

TERRORISM AND HUMAN RIGHTS AND FREEDOMS

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President

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The members and the staff of the Commission des droits de la personne et des droits de la jeunesse are deeply affected by the terrorist attacks of September 11, in the USA. Like millions of other persons, we are affected by the extreme violence of the attacks, and by what it brutally exposed concerning the world situation. We think about the loss of each and every victim, and about the sorrow of their loved ones. We can only hope that they will at least find some solace in the knowledge that much of the world has demonstrably shown that it was sharing their sorrow. Such impressive compassion has been the first and most fundamental answer to the inhuman nature of such terrorist acts.

The members and the staff of the Commission have also been deeply affected by such acts, since they are a direct attack on the very nature of our work, which is the promotion of human dignity and the protection of human rights and freedoms. The perpetrators of such attacks were targeting, within a one-hour flight of our own home, values that are essential for the citizens of any democratic society, and even more important for the men and women who, in all parts of the world, are excluded from such democratic life and are denied this most fundamental of rights, without which all other rights lose any significance: the right to live.

In Quebec, recognition of such rights and freedoms, as well as the guarantee conferred upon them by the precedence of the *Charter of Human Rights and Freedoms*, represent some of the most important tenets of our own democracy. Quebecers have not been directly attacked by those terrorists, but they have nevertheless felt - and they still feel - that such freedoms, that are fundamental elements of our quality of life, are now threatened. The events that took place on September 11 are a brutal reminder that very few things, if any, should ever be taken for granted.

Vigilance is essential

Such threats are real, and they do correspond to the double-edged fear that has instantly hit a number of people: the fear of terrorism, on one hand, and the fear of the sentiments unleashed and of the consequences of retaliatory actions that have been announced. Answers to the questions raised by such threats will not be easy to find. Democracy, for instance, cannot tolerate crimes such as those perpetrated on September 11, because they undermine its very foundation. On the other hand, what actions should be undertaken in order to bring about a strengthening and a broadening of democracy, rather than a curtailment of it? Those are hard questions, and the answers to them will not be found in a feeling of helplessness or in unconditional submission to decisions taken by others, without adequate involvement and due information.

It is therefore important, in such crucial circumstances, to be present, involved, and vigilant. The Commission, as far as it is concerned, is getting involved, secure in the knowledge that it will not be alone in its determined efforts. It is already comforting to see that our leaders in governments have quickly issued warnings against misguided generalizations that could harm innocent people. Acts perpetrated by individuals should never be held against the nation or the race to which they belong, or against their religion. It is also comforting to see and hear, from a variety of sources, invitations to think seriously about the immediate as well as the remote causes of such events, as well as warnings that, should significant actions be taken, the objective of any such action should be peace, rather than war. It is also comforting to hear or read, in our media, a variety of opinions concerning the situation at hand. This is a sign - and a most important one - that people are refusing simplistic answers and are showing a courageous determination to face the issue in all its complexities. It is absolutely necessary, in trying times, to try to improve our understanding of the situation.

For the time being, the Commission will participate in the public debate by submitting thoughts and ideas. The present message is the first such initiative.

The first question had been raised by the Commission during the weeks preceding the Summit of the Americas, in Quebec, last spring; this question concerned the assumption that respect for human rights and freedoms is obstructing public safety, and that our own safety requires curtailment of our freedoms.

For instance, in the short term, we might have to review security procedures in airports, at customs, etc. Such things can indeed be done! However, shouldn't we start by making sure that measures already authorized are skilfully and effectively implemented? There might perhaps be no need to add to our laws and regulations new restrictions that would become permanent. We should be wary about adopting, without due questioning, measures that could eventually become difficult to get rid of. Similar questioning could also take place concerning immigration regulations or changes to existing judicial rights.

Eliminating some of the most blatant inequalities

On the other hand, for the mid-term and for the longer term, we would tend to consider such assumptions as being misleading, since a quick reality check would probably indicate that public and private security are highest in those countries where respect of rights is also highest. And conversely, it would seem that insecurity is highest in those countries where rights enjoy little protection, which, in itself, is conducive to extremism. The tragedy that took place on September 11 must remind us that, in matters of security as in other matters, it is essential to attack causes rather than symptoms.

In this respect, promoting and enforcing rights and freedoms become instruments for the protection of our own security, rather than a hindrance. Response to terrorist actions will fail if it is not accompanied by – or even based on – national and international policies favouring democracy, redistribution of wealth and resources, fight against poverty and inequalities.

The Commission des droits de la personne et des droits de la jeunesse has been implementing such principles ever since its creation, and will carry on with its responsibilities of protecting the fundamental rights of all citizens. This responsibility is particularly important in periods of crisis. Recent events have indeed destroyed some of our confidence, but our ideal and our determination remain intact.