implementation of EU obligations under the UN Security Council resolution 1267(1999), the UN Terrorism List. The Court found that, regardless the inclusion of an Ombudsperson tasked with examining de-listing requests to the UN Al-Qaeda and Sanctions Committee, the procedure at both the UN and EU level did not grant Yassin Abdullah Kadi any access to evidence nor afford him any real possibility to challenge his listing. The Court found this situation to be in violation of his right to defence and right to an effective remedy and to constitute an arbitrary infringement with his right to property.

[Judgment](#)

[Press Article](#)

EU: Council welcomes new negotiation strategy on Passenger Name Records Agreements

On 8 October, the Justice and Home Affairs Council of the European Union welcomed the European Commission Strategy for Passenger Name Record (PNR) agreements with third countries. The policy, which will be the basis of any future negotiation, establishes that PNR data should be used exclusively to fight terrorism and serious transnational crime; passengers should be given clear information about the exchange of their PNR data; that they have the right to see their PNR data and the right to effective administrative and judicial redress; and that third countries must ensure an effective independent oversight of the authorities which use PNR data. The Council directed the Commission to use the Strategy as the common basis for PNR agreements with the USA, Australia and Canada.

[Strategy](#)

[Council Statement](#)

Council of Europe: Factsheet on European Court's jurisprudence on counter-terrorism and human rights published

In September 2010, the Council of Europe published a factsheet on the European Court of Human Rights' jurisprudence related to terrorism, counter-terrorism and the application of the European Convention on Human Rights. The factsheet provides guidance, article by article, on the Court's jurisprudence on torture, ill-treatment, derogation in times of emergency, detention, *non-refoulement*, fair trial rights, victims of terrorism and prevention measures. .

[Factsheet](#)

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