

~~BRITAIN~~

PORTUGAL

**Questions of the EU to the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (annual report).**

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The European Union thanks the Special rapporteur for his annual report as well as on his country visits to South Africa, Israel and the United States. We also thank him for his introduction of these reports as well as on the interesting details on recent developments, including on his visit allowing him to attend a military commission in Guantanamo. These important visits as well as your cooperation with both Human rights bodies and relevant United Nations bodies such as the Counter Terrorism Committee of the Security Council, the Counter Terrorism Implementation Task Force and the UN Office on Drugs and Crime as well as NGO's and regional institutions. This cooperative approach has allowed your mandate to become one of the major special procedures of our council.

The European Union calls on all states to fully cooperate with all special rapporteurs and particularly to accept requests from this mandate holder for country visits. We particularly expect member states of the Human rights Council to respect the pledges made when seeking election and to cooperate with this important mandate.

Mr Scheinin, in your report you mention a number of outstanding requests for country visits, more particularly with Algeria, Egypt, Malaysia, Pakistan and Tunisia. Could you give us some more details on your contacts with these countries and the expected timeframe for these visits?

We learn from your report on your mission to Israel with a visit to and the Palestinian Occupied Territories that you would be invited to review draft national legislation.

Have you also on other occasions been able to contribute to the development of national legislation countering terrorism in conformity with human rights law? Do you see other initiatives and / or actors in the international community which may fulfill such a useful advisory role, such as for example the High Commissioner's office.

In your report you have given ample attention to the protection of economic, social and cultural rights in the framework of action against terrorism. You mention a certain correlation but stop short from speaking of any clear causal link between for example terrorism and extreme poverty. There is effectively no clear evidence in this regard.

How can you ensure that your recommendations with regards to the respect for economic, social and cultural rights when countering terrorism are effectively implemented? Have you been in touch with the committee on economic, social and cultural rights and with relevant special rapporteurs?