

EMINENT JURISTS PANEL ON TERRORISM, COUNTER-TERRORISM AND HUMAN RIGHTS

LONDON 24-25 APRIL 2006 – CALL FOR SUBMISSIONS

The Eminent Jurists Panel is an independent panel of 8 international judges, lawyers and legal academics established by the International Commission of Jurists to conduct a global inquiry into terrorism, counter-terrorism and human rights. The Panel is chaired by Justice Arthur Chaskalson, the former Chief Justice of South Africa, and includes Mary Robinson, the former UN High Commissioner for Human Rights. The mandate of the Panel is:

To examine the compatibility of laws, policies and practices, which are justified expressly or implicitly as necessary to counter terrorism, with international human rights law and, where applicable, with international humanitarian law.

The Panel will hold hearings in various countries around the world and has already held hearings in Australia, Colombia and Kenya. It will be visiting the UK in the second half of April to examine how the UK has responded, and continues to respond, to the threat of terrorism within the framework of the rule of law. In particular **the Panel will be holding public sessions in London on 24-25 April** to hear oral evidence on key issues.

The Panel therefore welcomes *written evidence* from any interested individuals or organisations on the impact of terrorism and counter-terrorism measures and policies on the protection of human rights in the UK. In particular, the Panel encourages submissions that adopt the following analytical approach:

- (1) What special laws, policies or practices has the government adopted, since 2001 or in the past, which it has justified expressly or implicitly as necessary to counter-terrorism?
- (2) Have these counter-terrorism measures had an impact on the rule of law and on the rights guaranteed to all persons by international human rights or international humanitarian law? If so, what has been the impact?
- (3) How has the government justified such counter-terrorism measures and do you consider that past or current terrorist threats have justified these measures?
- (4) What has been the impact of the 'War On Terror' in your country?
- (5) What lessons should today's policy-makers learn from any experiences the UK has had in the past with terrorism and counter-terrorism?

In this context the panel would be interested in submissions concerning, but not limited to:

- (i) the extent of pre-charge detention in respect of terrorist suspects;
- (ii) the range of terrorist offences under UK law, including those relating to incitement, encouragement or glorification of terrorist acts;
- (iii) the use of control orders;
- (iv) the proscription of terrorist organisations;
- (v) the use of closed proceedings and special advocates;
- (vi) evidential issues in terrorism cases;
- (vii) proposals to increase judicial involvement in the investigation of terrorism offences;
- (viii) the proposed use of diplomatic assurances and memoranda of understanding in relation to the deportation of non-UK nationals on grounds of national security;
- (ix) policies governing the use of lethal force by police for the prevention of imminent acts of terrorism;
- (x) the impact of policing powers in terrorism cases, including stop and search powers under section 44 of the Terrorism Act 2000;
- (xi) the impact of counter-terrorism measures on minority groups, including issues of discrimination on grounds of ethnicity, nationality and national origin, and religious belief;
- (xii) the use of surveillance, databases and data-sharing, and the proposed use of biometric identifiers and identity cards in the fight against terrorism;
- (xiii) issues relating to cooperation of the UK government with foreign governments in the fight against terrorism, including the sharing of data and intelligence with other EU member states and the US, and alleged involvement in the use of extraordinary rendition;
- (xiv) the rights of victims of terrorist acts, including compensation.

The Panel is seeking written submissions from interested parties before it takes oral evidence during its visit to London. Organisations and individuals interested in making written submissions are invited to do so by **Monday 10 April 2006**. There is no word limit but submissions longer than 2500 words should be accompanied by a brief summary. Submissions should be addressed to Eminent Jurists Panel, c/o JUSTICE, 59 Carter Lane, London EC4V 5AQ or sent via email to ejp@justice.org.uk.

Details of the public evidence sessions on 24-25 April will be announced shortly. Further details about the Eminent Jurists Panel are available at www.icj.org or www.justice.org.uk.