

## OSCE Human Dimension Implementation Meeting in Warsaw Working Session 12: Rule of Law I 19 September 2017

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It is beyond doubt that the terrorist atrocities recently committed in the OSCE participating States necessitate decisive action in the areas of prevention, prosecution, and punishment.

Terrorists attack innocent citizens and spread fear in our societies, thereby deliberately targeting our shared values. When tackling these abominable acts, we should not forget that state action neglecting the protection of human rights can itself contribute to the erosion of the values that we are committed to uphold. Neglecting and eroding the rule of law in the face of grave threats is not an option.

This particularly includes the prohibition of torture and other cruel, inhuman or degrading treatment or punishment, a principle that all participating States committed to in several Final Acts. In our view, the death penalty itself constitutes a cruel and degrading form of punishment that conflicts with the most basic human right – the right to life.

Other basic rights might also be infringed by counter-terrorist measures: Broad definitions of terrorism can threaten the rights to freedom of expression and association. Mass surveil-lance on the internet can undermine the right to privacy. Law enforcement and military operations often walk a fine line between legitimately targeting terrorists on the one hand, and unacceptably neglecting the rights of innocent civilians on the other. Governments must abide by the principles of legality, necessity and proportionality in their actions against terrorism, thereby protecting the human rights of all persons under their jurisdiction.

On the basis of the OSCE Consolidated Framework for the Fight against Terrorism, we believe that the root causes of violent extremism and radicalisation leading to terrorism should be addressed by the participating States while the respect for the rule of law and human rights is ensured.

Thank you.