

**Towards an effective and inclusive global counter-terrorism policy
Setting up a dialogue between civil society organizations and UN entities
Conference Summary Report
New York City 20 – 22 October 2011**



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From October 20 - 23, 2011 Cordaid and the Global Partnership for the Prevention of Armed Conflict (GPPAC) convened a conference of global civil society actors to develop a collaborative strategy for civil society engagement in implementing the UN Global Counter-terrorism Strategy. More than 40 participants from five continents attended, representing civil society organizations (CSOs) across a range of issues, including women's rights, conflict prevention and peace building, development, security sector reform, internet freedom, and human security. During the conference, participants engaged with UN officials from the Counter-Terrorism International Task Force (CTITF), the Counter-Terrorism Committee Executive Directorate (CTED), the Sanctions Monitoring Team and the Alliance for Civilizations. The event was held in collaboration with HunterCollege, the Kroc Institute for International Peace Studies, the Fourth Freedom Forum and its Centre on Global Counter-terrorism Cooperation, as well as the Netherlands Institute for International Relations and the International Centre for Counter-Terrorism - The Hague.

Context

In the decade since 9/11, space for civil society has closed. As the report *Friend Not Foe* details, "An overemphasis on security measures has eroded civil liberties and human rights in many countries and diverted attention from the policies needed to counter the complex challenge of transnational terrorism.... The repercussions have been felt most keenly by civil society actors in the developing world."¹ Civil society is often excluded from counterterrorism policymaking. Security Council member states have traditionally been skeptical about involving civil society in addressing violent extremism.

Despite these challenges, encouraging signs suggest the tide may be turning. In the wake of the Arab Spring, UN policymakers are developing a greater appreciation of civil society's role in countering violent extremism. As a UN representative shared during the conference, "There is a remarkable shift in which the Security Council is looking at security issues, and member states are taking a view that civil society, women's groups, social and economic justice needs to be part of the discussion." Policymakers are changing the language of resolutions to mention the important role of civil society.

The policy pendulum is shifting from an emphasis on hard security measures towards a greater focus on prevention, rights-based approaches, and engagement with civil society. Some problematic counterterrorism measures (CTMs) have undergone needed and long-sought revisions; for example, the UN has separated the Taliban and Al Qaeda sanctions regimes to reflect a more complex reality, and there is now an ombudsperson and improved due process procedures in counterterrorism listing and delisting. Civil society groups have an opportunity to build upon this momentum.

"Civil society is the collective conscience of the international community. Until civil society is engaged in counterterrorism measures, there will be a gaping hole."

- UN, CTITF representative

Dilemmas of Engagement

As civil society spokespersons engage in dialogue with official bodies, care should be taken to preserve the diverse richness of civil society perspectives. Participants highlighted several key dilemmas that CSOs face in any engagement strategy.

Reframing the Security Debate

Current counterterrorism discourse is framed in ways that disadvantage civil society and reflect assumptions that many CSOs may not share. The dominant government discourse often echoed in the media advocates a state-centered, militaristic security approach to counterterrorism that too often breeds violence, violates human rights, and closes space for civil society. There is a need for framing alternatives to compete with the global discourse on 'terror'.

Human rights discourse provides the most frequently and clearly articulated criticism of harmful CTMs. However, the constant clash between human rights and security perspectives over time has resulted in the appearance of a false choice between security or human rights, a debate in which 'security' often wins. Conference participants rejected zero-sum thinking and emphasized that security depends upon human rights, and that human rights are essential to the effectiveness of CTMs. The UN Global Counterterrorism Strategy (hereafter the 'Strategy') states that "effective counter-terrorism measures and the promotion of human rights are not conflicting goals, but complementary and mutually reinforcing." European courts have struck down sanctions against alleged terrorist supporters because of a lack of due process protections in listing and delisting procedures.

The human rights framework is necessary but may not be sufficient to protect CSOs from the negative impact of CTMs. Some participants noted that the human rights discourse does not offer states and populations clear security alternatives in the context of pressing threats. Without language to engage security issues, human rights activism risks being sidelined by the real or pretended urgency of addressing security threats. Too often human rights activists in developing countries are labeled 'terrorist' when they criticize government action.

With these considerations in mind, conference participants discussed the human security paradigm as a conceptual framework with which to challenge 'bad' and 'ugly' CTMs while simultaneously offering constructive security alternatives. As one participant said, "We need to talk about what we do in a language that security people understand." The human security framework positions individual and community well-being at the center of the security discourse. It includes protection from all violence, whether terrorist- or state-sponsored, as well as non-military threats to security, including disease, lack of education, lack of economic opportunity, and the denial of human rights. A human security framework would allow CSOs to get into the 'security' game without provoking the defensiveness of a human rights criticism. It offers an alternative discourse for keeping civilians safe not only from terrorism but also from violence resulting from CTMs. The human rights and human security frameworks are both important and necessary.

As *Friend Not Foe* details, many states have appropriated the language of ‘counterterrorism’ to suppress human rights work and political dissent. The lack of a clear definition of terrorism undermines conflict transformation efforts by criminalizing negotiations and mediation with listed entities and by misrepresenting the identity of local and domestic groups who have genuine grievances against the state. It enables governments to label nonviolent civil society groups as terrorists if they criticize government violations of human rights or engage designated entities in development work, even when this kind of work would potentially address ‘conditions conducive’ to violent extremism. To protect CSOs from opportunistic or overly suspicious governments, participants agreed there may be a need to further distinguish civil society from terrorism by defining civil society as fundamentally nonviolent, regardless of whether it is pro- or anti- government.

Friend, Foe, or Something Else?

Another key challenge in engagement is maintaining the integrity and independence of civil society efforts for human rights, development and peacebuilding. While civil society’s work can and does directly support the eradication of extremist violence by alleviating conditions conducive to it, this is rarely its primary purpose. Recent trends towards securitizing development work have undermined the impartiality of CSOs and the integrity of development and humanitarian work. CSOs should be cautious about cooptation even under a human security paradigm. As a participant noted, “we are not arms of government. Civil society is something the government should encourage regardless.”

Some disagreed with the ‘Friend Not Foe’ report title as inadequate to frame the complex roles of civil society in relation to governments. Civil society organizations often have a ‘watchdog’ function that requires a willingness to speak out against government policies in support of victims or the rule of law. Human rights workers are necessarily antagonistic to repressive governments. Humanitarian workers depend on impartiality in order to win the trust of local partners and gain access to vulnerable populations, while peacebuilders may need to build relationships with conflicting parties to bring them into dialogue. Calling CSOs a ‘friend’ of government would not be realistic or productive in these cases.

Yet participants acknowledged a need to build greater partnership and trust with governments to promote civil society’s concerns in the CTM debate. In Indonesia, years of relationship-building with the government has resulted in model forms of collaboration in transforming violent extremism and has given civil society space to flourish. In more challenging settings some CSOs have built cooperative partnerships with police forces. Partnership-based approaches can bring civil society’s valuable skills, local contacts, and perspectives to CT efforts and can open space for less militaristic approaches.

CSOs need measures that protect human rights and other ‘watchdog’ organizations that hold governments accountable. Emphasizing the nonviolent nature of CSO activity may be important in making space for the diversity of civil society roles.

Levels of Engagement

The United Nations

The UN Strategy includes civil society participation in two tiers. UN General Assembly Resolution 60/288, paragraph 3 mandates the United Nations “to further encourage non-governmental organizations and civil society to engage, as appropriate, on how to enhance efforts to implement the Strategy.” UN representatives at the conference stressed that this establishes civil society as a responsible partner in implementing the strategy in its entirety. UN representatives noted the UN consults with civil society on due process issues for listed entities, the media’s role in radicalization of local communities, and engagement with UN special rapporteurs. Additionally, civil society is named and has been included as an active partner in addressing specific issue areas including victims of terrorism and weapons of mass destruction and disaster management. UN representatives say they are quite open to developing more exchanges with civil society.

Collaboration with the UN has much room for growth. CSOs can take the initiative in creating space for exchange; for example, the International Federation for Human Rights convened CSOs from the Philippines, Yemen, and other countries to interface with UN agencies and provide feedback on CTMs. Particularly in the human rights and women’s rights communities civil society has been successful in creating collaborative and consultative mechanisms within the UN, for instance through the 2010 appointment of the UN Civil Society Advisory Group on Resolution 1325, which promotes women’s participation in peace processes. The Institute for Inclusive Security has partnered with UN Women to promote national and regional dialogue with policymakers on women’s role in security. These approaches can be duplicated with counterterrorism bodies.

The UN can serve as a useful bridge to build trust and collaboration between member states and civil society in ways that build ‘positive peer pressure’ to change state behavior. CTED is deepening its work on human rights and engaging civil society by convening regional workshops with CTITF that bring together governments, regional organizations, and civil society. To date, CTITF has held two workshops, one in Indonesia for the South-East Asian region and in Ethiopia for Eastern Africa. Workshops for Southern Africa, Southern Asia, and North and West Africa are being planned for 2011 and 2012.ⁱⁱ

Developing civil society networks

In order to engage the multilevel, complex and global issue of terrorism, civil society will need to build networks to leverage its voice and speak as a counterweight to official forces. Assembled participants discussed available networks that could be developed to build depth and breadth in local and global communities, including faith communities, human rights watch groups, social responsibility groups, and sympathetic governments.

One challenge in collaborating is the tension that can exist between peacebuilding, human rights and development communities due to differing perspectives and principles, as well as competition for funding. These differences will need to be bridged if a joint human security agenda is to be created. CSOs will need to find common ground that will protect space for civil society as a whole.

Civil society activists also face personal danger in parts of the world, including online surveillance. It is important to create secure spaces for sharing and collaboration, and to protect those organizations operating in dangerous and repressive climates.

Thematic points of entry

Victims of counterterrorism and terrorism

Civil society can shed light on 'bad' and 'ugly' CTMs by empowering victims of both terrorism and counterterrorism measures to tell their stories. Victim testimonials have the potential to cut through official rhetoric about security and human rights to demonstrate the human tragedies caused by both violent extremism and official policy to counter it. Victims are credible messengers and their experiences are accessible to a wide range of audiences. Testimony can empower victims who have been silenced, often women and youth, and give needed recognition to the human costs of CTMs. A UN panel recently identified victims of CTMs in Sri Lanka. Civil society organizations can work with such victims to train them in telling their story and in mobilizing their communities. Collecting victims' stories can lay the groundwork for a future process of justice and reparations. Care would need to be given to providing safe and anonymous channels for victims to tell their stories and attention paid to ensure that victims' needs and wishes are respected throughout the process. The CTITF Working Group on Highlighting Victims of Terrorism has conducted similar kinds of activities.

Women's inclusion

UN Resolution 1325, passed in October 2000, is the foundation for global commitment to recognize the impact of armed conflict on women and to promote women's participation in peace processes. There are many potential linkages to draw between work on 1325 and CTMs. Women are often victims of counterterrorism policy, and their stories need to be heard. Networks such as the Global Network of Women Peacebuilders (GNWP) are working with women's organizations around the world on recommendations about women in conflict and post-conflict situations, with strong potential to affect state implementation. This is another potential point of collaboration.

Women's networks, while well-developed, are often separate from counterterrorism networks. An engagement strategy will need to create joint forums for these two groups to meet and dialogue. The UN has recently asked UN Women to be observers on the CTITF. Civil society has a large role to play in creating more opportunities for women's experiences and voices to be heard in counterterrorism debates.

Human rights

Respect for human rights is a core pillar of the UN Strategy, but it has not received as much funding or focus as enforcement activities. Civil society can help CTED create mechanisms to monitor violations of human rights and can augment functions of under-resourced UN offices such as the Office of the High Commissioner for Human Rights, which lacks staff even to participate in CTED meetings.

Though limited, human rights procedures are available to expose 'bad' CTMs and encourage policy reform. Civil society has helped document secret detentions, extrajudicial killings, and torture at country levels and has channeled this information to UN special rapporteurs. International attention can then pressure states to reform harmful CTMs. The CTITF currently uses the mechanism of the Working Group on Protecting Human Rights While Countering Terrorism to convene stakeholders to produce guidelines on implementing CTMs.

Conflict prevention and peacebuilding

Civil society is a key actor in addressing root causes of violent conflict, yet CTMs have obstructed key conflict transformation activities. CTMs undermine peace negotiations by excluding key stakeholders who may be designated terrorists. Conflict transformation groups need access to armed groups to understand their grievances and help bring them to the negotiating table. Material support laws have made it illegal to offer training in alternative dispute resolution to groups that arguably need it most. Demilitarization and arms reduction are key aspects of conflict prevention, yet too many CTMs rely on arming poorly trained security forces, as in Afghanistan. Indiscriminately labeling armed conflict against states as terrorism has led to inaccurate analyses of the root causes of local conflicts. For instance, in some countries, resource conflicts between settlers and indigenous groups have been distorted by political elites who receive aid from the West, and as a result core injustices which are radicalizing populations are left unaddressed.

If given legal space, CSOs can play a powerful role in reducing extremist violence. At a local level, CSOs can work with military forces to ensure voluntary community disarmament. They can also "meet governments halfway" in dismantling terrorism by fostering community driven 'bottom-up' resistance to terrorist violence. CSOs also play an important role in preventing violent extremism by de-radicalizing communities. In Indonesia, Muslim female university professors approached fundamentalist imams with alternative readings of religious texts, and through persistent dialogue over years, succeeding in transforming conservative imams into advocates for women's participation and modern values. This type of intervention is an example of the profound cultural changes that civil society can engender, and the central role that civil society plays in addressing root causes of radicalization.

Monitoring and evaluating CTMs

Participants raised questions about the effectiveness of CTMs in achieving their stated aims. Suggestions were offered for monitoring counterterrorism legislation, enforcement, and institutional development and developing indicators to measure both the effectiveness of CTMs in reducing violent extremism as well as their respect for human rights. The following are possible evaluation indicators.

1. Counterterrorism legislation and enforcement should:
 - respect international and national human rights principles and standards, including protecting human rights defenders and whistle-blowers;
 - include diverse stakeholders in the formulation of legislation;
 - result from independent and autonomous formulation that reflects local needs and reality;

- inform and sensitize the public to the content and meaning of counterterrorism laws; and
 - contribute to a decrease in membership and activities of terrorist groups.
2. Institutional development should:
- develop human resources, skills and capacities of governmental or judiciary departments in charge of implementing CTMs;
 - ensure independence and neutrality of the institutions carrying out CTMs; and
 - create channels for regular interaction with other organs of government and civil society.

UN member states could fund and create a special monitoring unit within the Security Council that would conduct a regular assessment process, perhaps at two year intervals. The assessment process would consult with stakeholders, including civil society groups, victims of counter-terrorism and terrorism, and state agencies (including self-evaluations by counterterrorism departments, parliaments and judiciaries). It could classify countries according to their record on CTM implementation and highlight good and bad practices, with recommendations for improvement. The results of the assessment would be publicized and sent to states and regional institutions. As a first step towards developing such a system, participants agreed to collect and organize existing evaluations of CTMs in the Peace Portal.

Security sector reform

Especially in areas where suspicion of CSOs runs high and governments are sensitive to criticism, security sector reform can be an effective means to change government behaviour. In Uganda, for example, a successful initiative was launched to train counter-terrorism police in respecting human rights. In the Caucasus region, civil society is training police officers to partner with CSOs in 'trouble areas'. When civil society can offer practical assistance to the security sector, it builds trust and collaboration. Other CSOs are currently working with military personnel to build greater understanding of civil society's role and space for civil society's activities.

Internet Freedom

The UN works on internet security at three levels. The Working Group on Countering the Use of the Internet for Terrorist Purposes makes recommendations for national and regional legal frameworks based on analysis that includes input from civil society. It encourages technical mechanisms to prevent internet abuse. It seeks to counter extremist narratives by honing alternative messages and picking credible messengers to deliver those messages. Civil society can help in all of these efforts and may be especially valuable in identifying appropriate messengers to challenge extremist narratives.

Implementation of Resolution 1624, which prohibits incitement of terrorism, is also an area for civil society activity. CTED is convening the rapporteurs of freedom of expression, freedom of religion, and counterterrorism to develop a strategy for member state engagement. It recognizes civil society as a crucial partner in such conversations.

Protecting local civil society

International NGOs often have a layer of protection from connections with the UN, governments, or militaries, but local groups are more vulnerable. One tragic example of this is illustrated by a local Afghan NGO that was bombed by insurgents after hosting an invited visit from foreign military representatives. Human rights defenders are constantly challenged to demonstrate that they are independent of both government and terrorists. The GPPAC network can offer solidarity through on-the-ground presence. It can also provide a secure space for local groups to be able to share the stresses they face and document and track repression.

Opportunities for Engagement

2012 Strategy Review

A key opportunity to engage the international counterterrorism community is the UN Global Counterterrorism Strategy Review scheduled for June 20 – 21, 2012. The network could conduct three main activities during the review process.

1. Several months prior, the network can lobby sympathetic governments to adopt specific language to include in the resolution that emerges from the review that calls for greater civil society participation in counterterrorism discussions and/or suggests a formal mechanism for civil society engagement.
2. The network can issue a report detailing civil society activities taken to implement the Strategy, to coincide with the forthcoming publication of the April 2012 CTITF report, *United Nations Global Counter-terrorism Strategy: Activities of the United Nation System in Implementing the Strategy*. The civil society report could be organized according to the four pillars of the Strategy and highlight both activities in which civil society has been active, as well as challenges it currently faces. This document could establish the network as a credible voice of civil society in advance of the review process.
3. Alongside the official review, the UN hosts a series of side events that involve counterterrorism actors from around the world. The network can set up its own side event featuring a panel with a prominent speaker that highlights three or four regional civil society ‘successes’ in supporting implementation of the Strategy. The panel would note challenges facing civil society and refer attendees to the longer report published in April for detailed and country-specific examples.

Develop CSO network through the Peace Portal

Participants agreed on three primary activities to create a network of CSOs to engage the issue of CTMs: 1) mapping out existing networks and relevant organizations, 2) organizing a workshop in the UN Commission on the Status of Women to do outreach, and 3) developing objectives and goals for the network as well as a set of principles and criteria for member organizations based on adherence to nonviolence.

The network should include local and international NGOs, private sector organizations, national governments, and victims' rights groups. In developing a network, priority should be given to developing strategic partners based on influential countries in the Security Council and General Assembly. Pre-existing networks such as the Association for Women's Rights in Development (AWID), other women's networks, and indigenous and minority groups should be tapped, as well as trade unions and lesbian, gay, bisexual, and trans-(LGBT) communities. Several models were suggested for structuring the network, including a core group and inner secretariat structure. Ideas for naming and structuring the network will be solicited through the Peace Portal.

Develop a communications strategy

Three primary target audiences were identified for the development of an external communications plan: 1. Allies and partners (eg. the UNDP and CTITF), 2) governments and security sector actors, and 3) potential supporters (eg. the media and general public). The network should develop communications strategies for each audience.

The group emphasized the need to obtain visual footage of CTM victims and draw attention through leveraging important anniversaries and dates and utilizing well-known spokespeople. Communication materials should include accessible versions of key documents such as *Friend not Foe*, regularly updated online communications and social media, as well as behind the scenes relationship development with key partners such as governments, donors, and ambassadors.

Conclusion

The four pillars of the UN Strategy are part of an infrastructure that upholds national and human security. The conference affirmed that all four pillars of the Strategy, especially its human rights dimensions, need to be implemented fully to overcome both extremist and state-sponsored violence. Civil society brings unique skills and commitments to this work. The conference made it clear that additional efforts are both possible and necessary to counter violent extremism in all of its forms and to create a safer world of human flourishing for all.

ⁱCortright, D., Millar, A., Gerber-Stellingwerf, L., Lopez, G.A., Fackler, E., Weaver, J. (2011). *Friend not Foe. Opening spaces for civil society engagement to prevent violent extremism*. Sanctions and Security Research Program: Goshen, IN, 1.

ⁱⁱ "Building In-depth Knowledge of the Strategy," *United Nations Counter-Terrorism Implementation Task Force*. Accessed December 14, 2011 from http://www.un.org/en/terrorism/ctitf/proj_raisingawareness.shtml.