



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/2005/67
28 December 2004

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sixty-first session
Item 11 of the provisional agenda

CIVIL AND POLITICAL RIGHTS

Note by the Secretariat

1. In 1997, following the submission by Ms. Kalliopi K. Koufa of a working paper on the question of terrorism and human rights (E/CN.4/Sub.2/1997/28), the Sub-Commission appointed her as Special Rapporteur to conduct a comprehensive study on the subject. The Commission on Human Rights, in its decision 1998/107, approved the appointment, which was also endorsed by the Economic and Social Council in its decision 1998/278.
2. In the course of this mandate, the Special Rapporteur has submitted a preliminary report (E/CN.4/Sub.2/1999/27), a progress report (E/CN.4/Sub.2/2001/31), a second progress report (E/CN.4/Sub.2/2002/35), an additional progress report (E/CN.4/Sub.2/2003/WP.1 and Add.1 and 2), and a final report (E/CN.4/Sub.2/2004/40).
3. At its fifty-sixth session, the Sub-Commission, in resolution 2004/21, requested the Office of the High Commissioner for Human Rights to transmit and ensure the distribution of the final report to the Commission on Human Rights at its sixty-first session. Pursuant to that request, the Commission will have before it the final report on terrorism and human rights prepared by Ms. Koufa. In the same resolution, the Sub-Commission requested the Special Rapporteur to compile all her reports and other documents submitted to the Sub-Commission in one study, reflecting all the important points, aspects and recommendations contained in those documents.

4. The Commission in resolution 2004/44, requested the Office of the High Commissioner for Human Rights to circulate, in all official languages, the reports of the Special Rapporteur on human rights and terrorism. However, a request for a waiver in order to translate the additional progress report (E/CN.4/Sub.2/2003/WP.1) submitted in 2003 was denied by the office of General Assembly Affairs and Conference Management.

5. In its decision 2004/109, the Sub-Commission, having also considered the working paper prepared by Ms. Koufa entitled "A preliminary framework draft of principles and guidelines concerning human rights and terrorism" (E/CN.4/Sub.2/2004/47), decided to establish at its fifty-seventh session a sessional working group with the mandate to elaborate detailed principles and guidelines, with relevant commentary, concerning the promotion and protection of human rights when combating terrorism, based, inter alia, on the working paper prepared by Ms. Koufa.
