



ORGANIZATION OF AMERICAN STATES
WASHINGTON, D.C. 20006 U.S.A.

March 25, 2002

**Ref.: Inter-American Commission on Human Rights
Study on Terrorism and Human Rights**

Dear Ms. Massimino:

On behalf of the Inter-American Commission on Human Rights, I write for the purpose of providing additional information concerning the Commission's study on human rights and terrorism, which was announced in a Resolution adopted by the Commission in December 2001. A copy of that Resolution is attached to this note for your reference.

As indicated in its Resolution, the Commission has decided to undertake a special study of terrorism and human rights, with the purpose of assisting OAS member states in adopting counter-terrorism laws, regulations and other measures that accord with their international human rights commitments.

To this end, it is anticipated that the report will address in a general manner a range of issues, including the applicability of international human rights and humanitarian law protections in situations of terrorism and the requirements of these regimes of law in such areas as the right to life, the right to liberty, the right to humane treatment, the right to due process and to a fair trial, the right to juridical protection, and the right to the free and full exercise of the above rights without discrimination.

As part of its information-gathering process, the Commission invites your organization to submit to the Commission information that it considers may be pertinent to the study as well as written observations and suggestions of issues to be considered by the Commission. The Commission will extend a similar invitation to OAS member states as well as to certain other non-governmental organizations. We would be grateful to receive any observations that you may have on or before April 15, 2002.

Elisa Massimino, Director
Lawyers Committee for Human Rights
100 Maryland Ave. N.E.
Washington, D.C. 20002-5625

Should you require clarification on any of these matters, please contact the Commission Secretariat.

Sincerely yours,



Santiago A. Canton
Executive Secretary

Enclosure



INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

Organization of American States

RESOLUTION

Terrorism and Human Rights

On numerous occasions the Inter-American Commission on Human Rights (IACHR) has condemned terrorism and stated that no cause or pretext may be invoked to justify attacks against civilians and other acts proscribed under international law.

When the terrorist attacks occurred on September 11 of this year, the IACHR conveyed its condolences to and solidarity with the people and Government of the United States and extended those sentiments to include the numerous citizens of other states in and beyond the Hemisphere, who were also victims. The attacks of September 11 were committed against all people, as the countries of the Americas pointed out at the Meeting of Consultation of Ministers of Foreign Affairs.

Terrorism must not go unpunished. States have the right and indeed the duty to defend themselves against this international crime within the framework of international instruments that require domestic laws and regulations to conform with international commitments.

The terrorist attacks have prompted vigorous debate over the adoption of anti-terrorist initiatives that include, *inter alia*, military commissions and other measures.

According to the doctrine of the IACHR, military courts may not try civilians, except when no civilian courts exist or where trial by such courts is materially impossible. Even under such circumstances, the IACHR has pointed out that the trial must respect the minimum guarantees established under international law, which include non-discrimination between citizens and others who find themselves under the jurisdiction of a State, an impartial judge, the right to be assisted by freely-chosen counsel, and access by defendants to evidence brought against them together with the opportunity to contest it.

Exercising the powers vested in it by Article 18 of its Statute, the IACHR will prepare a Report on Terrorism and Human Rights designed to assist States in adopting laws and regulations that accord with international law.

To that end, the IACHR will present its views on this important topic at its next regular session in February 2002.

December 12, 2001

[[Home](#) | [Publications](#) | [Press Releases](#) | [Basic Documents](#) | [Links](#) | [Search](#)]