

Haldane Society of Socialist Lawyers, Statewatch and  
Campaign Against Criminalising Communities (CAMPACC)

*A seminar series on*

# **“TERRORIST LISTS” PROSCRIPTION, DESIGNATION AND HUMAN RIGHTS**

Thursday 19<sup>th</sup> June

**The EU and UN ‘terrorist lists’ and the European Courts**  
*The slow road to procedural justice*

**Jan Fermon** (Advocate, Progress Lawyers Network Belgium); **Mark Muller QC** (Chair of Bar Human Rights Committee); **Steve Peers** (Professor of Law, Human Rights Centre, University of Essex); **Ben Hayes** (Statewatch)

Tuesday 15<sup>th</sup> July

**Terrorist proscription, self-determination and human rights**  
*Criminalising movements, criminalising solidarity?*

**Bill Bowring** (Professor of Law, Birkbeck College); **Gareth Peirce** (Birnberg Peirce & Partners, Solicitors);  
**Dr Susan Breau** (Reader in International Law and Assistant Associate Dean for Research at the School of Law  
at the University of Surrey); **Alex Fitch** (CAMPACC)

Tuesday 16<sup>th</sup> September

**Proscription, designation and UK law**  
*Executive powers, extraordinary regimes*

**Henry Miller** (Birnberg Peirce & Partners Solicitors); **Anne McMurdie** (Public Law Solicitors); **Imran Khan** (Imran  
Khan & Partners, Solicitors); **Ed Grieves** (Barrister Garden Court Chambers)

Tuesday 21<sup>st</sup> October

**National security, proscription and foreign policy**  
*‘War on terror’, new world order?*

**Nafeez Mosaddeq Ahmed** (Executive Director of the Institute for Policy Research & Development (IPRD));  
**Paul Rogers** (Professor of Peace Studies at Bradford University and open Democracy’s International Security  
Editor); **David Chandler** (Professor of International Relations at the Centre for the Study of Democracy,  
University of Westminster)

*Venue: Room SG01 College of Law  
14 Store Street, WC1E 7DE*

**6.30-8.30pm**

**Entrance is free! All welcome!**

Further information: [www.campacc.org.uk](http://www.campacc.org.uk) [estella24@tiscali.co.uk](mailto:estella24@tiscali.co.uk) Tel 020 7586 5892  
[www.haldane.org](http://www.haldane.org) / [www.statewatch.org](http://www.statewatch.org)

## **The EU and UN ‘terrorist lists’ and the European Courts**

### ***The slow road to procedural justice***

Following the precedent set in the People’s Mujahadeen of Iran (PMOI) challenge to the EU ‘terrorist list’ in December 2006, Jose Maria Sison, Stichting Al-Asqa, the PKK and Kongra Gel have all successfully challenged their designation as ‘terrorist’ in the EU Courts. But on the basis of modest reform of its proscription regime, the EU has maintained all of them in its ‘terrorist list’. The EU Courts may well also rule against the application of the UN ‘terrorist list’ by EU member states, further undermining the credibility of international proscription regimes.

What are the prospects for those subject to the ‘terrorist’ designation? How long can the EU and UN continue to ignore respected legal opinion and maintain a system that denies affected parties their fair trial rights under the European Convention?

## **Terrorist proscription, self-determination and human rights**

### ***Criminalising movements, criminalising solidarity?***

International law recognises the legal right of peoples to self-determination; this applies especially to peoples resisting occupation and tyranny, and was recognised in the case of the National Liberation Movements. But under the proscription regimes adopted by the EU, UN, USA, UK and other states, armed struggle in self-defence has been criminalised as ‘terrorism’ and the solidarity of the so-called ‘international community’ lies increasingly with the oppressor.

How has the ‘war on terror’ impacted on the right of peoples to self-determination and what are the implications for proscribed groups and solidarity movements?

## **Proscription, designation and UK law**

### ***Executive powers, extraordinary regimes***

The Terrorism Act of 2000 gave the Government the power to ban any organisation it deems terrorist, anywhere in the world, under statutory order. In addition, via the Treasury, the Government also ‘designates’ persons suspected of involvement in terrorist-related activity. This regime, the terms of which have not been debated by MPs, provides for the freezing of funds of anyone suspected of involvement in terrorism, however tenuously and regardless of whether they have been named by the UN or EU sanctions committees.

How does proscription and designation work in practice? What are the implications for those affected, and how are the laws being challenged?

## **National security, proscription and foreign policy**

### ***‘War on terror’, new world order?***

When George W. Bush told the world: “you’re either with us, or with the terrorists”, few people expected the ‘international community’ to take the same approach. But six years on, by labelling some struggles as ‘terrorist’ and others as legitimate, the major world powers have entrenched Bush’s bogus distinction between ‘good’ and ‘evil’. The US now has over 700 foreign military bases and installations in 130 countries and a Department of Defense that expects to be fighting a ‘long war’ against terrorism and other threats to security ‘in dozens of other countries simultaneously and for many years to come’. Rather than distancing itself from the USA’s global policing aspirations, Europe – or at least the EU and its most powerful states – is starting to assume the same militarist-crusader posture.

What are the ‘deep politics’ underlying the ‘war on terror’? What are the prospects for peace, social justice and universal human rights? How can we challenge this new world order?