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COMMISSION ON HUMAN RIGHTS
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CIVIL AND POLITICAL RIGHTS

**Afghanistan*, Algeria, Azerbaijan*, Bangladesh*, Belarus*, Cameroon, Colombia,
Congo*, Côte d'Ivoire*, Cuba, Egypt*, El Salvador*, Georgia*, India, Pakistan, Peru,
Russian Federation, Saudi Arabia, Sri Lanka*, Togo*, Turkey*, Uganda*, Yemen*:
draft resolution**

2001/... Human rights and terrorism

The Commission on Human Rights,

*Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,
the Declaration on Principles of International Law concerning Friendly Relations and
Cooperation among States in Accordance with the Charter of the United Nations and the
International Covenants on Human Rights,*

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations, as well as the Declaration on Measures to Eliminate International Terrorism, adopted by the General Assembly at its forty-ninth and fiftieth sessions, respectively,

Recalling also the Vienna Declaration and Programme of Action adopted in June 1993 by the World Conference on Human Rights (A/CONF.157/23),

Recalling further General Assembly resolutions 48/122 of 20 December 1993, 49/185 of 23 December 1994, 50/186 of 22 December 1995 and 52/133 of 12 December 1997, as well as its own resolution 2000/30 of 20 April 2000,

Recalling General Assembly resolutions 54/164 of 17 December 1999, and 54/110 of 9 December 1999, in which it decided that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 should continue to elaborate a draft international convention for the suppression of acts of nuclear terrorism with a view to completing the instrument, should address means of further developing a comprehensive legal framework of conventions dealing with international terrorism, including considering the elaboration of a comprehensive convention on international terrorism, and should address the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,

Recalling also General Assembly resolution 54/109 of 9 December 1999, in which the Assembly adopted the International Convention for the Suppression of the Financing of Terrorism,

Taking note of decision 2000/115 of 18 August 2000 of the Sub-Commission on the Promotion and Protection of Human Rights,

Noting General Assembly resolution 55/158 of 12 December 2000 in which the Assembly stressed the need to strengthen further international cooperation between States and between international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomever committed, in accordance with the principles of the Charter, international law and relevant international conventions,

Noting also the United Nations Millennium Declaration adopted by the General Assembly on 8 September 2000 at its fifty-fifth session,

Regretting that the negative impact of terrorism, in all its dimensions, on human rights continues to remain alarming, despite national and international efforts to combat it,

Convinced that terrorism, in all its forms and manifestations, wherever and by whomever committed, can never be justified in any instance, including as a means to promote and protect human rights,

Bearing in mind that the most essential and basic human right is the right to life,

Bearing in mind also that terrorism creates an environment that destroys the freedom from fear of the people,

Bearing in mind further that terrorism in many cases poses a severe challenge to democracy, civil society and the rule of law,

Profoundly deploring the large number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Alarmed in particular at the possibility that terrorist groups may exploit new technologies to facilitate acts of terrorism which may cause massive damage, including huge loss of human life,

Noting with great concern that many terrorist groups are connected with other criminal organizations engaged in the illegal traffic in arms and illicit drug trafficking at the national and international levels, as well as the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, taking of hostages, robbery, money laundering and rape,

Emphasizing the need to intensify the fight against terrorism at the national level, to enhance effective international cooperation in combating terrorism in conformity with international law and to strengthen the role of the United Nations in this respect,

Reiterating that all States have an obligation to promote and protect human rights and fundamental freedoms, and that everyone should strive to secure their universal and effective recognition and observance,

Recognizing the need to improve international cooperation on criminal matters and national measures so as to address impunity, which can contribute to the continued occurrence of terrorism,

Emphasizing the importance of Member States taking appropriate steps to deny safe haven to those who plan, finance or commit terrorist acts by ensuring their apprehension and prosecution or extradition,

Reaffirming that all measures to counter terrorism must be in strict conformity with international law, including international human rights standards,

Seriously concerned at the gross violations of human rights perpetrated by terrorist groups,

Taking note of the growing consciousness of the international community of the negative effects of terrorism in all its forms and manifestations on the full enjoyment of human rights and fundamental freedoms and on the establishment of the rule of law and democratic freedoms as enshrined in the Charter of the United Nations and the International Covenants on Human Rights,

1. *Reiterates its unequivocal condemnation* of all acts, methods and practices of terrorism, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed, as acts aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and the rule of law and having adverse consequences for the economic and social development of the State;
2. *Condemns* the violations of the right to live free from fear and of the right to life, liberty and security;
3. *Expresses its solidarity* with the victims of terrorism;
4. *Condemns* incitement of ethnic hatred, violence and terrorism;
5. *Urges States* to fulfil their obligations under the Charter of the United Nations and other provisions of international law, in strict conformity with international law, including human rights standards, to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomever committed, and calls upon States to strengthen, where appropriate, their legislation to combat terrorism in all its forms and manifestations;
6. *Urges* the international community to enhance cooperation at the regional and international levels in the fight against terrorism in all its forms and manifestations, in accordance with relevant international instruments, including those relating to human rights, with the aim of eradicating it;
7. *Calls upon States*, in particular within their respective national frameworks and in conformity with their international commitments in the field of human rights, to enhance their cooperation with a view to bringing terrorists to justice;

8. *Also calls upon* States to take appropriate measures, in conformity with the relevant provisions of national and international law, including international human rights standards, before granting refugee status, for the purpose of ensuring that an asylum-seeker has not participated in terrorist acts, including assassinations;

9. *Urges* all relevant human rights mechanisms and procedures, as appropriate, to address the consequences of the acts, methods and practices of terrorist groups in their forthcoming reports to the Commission;

10. *Requests* the Secretary-General to continue to collect information, including a compilation of studies and publications, on the implications of terrorism, as well as the effects of the fight against terrorism, on the full enjoyment of human rights from all relevant sources, including Governments, specialized agencies, intergovernmental organizations, non-governmental organizations and academic institutions, and to make it available to the concerned special rapporteurs, including the Special Rapporteur on human rights and terrorism of the Sub-Commission on the Promotion and Protection of Human Rights, and all concerned working groups of the Commission for their consideration;

11. *Endorses* the Sub-Commission's request to the Secretary-General to give the Special Rapporteur all the assistance necessary, in order to hold consultations with the competent services and bodies of the United Nations system to complement her essential research and to collect all the needed and up-to-date information and data for the preparation of her progress report;

12. *Requests* the Special Rapporteur to give attention in her next report on human rights and terrorism to the questions raised in the present resolution;

13. *Decides* to remain seized of the matter at its fifty-eighth session.
