

UNITED STATES OF AMERICA

Miscellaneous Statements

CERD A/57/18 (2002)

Chapter XI. Decisions, Statements and General recommendations

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C. Statement on racial discrimination and measures to combat terrorism

Following the events of 11 September, the High Commissioner for Human Rights addressed a letter to the Chairman of the Committee on 11 October 2001, soliciting the support of the Committee so as to guarantee that the right balance is struck between security and human rights concern when combating the scourge of terrorism. The Committee responded through the adoption of the following statement:

Statement on racial discrimination and measures to combat terrorism

The Committee on the Elimination of Racial Discrimination,

1. Condemns unequivocally the terrorist attacks on the United States of America of 11 September 2001;
2. Affirms that all acts of terrorism are contrary to the Charter of the United Nations, the Universal Declaration of Human Rights and other human rights instruments referred to in the Preamble to the International Convention on the Elimination of All Forms of Racial Discrimination;
3. Emphasizes that measures to combat terrorism must be in accordance with the Charter of the United Nations and that they are only legitimate if they respect the fundamental principles and the universally recognized standards of international law, in particular, international human rights law and international humanitarian law;
4. Recalls that the prohibition of racial discrimination is a peremptory norm of international law from which no derogation is permitted;
5. Demands that States and international organizations ensure that measures taken in the struggle against terrorism do not discriminate in purpose or effect on grounds of race, colour, descent, or national or ethnic origin;
6. Insists that the principle of non-discrimination must be observed in all matters, in particular in those concerning liberty, security and dignity of the person, equality before the courts and due process of law, as well as international cooperation in judicial and police matters in these fields;

7. Intends, in this context, to monitor, in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination, the potentially discriminatory effects of legislation and practices in the framework of the fight against terrorism.

1503rd meeting

8 March 2002