



Royal Danish
Ministry of Foreign Affairs



Department of Foreign Affairs
and International Trade

Ministère des Affaires étrangères
et du Commerce international

Workshop on the Protection of Human Rights While Countering Terrorism

*Ministry of Foreign Affairs
Copenhagen, Denmark*

15-16 March 2004

BACKGROUND INFORMATION

Introduction

OSCE participating States recognize that measures to prevent and combat terrorism cannot be successful or effective if they do not at the same time promote and protect human rights and fundamental freedoms. In December 2001, the Ministerial Council of the OSCE adopted a decision to combat terrorism, along with an action plan for its 55 participating States. The Bucharest Plan of Action for Combating Terrorism aims to “establish a framework for comprehensive action to be taken by participating States and the Organization as a whole to combat terrorism, fully respecting international law, including the international law of human rights and other relevant norms of international law.”¹

The Bucharest Plan of Action mandates the OSCE Office for Democratic Institutions and Human Rights (ODIHR) to address the various social, economic, political and other factors identified as engendering conditions conducive to terrorism. In December 2002, the Ministerial Council in Porto adopted the OSCE Charter on Preventing and Combating Terrorism. The charter contains the commitment that OSCE participating States “[u]ndertake to implement effective and resolute measures against terrorism and to conduct all counter-terrorism measures and co-operation in accordance with the rule of law, the United Nations Charter and the relevant provisions of international law, international standards of human rights and, where applicable, international humanitarian law.”²

NHC Seminar Human Rights and Terrorism

The Netherlands Helsinki Committee (NHC) in co-operation with the Netherlands OSCE Chairmanship organised a seminar on human rights and terrorism in September 2003.³ The seminar looked at the root causes and the prevention of terrorism, dilemmas with regard to human rights and terrorism, and human rights versus security. In the course of the seminar, the NHC framed a declaration on *The Fight Against Terrorism and the Protection of Human Rights; A Resolvable Conflict*. The ODIHR workshop will use the findings of the 2003 seminar as a basis for discussions.

Project Description

A technical two day working-level workshop will take place on 15th and 16th March 2004 in Copenhagen, bringing together legislative drafters and practitioners, human rights experts and counter-terrorism and law enforcement personnel, from across the OSCE region to actively participate in the workshop. In the course of the workshop, working groups discussions will focus on the practical means by which states can protect human rights and fundamental freedoms while countering terrorism and how long-term prevention can best be addressed.

¹ Bucharest Plan of Action for Combating Terrorism, paragraph 3.

² OSCE Charter for Preventing and Combating Terrorism, paragraph 7.

For OSCE documents see: http://www.osce.org/odihr/?page=human_rights&div=antiterrorism

³ For further information see <http://www.nhc.nl/ovse.php#seminarhumanrights-terrorism>

The workshop, funded by the Canadian Department of Foreign Affairs and International Trade (DFAIT), has been organized by the ODIHR in co-operation with the International Human Rights Law Institute of DePaul University and the Danish Ministry of Foreign Affairs. The working languages of the workshop will be English and Russian. Interpretation will be provided.

The workshop will utilize panel discussions to share lessons learned and best practices on the ways in which the protection of human rights and fundamental freedoms is ensured while countering terrorism. Finally, it will aim to offer conclusions and recommendations and facilitate subsequent requests and offers for technical assistance. The expert presentations will offer practical information and enhance the capability of participants to implement human rights protection into legislation, policies and programmes. The importance of the long-term objective of preventing terrorism will also be highlighted. Furthermore, it will lead to the identification of areas for future co-operation between participants.

Role of the OSCE Office for Democratic Institutions and Human Rights

As the principle OSCE institution responsible for the human dimension of security, the Office for Democratic Institutions and Human Rights (ODIHR) is mandated to help the 55 OSCE participating States to “ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society”.

The ODIHR’s Co-ordinator on Anti-Terrorism Issues works to build awareness of human dimension issues in combating terrorism and to develop projects addressing factors that engender terrorism. The Co-ordinator’s role is to further develop the activities of the ODIHR and to co-ordinate those activities within the OSCE and with other international organizations, and ultimately to ensure that anti-terrorism measures taken by participating States fully comply with OSCE commitments and international human rights law.

With its multi-dimensional approach to security, the OSCE is uniquely placed to assess the delicate balance between human rights and the measures adopted by participating States to combat terrorism.

Further Information and Registration

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