

Assessment: HR and Terrorism:

- We welcome this opportunity to interact with the Special Rapporteur on the promotion and the protection of human rights while countering terrorism.
- Egypt considers this mandate to be a vital importance as it addresses the scope and magnitude of human rights violations committed in the context of one of, if not the most evil scourge of the world of today, as well as the means of their prevention.
- While addressing the issue of human rights and terrorism was always relevant, the establishment of the mandate was most timely, in fact overdue, especially in the wake of the terrorist attacks of September 11th.
- Needless to say, the mandate of the Special Rapporteur on the promotion and protection of human rights while countering terrorism cuts across a wide range of issues and even bodies of international law, and is extremely challenging, as a delicate balance always has to be struck between the duty of States to protect their citizens on the one hand, and respecting human rights and fundamental freedoms on the other. Ultimately, these two considerations should never be seen as contradictory, but rather as being complementary and mutually reinforcing. This is easier said in theory than realized in practice.
- The Special Rapporteur has managed to cover a wide range of themes and subjects in the context of his mandate, arguably those which were of immediate importance. His country visits have been beneficial to the countries visited, as well as the Rapporteur's own understanding and development of his mandate. Egypt lends its appreciation and support to the significant work and contributions of the Special Rapporteur.
- As we said earlier, the Special Rapporteur has addressed the more immediate issues of concern falling within his mandate. In our view, some of these issues have to be revisited, either because they are just too important to have passed by without implementation by States, or to reinforce the conceptual understanding and practical considerations that underpin them. In the Context of improving the mandate of the Special Rapporteur, still in inception stage, we would propose that the following subjects be the matter of closer scrutiny and examination:

- A- The root causes of terrorism, from a human rights approach and perspective.
- B- The relationship between International Human Rights Law, and International Humanitarian Law, in the context of countering terrorism, while bearing in mind that IHL only governs situations that qualify as armed conflicts under that body of international law, not mere criminal terrorist activities, as reaffirmed by the recent International Conference of the Red Cross and the Red Crescent.
- C- The definition of terrorism, and the clear distinction that International Law draws between terrorism on one side, and armed struggle and resistance on the other.
- D- The human rights of victims of acts of terrorism.
- E- Human rights violations committed by non-state actors, as well as acts of terrorism committed by the armed forces of States.
- F- Measures to redress violations perpetrated while countering terrorism, and compensate the victims thereof.
- G- Combating impunity for human rights violations committed while countering terrorism.
- H- Follow-up on the implementation of the recommendations issued by the Special Rapporteur on the racial and religious profiling in the context of countering terrorism.

We would like to know the reaction of the Special Rapporteur to these views, and look forward to hearing his own proposals for the enhancing the effectiveness of his mandate.

My Country fully supports the continuation of the mandate of the Special Rapporteur and is a co-sponsor of the resolution presented by Mexico in this regard.

I thank you.