

[Human Rights Council: Reject draft counter-terrorism resolution which would undermine civil society](#)

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(Geneva) - Member States of the UN Human Rights Council should reject or push for substantial amendment of a proposed counter-terrorism resolution that would undermine civil society and respect for human rights, a coalition of 18 leading human rights organisations said in an [open letter](#) today.

The draft resolution, entitled '[Effects of Terrorism on the Enjoyment of Human Rights](#)' and presented jointly by Egypt, Jordan, Algeria, Morocco and Saudi Arabia, is significantly unbalanced, calling on States to strengthen national laws and measures to criminalise and to counter terrorism, without any recognition that such laws and measures must be in conformity with international human rights law.

According to the NGOs - which include Amnesty International, Human Rights Watch and the International Commission of Jurists, as well as ISHR - the draft text is also deficient in that it fails to call on States to ensure that laws and measures on counter-terrorism and national security do not hinder the work and safety of human rights defenders and other civil society actors. It also fails to call on States to ensure that such laws and measures clearly identify which offences qualify as terrorist acts by defining transparent and foreseeable criteria.

'These weaknesses should be seen in the context of an increasing number of States from all regions using and misusing overbroad and vague legislative provisions to restrict and criminalise the exercise of the rights to freedom of expression, association and assembly, to target and endanger the work and safety of human rights defenders, and to inhibit the access of non-governmental organisations to foreign funds, all contrary to international human rights law,' the NGOs said. ISHR has recently expressed concerns about proposed or enacted counter-terrorism laws that would undermine civil society in States including [Australia](#), [Canada](#), [Chile](#), [China](#) and [Egypt](#), among others.

The open letter also expresses grave concern that the draft resolution fails to recognise that support for a vibrant and pluralistic civil society, together with respect for the fundamental rights of freedom of expression, association and assembly, are essential to combat extremism, counter terrorism and provide protection, support and justice to victims. Quoting the UN High Commissioner for Human Rights in his opening address to the present session of the UN Human Rights Council, the letter says, 'terrorist attacks cannot destroy the

values on which our societies are grounded - but laws and policies can. Measures that build what has been termed the "national security state" - such as arbitrary or prolonged detention; torture and ill-treatment; massive surveillance that undermines the right to privacy; unfair trials; discriminatory policing; and the abusive use of legislation to curb legitimate rights to peaceful protest and to freedom of expression - are human rights violations. They generate legitimate resentment, harm social cohesion, and undermine the essential values of the international community.'

UN Special Rapporteur on Freedom of Association and Assembly, [Maina Kiai](#), expressed similar views recently when he said, 'the rights to peaceful assembly and of association do not encourage extremism, chaos, or violence but are, in fact, the best antidotes we have against all of these ills'.

'We all have a shared interest in combating extremism, countering terrorism and promoting national security. These objectives are best met, however, not by enacting ever more restrictive, invasive and counter-productive counter-terrorism laws, but rather by supporting and strengthening human rights defenders and other civil society actors whose work is essential to promoting respect for human dignity and equality,' said ISHR Director Phil Lynch.

The open letter concludes with a call to all delegations not to support the draft text without very substantial and important amendments.

'States with a genuine commitment to respect for human rights and a safe and enabling environment for civil society, both of which are essential to countering terrorism, will reject this resolution in its present form,' Mr Lynch said.

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