



TERRORISM LISTS, EXECUTIVE POWERS AND HUMAN RIGHTS

The 'proscription' or 'designation' of alleged “terrorists”, their associates and financial supporters by nation-states, the European Union and the United Nations has been among the most controversial aspects of the so-called “war on terror”.

Hundreds of groups and individuals around the world have been placed upon various “terrorist lists” and subject to the freezing of their assets, travel bans and other serious sanctions. Yet despite the gravity of the accusations and the impact of their designation upon fundamental rights, affected parties have been systematically denied the right to mount a meaningful challenge to their inclusion on the lists.

Seen largely as a "due process" question in Europe and North America, the "terrorism lists" have also had a significant impact on Diaspora communities, conflict resolution, development efforts and North-South relations. Many in the legal community, including the EU Courts and UN Human Rights Committee, have taken a dim view as to the legality or impact of these regimes. Some governments have recently proclaimed an end to the “war on terror”, but there is apparently little political appetite for meaningful reform or repeal of the "terrorism lists" or related executive powers -- areas like “preventative” or security detention, “control orders” and “no-fly” lists.

This conference, organised by the European Center for Constitutional Rights and Human Rights (ECCHR) and the Université Libre de Bruxelles (ULB, Free University of Brussels), brings together a distinguished group of expert practitioners, lawyers, academics and human rights organisations to examine these issues and consider possible ways forward. It is supported by: Cordaid, Transnational Institute, Berghof Peace Support, Amnesty International EU Office and Statewatch.

Registration is free: to book a place just send an e-mail to conference@ecchr.eu

Agenda

- Introduction **Annemie Schaus** *Dean, Faculty of Law, ULB*
- Morning session 1** 9:15-11:00 **The legal landscape – the regime of proscription**
- Gilles de Kerchove** *EU Counter-terrorism coordinator*
Tackling terrorism through asset-freezing and terrorist designation
- Mark Muller QC** *Chair, Bar Human Rights Committee, UK*
Counter-terrorism, proscription and human rights
- Oliver Wils** *Director, Berghof Peace Support*
Terrorism lists, international development and conflict resolution
- Moderator: **Wolfgang Kaleck** *General Secretary, ECCHR*

Coffee break



- Morning session 2** 11:30-13:15 **Challenging proscription in national & international tribunals**
- Anne McMurdie** *Public Law Solicitors*
Living under licence: the implementation of UN sanctions in the UK
- Professor Eric David** *President of International Law Centre, ULB*
Challenging arbitrary regimes – the case of the People's Mujahaden of Iran
- Jan Fermon** *Progress lawyers, advocate in Sison vs. EU*
The slow road to justice: the case of Jose Maria Sison
- Professor Amir Attaran** *University of Ottawa, Canada*
Tortured, listed and disowned: the case of Abousfian Abdelrazik
- Moderator: TBC
- Lunch break**
- Afternoon session 1** 14:30-15:45 **Executive powers, counter-terrorism and fundamental rights**
- Christophe Marchand** *Lawyer, Hamaide-Krywin Lawyers, Brussels*
The emergence and consolidation of executive powers in Europe
- Barbara Jackman QC** *Lawyer, Jackman, Waldman & Associates*
Human Rights for terror suspects and non-citizens in the wake of 9/11
- Jameel Jaffer** *Director, American Civil Liberties Union (ACLU), National Security programme*
Challenging executive powers & national security laws in the USA
- Moderator: **Dan Van Raemdonck**, *Vice president, Fédération Internationale Ligue des Droits de L'Homme (FIDH)*
- Coffee break**
- Afternoon session 2** 16:15-17:30 **Countering terrorism with justice: ways forward**
- Pieter Jan Kuijper** *Former Director of European Commission Legal Service*
The future of the EU terrorism list
- Michael Bothe** *Professor of Public Law, Universität Frankfurt*
Limiting Powers of the International bodies: The Role of Human Rights
- Gerald Staberock**, *International Commission of Jurists, Coordinator of Eminent Jurists Panel report*
Assessing Damage, Urging Action: an agenda for human rights protection
- Moderator: **Natacha Kazatchkine** *Amnesty International EU*
- Closing remarks** 17:30-17:45 **Ben Hayes** *Statewatch/ECCHR*

