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Swiss Statement

presented by
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Madam President,
Mr. Secretary-General,
Mr. President of the General Assembly,
Distinguished Heads of State and Government,
Distinguished Ministers of Foreign Affairs,
Excellencies,

I would like to begin by expressing Switzerland's gratitude to the Secretary-General for organizing this Symposium on International Counter-Terrorism Cooperation. Five years after the adoption by the United Nations of a Global Counter-Terrorism Strategy, this Symposium provides each of the Member States as well as the United Nations itself with an opportunity to exchange views on the steps taken, in progress or planned for the implementation of the Strategy.

Madam President, Ladies and Gentlemen,

The Global Counter-Terrorism Strategy of the United Nations provides a comprehensive framework for a coherent international response to terrorism. In our view it remains the foundation for the global counter-terrorism program of the UN as well as the other actors concerned. It is above all up to the Member States to ensure implementation of this Strategy.

Madam President, Ladies and Gentlemen,

In preparation for our debate I would like to outline three basic premises:

- Premise 1: It will only be possible to guarantee the protection of human rights in the fight against terrorism if all of the Member States and actors in the UN System have the same conception of what this fight involves.
- Premise 2: To ensure that a shared conception of the need to respect human rights in the fight against terrorism becomes a reality, it is absolutely essential to improve collaboration between the various institutions, whose legal status may not always be the same.
- Premise 3: The UN cannot defeat terrorism all by itself despite being the only international organization with the required universal legitimacy. Consequently, it becomes necessary to allocate the roles among the international organizations in such a way that human rights will be respected even outside its purview.

In so far as the first premise is concerned: While it is true that the Global Counter-Terrorism Strategy does indeed include an important chapter on defending the rule of law and human rights, it is not enough to include guarantees of protection in the resolutions of the General Assembly or the Security Council to ensure that these will be respected when it comes to toughening up security on the ground. Unlimited repression, even in the context of combating terrorism, is often a cause of the evil which it is intended to fight. Only an approach designed to make terrorism less attractive to

young people will meet with success. We must offer the world's populations a new outlook, which must be based on fair conditions for all. In other words: the rule of law and a guarantee of respect for human rights. Combating terrorism and defending human rights are by no means contradictory. Indeed they are complementary and mutually reinforcing. It is for this reason that the various UN institutions need to work closely together, in New York as well as in the field.

This brings me to my second premise: The question is: does the United Nations as an institution have the means to ensure proper respect for human rights without detracting from the effectiveness of efforts to combat terrorism? In this context, the Counter-Terrorism Implementation Task Force (CTITF) acts as the Secretary-General's coordinating body. Switzerland salutes the tireless efforts of the Task Force and of its Office. That said however, the Chairman of the Task Force does not have a mandate that provides the authority necessary for the general integration of the human rights aspect in the UN's efforts to combat terrorism. I would like to cite as an example the Security Council's sanctions against Al Qaida. Various UN organs, including the General Assembly, have called on the Security Council to guarantee procedures that are transparent and fair for all concerned. Switzerland has been very active in this context, particularly in so far as efforts to improve procedures for removal from the sanctions list are concerned. The creation of an Ombudsperson, although an important step, is still not sufficient. Consequently the UN, as confirmed by actions brought in the courts of Europe and elsewhere, continues to give the impression of an institution whose criteria for combating terrorism does not conform to rule of law principles. It is in the interest of the UN therefore to see to it that all of its organs are required to ensure respect for human rights.

In conclusion, here is my third premise: The United Nations has the political authority and is the only international organization to enjoy universal legitimacy. To be sure, legitimacy is not necessarily synonymous with effectiveness. It is nonetheless a crucial comparative advantage. The challenge therefore will be to provide political leadership and give member states a clear sense of direction in such a manner as to build capacities and encourage local autonomy. In this context it is essential to strengthen interaction between the United Nations and other organizations and institutions committed to the fight against terrorism. The Global Counter-Terrorism Forum (GCTG) to be launched on 22 September in New York is worth mentioning in this context. This Forum is a further test with regard to the protection of human rights for member states including Switzerland. Switzerland will continue to campaign on behalf of respect for human rights and will try to ensure that the activities of this new Forum are closely linked with those of the UN as a whole. It is for this reason that Switzerland is organizing a meeting between the GCTG member states, the United Nations and other international organizations early in the coming year, in an effort to strengthen relations between the various actors and coordinate efforts in the fight against terrorism.

Madam President, Mr. Secretary-General, Ladies and Gentlemen,

There can be no freedom without security. But it is also true that there can be no security without freedom. Respect for the rule of law and the protection of human rights are imperatives in the fight against terrorism. The international community, the United

Nations and other institutions must never forget this fact if they wish to avoid jeopardizing the legitimacy of this fight and thus indeed its effectiveness.

Thank you.