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## **25<sup>th</sup> CONFERENCE OF EUROPEAN MINISTERS OF JUSTICE**

*Sofia (9-10 October 2003)*

- **INTERNATIONAL CO-OPERATION IN THE  
FIGHT AGAINST INTERNATIONAL  
TERRORISM AND IMPLEMENTATION OF  
THE RELEVANT INSTRUMENTS OF THE  
COUNCIL OF EUROPE**
  
- **THE RESPONSE OF THE JUSTICE SYSTEM  
- CIVIL AND CRIMINAL - TO TERRORISM**

*Report presented by the Minister of Justice of*

**SWEDEN**



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## **On the Response of the Justice system – Civil and Criminal – to Terrorism**

The threat of terrorism is global and calls for global counter measures. Thus, the United Nations has the leading role in the fight against terrorism. The Council of Europe, with its experience in this field, is also an obvious player in this struggle.

The international community has, especially after the September 11<sup>th</sup> attacks, been forced to focus on terrorism. There has been an increased support for the already existing international criminal law conventions for the suppression of terrorism. Sweden has ratified and implemented all these conventions.

The focus on terrorism has also resulted in new international instruments, elaborated in the Council of Europe and in the European Union. Further more, the UN Security Council has decided on several resolutions containing different measures to prevent and combat terrorism. Such initiatives have been essential in the global fight on terrorism. All parties involved in the elaboration of the instruments have done their utmost to create efficient means of combating terrorism. In this respect we have been successful.

The responsibility of states, and the international community, to protect its citizens, to prevent terrorist attacks and to bring perpetrators of terrorist crimes to justice is essential. At the same time we have a responsibility not to derogate from our human rights obligations.

The issue of upholding human rights standards and the rule of law when preventing and combating terrorism has been the source of an animated debate in Sweden. One of the reasons behind this debate is the fact that Swedish citizens have been the target of UN sanctions in form of freezing of assets. Such measures have traditionally been aimed at third states or government representatives in third states and not against natural persons who can be reached by ordinary legal means, containing the necessary standards of legal safeguards, such as the right to legal review.

The need for speedy actions against terrorism cannot be questioned. However, in my opinion it's now time to reflect on the different anti-terrorism measures taken during recent years from a human rights and rule of law perspective and give this question special attention. Such a perspective should also be given careful consideration when developing new international instruments in this field. We have to be mindful that we respond to terrorism in such a way that we do not undermine the democratic values upon which we build our society.



