

**CTITF Working Group on
Protecting Human Rights while Countering Terrorism
Expert Symposium
On 'Securing the Fundamental Principles of a Fair Trial
for Persons Accused of Terrorist Offences'
Bangkok, Thailand**

17 – 18 February 2011

Agenda

Day 1 17 February 2010

08:30–09:00 Registration

09:00–10:00 WELCOMING STATEMENTS

Moderator: Mr. Zeeshan Amin, CTITF, UNHQ New York

Introductory Remarks:

Mr. Homayoun Alizadeh, OHCHR Regional Representative for South East Asia

Mr. Hans van Santen, Deputy Head of Mission, Embassy of the Netherlands, Bangkok

Mr. Christoffer Berg, Chargé d'Affaires, Embassy of Sweden, Bangkok

Keynote Remarks: "The Human Rights Challenges of Terrorism Trials"

Mr. Ivan Šimonović, Assistant Secretary-General for Human Rights

10:00-10:20 Coffee break

10:20-11:15 PRE-TRIAL PHASE FOR PERSONS ACCUSED OF TERRORISM OFFENCES

Moderator: Mr. Gary Lewis, UNODC Regional Centre for East Asia and the Pacific, Bangkok

Topics:

(1) Conditions of detention and access to an effective court

Mr. Vitit Muntarbhorn, Former UN Special Rapporteur on DPRK and former member of the ICJ's Eminent Jurist Panel on Terrorism, Counter-Terrorism and Human Rights

(2) Preparation of defence, access to counsel and trial without undue delay, special issues related to the right to counsel

Mr. Alex Conte, International Commission of Jurists

(3) The questions of investigative and administrative detention

Mr. Edmund Bon, Advocate and Solicitor of the High Court of Malaysia, Chair of the Bar Council's Constitutional Law Committee

11:15–13:00 Discussion

13:00–15:00 Lunch

15:00–16:00 TRIAL PREPARATION AND EVIDENTIARY ISSUES

Moderator: Mr. Homayoun Alizadeh, OHCHR, Bangkok

Topics:

(1) The relationship between evidence and intelligence

Mr. Simon Chesterman, National University of Singapore and New York University

(2) The impact of torture on fair trial

Mr. Ben Emmerson, Barrister (QC) and Deputy High Court Judge

16:00–16:15 Coffee break

16:15–17:15 Discussion

18:35–21:00 Dinner Cruise on the Chao Phraya River departing from River City

Day 2 18 February 2010

09:00–10:00 THE TRIAL

Moderator: Mr. Stefano Schwarz, UNICRI, Laos Office

Topics:

(1) Aspects of a fair hearing

Mr. Martin Scheinin, Special Rapporteur on the promotion and protection of human rights while countering terrorism

(1) Evidentiary issues, burden of proof and the privilege against self-incrimination

Mr. Avi Singh, Advocate and Attorney-at-Law

10:00–10:15 Coffee break

10:15–12:00 Discussion

12:00–14:00 Lunch

Special session: The role of regional mechanisms and national human rights mechanisms in the promotion and protection of the right to a fair trial for persons accused of terrorist offences.

Ms. Sripropha Petcharamesree, Representative of Thailand to the ASEAN Intergovernmental Commission on Human Rights

Ms. Loretta Ann Rosales, Chair of the Commission on Human Rights of the Philippines

14:00–15:00 THE JUDICIARY

Moderator: Ms. Sué Takasu, CTED, UNHQ New York

Topics:

(1) Impartiality and independence

Mr. Param Cumaraswamy, Former UN Special Rapporteur on the Independence of judges and lawyers

(2) The question of special or military tribunals and the relevance of international humanitarian law

Mr. Gabor Rona, Human Rights First

15:00–15:15 Coffee break

15:15–16:30 OPEN DISCUSSION AND CONCLUSION

Prospects for the future of terrorism prosecutions in Southeast Asia

Moderator: Mr. Ivan Šimonović, Assistant Secretary-General for Human Rights

Closing of the Symposium