

**DELEGATION OF DENMARK  
TO THE OSCE**

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**Statement under Session 1: Preventing and Combating Terrorism**

**by Ambassador Kirsten Biering**

**Protecting human rights while countering terrorism**

Thank you, Mr Chairman.

Under this agenda item, please allow me to address more specifically the issue of protecting human rights while preventing and combating terrorism. Let me add already on the outset that we have noted the ODIHR paper on this important question and its recommendations, which we support.

There can be no justification whatsoever for terrorist acts, and states have a duty to protect their citizens from such acts. At the same time, we have an obligation to respect the international body of human rights as set out in the UN Bill of Rights. Is that a dilemma?

No – or at least it should not be. The aim of the fight against terrorism is exactly to protect our citizens and the stability of our societies so that democracy and full enjoyment of human rights and fundamental freedoms can prevail – there is in fact no freedom without security. Likewise, security is not worth much without freedom. A successful response to terrorism must encompass the protection and promotion of human rights.

Therefore, human rights and combating terrorism are not contradictory. They go hand in hand.

Protecting human rights as we combat terrorism is necessary in order to counteract the efforts of terrorists to make societies less secure and more unstable. Terrorism targets innocent civilians, spreads fear in the general public and threatens the fundamental values of societies: democracy and human rights. In fighting terrorism we must uphold the values that we seek to defend. We should not resort to using means which undermine these values.

Promotion of human rights means creating societies in which terrorists will find it more difficult to recruit support. An open society based on human rights permits dissent, and contentious issues may be resolved in a democratic and peaceful process. At the same time, we must continue to address those political, social and economic conditions which may create a breeding ground for terrorism. The OSCE is active and well-placed to address such issues by promoting human rights, the rule of law, cultural and religious tolerance and good governance.

Mr Chairman,

In continuation of the seminar held in The Hague last September, the Danish Minister for Foreign Affairs was pleased to host a workshop on the Protection of Human Rights while Countering Terrorism. This workshop, held in Copenhagen in March this year, was organised by ODIHR and financially supported by Canada and Denmark. The purpose was to identify practical means by which states can protect and promote human rights and fundamental freedoms while countering terrorism.

We would like, once again, to convey our thanks to ODIHR for their very important contribution to making the workshop a success. We participated with great interest and noted with satisfaction that there was consensus among the participants on the basic principles. Let me mention more specifically the recommendation that legislation aimed at combating terrorism must always respect human rights and the rule of law, and that such legislation should be reasonable and proportionate. The importance of legal remedies and monitoring was also emphasized by the workshop. There was a call for closer co-operation and exchange of information, both nationally and internationally, and between governments and civil society. Some participants in the workshop indicated that in countering terrorism law enforcement agencies might risk straying from normal procedures, due to the gravity of the crime they have to solve – hence the need to insist on full respect for human rights in the design and application of restrictive measures. It was agreed that human rights issues should be part of the training of law enforcement and intelligence agencies. Security policies gain both strength and credibility when they are implemented in a manner consistent with international human rights law.

Mr Chairman,

Constructive and awareness-raising seminars on this important issue have now been held in the Hague and Copenhagen. We support further work to follow-up this process. There remains a need for local officials, experts and representatives of civil society to come together and discuss how legislation as well as law enforcement and judicial practices can best be developed in order to protect societies and citizens against terrorism without jeopardizing human rights.

Thank you.