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By Fax

Mr Guy Verhofstadt
Prime Minister of the Kingdom of Belgium
President-in -Office of the Council of the European Union
Rue de la Loi - Wetstraat 16
B-1000 Bruxelles - Brussel

28 September 2001

Dear Prime Minister,

I write to you in your capacity as President of the Council of the European Union to express Amnesty International's concerns following the attacks of 11 September which resulted in the deaths of thousands of people of many different nationalities including many from EU Member States. We reiterate our condemnation of this appalling crime and our support for efforts to bring the perpetrators to justice in accordance with international human rights standards.

The response to the 11 September attacks is not only a US concern, but a global one. Amnesty International has written to the UN Security Council and President Bush urging them to ensure that every possible measure is fully explored to bring the perpetrators to justice before resorting to armed intervention.

Amnesty International believes that in any action taken, it is vital to maintain the highest respect for human rights standards. This should include using every means available to bring those responsible for the 11 September attacks to justice within the framework of a fair and accountable criminal justice system and with full respect for international standards for a fair trial. We urge the EU and its Member States governments to ensure adherence to such standards every step of the way towards the objective of justice, and to oppose extradition unless there are assurances of a fair trial and that the death penalty will not be imposed.

Should military action take place, Amnesty International urges all parties to take all necessary measures to ensure that operations are conducted in such a way as to uphold at all times the highest standards of human rights and humanitarian law. This includes taking all precautions in relation to civilians, and, in particular, avoiding direct attacks on civilian or civilian objects, indiscriminate attacks and attacks on military targets that have a disproportionate impact on civilians.

In the wake of a crime of such magnitude, we believe the European Union has a very important role to play in providing principled leadership in a number of ways. Such leadership is crucial to ensure that anger does not give way to retaliatory injustices. Already we have seen a wave of racist attacks directed at people because of their appearance or religion in Europe and elsewhere.

In this regard, Amnesty International welcomes the statements of yourself and other EU leaders, and the conclusion by the Extraordinary European Council Meeting on 21 September categorically rejecting “any equation of groups of fanatical terrorists with the Arab and Muslim world”. We trust that the EU and its Member States will take strong action against racist attacks directed at the Muslim, Asian and Middle Eastern populations in their countries, whether they are EU or non-EU citizens.

We urge you to continue, at every opportunity, to denounce such violence and threats of violence. We also urge you to ensure that discussions and decisions at EU level make it clear that such crimes of hate and discrimination will not be tolerated and that every necessary human rights precaution will be taken in the pursuit of justice, rather than revenge, for the victims of this terrible crime.

Amnesty International is aware that a range of “counter-terrorism” and security measures are currently under consideration by the EU, and that the European Council has already agreed to the introduction of a European arrest warrant to supplant the current system of extradition between Member States. We recognize that governments have the right - indeed, the obligation - to adopt security measures to ensure the safety of their citizens. Acknowledging the Council's express assurance that fundamental rights and freedoms will be guaranteed, we would urge you to use your influence to ensure that any measures to improve security are in accordance with fundamental human rights standards and safeguards and are implemented accordingly.

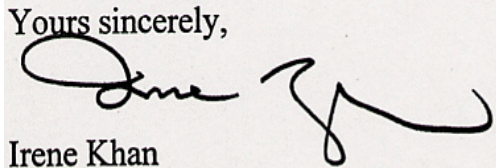
Those fundamental standards and safeguards include the right of refugees to protection. The recent escalation in the longstanding refugee crisis in relation to Afghanistan and its neighbouring countries comes at a time when the international refugee protection system is already under great pressure. There is a need for strong leadership to safeguard the system for the protection of refugees and to ensure that all states live up to international responsibility and burden sharing obligations. At this time when the EU is working towards a common asylum system, it must express a clear, explicit and unequivocal commitment to the right to asylum in the EU as enshrined in the European Charter of Fundamental Rights.

We are gravely concerned that the fear of military attacks on Afghanistan has already caused a mass movement of people towards borders, an unfolding humanitarian crisis which

must also be taken into urgent account. We welcome the EU's stated determination to give special attention to this problem and to set up urgently an aid programme particularly for Afghans.

Finally, we would like to urge the EU to take all steps necessary to ensure that the search for a global coalition in the "war against terrorism" does not lead to a lack of proper attention to human rights concerns in other countries and regions. AI has been very concerned by the recent statements from some government leaders implying that the human rights record of allies should be judged differently from that of enemies. The EU, with its strong human rights mandate, must play a prominent role in ensuring that international human rights standards are applied universally and impartially. The EU must also ensure there is a proper balance between heightened security and safeguarding human rights.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Irene Khan', written over a light-colored rectangular background.

Irene Khan
Secretary General