



High-Level International Conference on Human Rights, Civil Society and Counter-Terrorism

10-11 May 2022, Málaga, Spain

Outcome Document



UNITED NATIONS
OFFICE OF COUNTER-TERRORISM



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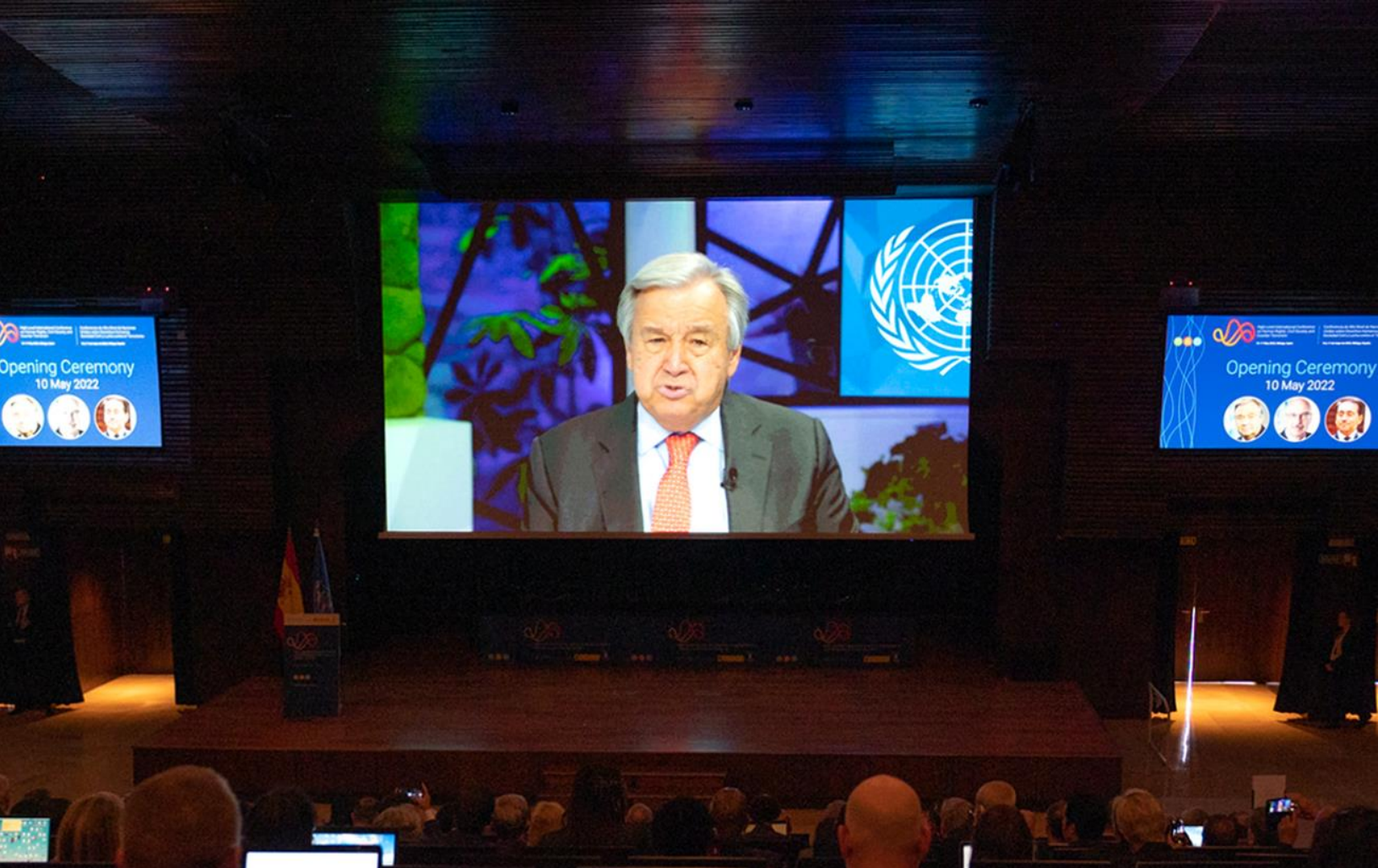


Ayuntamiento
de Málaga

**High-Level International Conference on Human Rights, Civil Society
and Counter-Terrorism**

..... 10-11 May 2022, Málaga, Spain

**For a Future Free From Terrorism: The Role of Human Rights,
the Rule of Law and Civil Society Engagement in Effective
Counter-Terrorism Efforts**



“As a moral duty, a legal obligation, and a strategic imperative – let’s put human rights where they belong: front and centre in the fight against terror.”

H.E. Mr. António Guterres

Secretary-General of the United Nations









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Introduction

The [High-Level International Conference on Human Rights, Civil Society and Counter-Terrorism: For a Future Free From Terrorism: The Role of Human Rights, the Rule of Law and Civil Society Engagement in Effective Counter-Terrorism Efforts](#) (hereafter: High-Level Conference) took place in Málaga, Spain from 10-11 May 2022. The event, co-hosted by the United Nations Office of Counter-Terrorism (UNOCT) and the Kingdom of Spain, garnered around 430 participants from 85 Member States, seven international and regional organizations, 10 United Nations Global Counter-Terrorism Coordination Compact entities and 44 civil society organizations (CSOs). The purpose of the conference was to host a robust and practical exchange of innovative ideas and experiences on how to build human rights and rule of law-compliant responses to terrorism, including a gender perspective and safeguarding the rights of children and victims of terrorism.

The High-Level Conference was preceded by a 'Day Zero' comprising a Civil Society Workshop on Enhancing Civil Society Leadership and Promotion and Protection of Human Rights in Counter-Terrorism co-organized by the Special Rapporteur for the promotion and protection of human rights and fundamental freedoms while countering terrorism, Ms. Fionnuala Ní Aoláin, and the Kingdom of Spain. This CSO workshop included over 90 civil society organizations in person and online and was preceded by a month-long exercise of global and regional virtual consultations with civil society from 43 countries and five continents. The purpose of the Civil Society Workshop was to elevate existing recommendations and joint findings from civil society on the implementation of the United Nations Global Counter-Terrorism Strategy. During the Conference, UNOCT commended these efforts led by CSOs and for CSOs and the international community as a whole, to engage on sensitive yet important issues pertaining to terrorism, CT/PCVE and their respective frameworks, as well as the promotion and protection of human rights and fundamental freedoms in this context. The full findings from this workshop can be found in Annex VII in the Civil Society Workshop Outcome Document.

Additionally, there were six side events co-hosted by UNOCT or a Member State and a civil society representative, summarized in Annex VI. The High-Level Conference followed the [Virtual Dialogue with Human Rights and Civil Society Partners on Building a Better Paradigm to Prevent and Counter Terrorism](#), organized by UNOCT and the Kingdom of Spain in May 2021.

PARTICIPATORY APPROACH

In the lead-up to the Conference, UNOCT and Spain engaged human rights entities and civil society partners with the aim of undertaking a collaborative and participatory approach to the design and implementation of the Conference. This approach included a number of preparatory meetings and consultations on the agenda, the co-moderation with civil society of all thematic sessions during the Conference, and a consultative review of this Outcome Document. This approach allowed civil society actors to support integration of their expertise and perspectives into the Conference discussions and enhance the ownership by key partners towards more meaningful Conference outcomes. Stakeholders have expressed interest in seeing this “Málaga Process” precedent guide future processes for United Nations counter-terrorism efforts moving forward, including the organization of high-level conferences on counter-terrorism and the prevention of violent extremism conducive to terrorism, in line with international frameworks and principles such as the United Nations Guidance Note on the Protection and Promotion of Civic Space, which notes in particular the importance to regularly assess the effectiveness of channels for participation and access to information, and enable feedback loops for civil society.



Executive Summary

The Conference was overwhelmingly welcomed by participants, with many references commending the demonstration of commitment by Member States and the United Nations to directly address critical issues arising at the interplay of human rights, civil society and counter-terrorism; and issuing strong appreciation to Spain and UNOCT in this regard. The Conference was recognized as one step forward in moving from consensus to action following the seventh review of the Global Counter-Terrorism Strategy, including the concrete implementation of gains related to the rule of law, human rights, gender and civil society engagement. The process of close consultations and collaboration with a relevant number of important stakeholders on this issue, such as Civil Society Organizations (CSOs) and other United Nations entities, in the preparation of the Conference was broadly acknowledged as an important and positive reference for future occasions. The Conference also built on the key messages identified through the CSO Workshop and its preparatory sessions. In Málaga, participants observed that the misuse of counter-terrorism measures by States against civil society and related repression of fundamental rights and freedoms must be meaningfully addressed. Ongoing repression against civil society actors for their work not only violates international human rights law, but also limits the effectiveness of counter-terrorism measures, including where civil society actors experience such reprisals for their cooperation with the United Nations. They also stressed that open civic space, effective counter-terrorism and the advancement of security should be viewed as complementary and mutually reinforcing objectives. The Conference provided a unique opportunity to reflect on a set of guidance made by CSOs and explore new and innovative entry points to foster the human rights-based approach which UNOCT is committed to championing.

It was reaffirmed that terrorists and terrorist groups systematically abuse human rights and that it is the primary responsibility of States to protect against such abuses. Participants underscored the importance of developing and implementing counter-terrorism and prevention of violent extremism conducive to terrorism policies and measures that are in full compliance with international law, including international human rights law, international humanitarian law, and international refugee law, as well as the rule of law, and gender-responsive approaches, as reaffirmed by the General Assembly in the seventh review of the Global Counter-Terrorism Strategy. States regularly highlighted the challenges they face in this regard, specifically pointing to the challenges of balancing security measures with rights to privacy and freedom of expression as needing particular attention. A majority of interventions also underscored the important contribution that the participation of civil society

actors makes towards human rights compliant and gender-responsive common counter-terrorism efforts.

The devastating impact **that the use of overly broad and improperly applied counter-terrorism measures by States** for political and other reasons that restrict and violate human rights can and has had on societies was raised in many interventions. Many interventions underscored that in addition to being violations of international law, including international human rights law, these misuses often lead to more radicalization and recruitment, thus having a clear counterproductive effect in the efforts in the fight against terrorism. Many participants reiterated the need for counter-terrorism measures by States to respect international human rights standards including the principles of necessity, proportionality, non-discrimination. In line with repeated assertions in the Global Counter-Terrorism Strategy, many recalled the need for the full operationalization of the Strategy's pillar IV on human rights and the rule of law, including adequate funding for activities under this pillar and for the mainstreaming of the rule of law, gender and human rights across all four pillars of the Strategy. The greater effectiveness of those counter-terrorism measures that uphold relevant international treaties and international customary law was also underscored.

The critical importance of women's **full, equal and meaningful participation and leadership** in activities related to counter-terrorism and the prevention of violent extremism conducive to terrorism was highlighted by a number of delegations and civil society organizations. The necessity of including a specific **gender analysis in all counter-terrorism efforts** was raised to ensure efforts comply with relevant human rights norms and standards. This reflects the recognition by the General Assembly in the seventh review of the Global Counter-Terrorism Strategy of the important role of women in countering terrorism and violent extremism – as well as recalling the need to avoid their instrumentalization – and the relevance of gender analysis of the drivers of radicalization to violence of women and men.

Participants highlighted the **adverse impact** of both terrorist activity and overly broad and improperly applied counter-terrorism measures by States **on principled humanitarian action and actors**, stressing the challenges faced by humanitarian organizations operating in conflict-settings where terrorist groups are active. A number of participants raised as a priority the importance of respect for international humanitarian law in situations of armed conflict and the need for consistent and sustained humanitarian carveouts across sanctions regimes. The importance of a systematic approach to studying the broader establishment of measures that mitigate the negative effects of sanctions, including disproportionate de-risking practices, was mentioned by a number of participants, focusing on the experiences of smaller organizations in these circumstances.

Participants widely echoed the importance of **ensuring comprehensive support to victims and survivors of terrorism**, including victims and survivors of sexual- and gender-based violence as recognized in the seventh review of the Global Counter-Terrorism Strategy. They underlined the need

to move from narratives of solidarity to a rights-based and participatory approach to ensure that both their immediate and long-term physical, medical, psychosocial, rehabilitation, and assistance needs are met and their human rights recognized and protected, in particular for women and children. Participants noted the need for comprehensive support to victims of abusive counter-terrorism measures, including the redress for previous instances. In its seventh review of the Global Counter-Terrorism Strategy, the General Assembly called upon Member States to ensure that any person who alleges violations of their human rights or fundamental freedoms by measures or means employed to counter-terrorism or violent extremism has access to justice and an effective remedy, and receive adequate, effective and prompt remedy and reparations, as appropriate. Some participants called for the development by Member States of comprehensive, gender-sensitive assistance plans. The Model Legislative Provisions developed by the United Nations and the Inter-Parliamentary Union for victims of terrorism were presented as an imperative and practical step in this direction.

The meaningful **role that victims of terrorism could play** in the counter-terrorism efforts was also raised by some delegations, including the need to ensure that policies and practices are designed in consultation with the expertise of victims/survivors. The importance of creating an enabling platform for victims and survivors to have their voices heard – while avoiding their instrumentalization – was affirmed, particularly as a critical step to counter the narrative of destruction and intolerance promoted by terrorist groups and contributing to strengthening the resilience of the communities. The importance of creating spaces for the **memory** of victims and survivors of terrorism to acknowledge their experiences was also discussed, with a general consensus reached on the crucial role that memories can play both for the dignity of the victims and also as an important element in countering terrorism.

Participants pointed to a worrying trend of **restrictions on civic space**, in the context of the negative impact that counter-terrorism measures, including the measures to counter terrorist financing, can have on it. Attention was given to highlighting these impacts on grassroots organizations, women's rights groups, women human rights defenders and women peacebuilders in particular. Many Member States highlighted the criticality of meaningfully engaging with civil society in the development, implementation, monitoring and evaluation of counter-terrorism and prevention of violent extremism policies, at the local, national, regional and at the international levels. These negative impacts extend to those locally based CSOs working to prevent violent extremism. As a direct consequence of this, a number of participants called for the specific protection of the civic space by States including the respect for freedom of opinion, expression, association, and peaceful assembly, in line with international human rights law and standards, the United Nations Guidance Note on the Protection and Promotion of Civic Space and the seventh review of the Global Counter-Terrorism Strategy which encouraged Member States to create and maintain an enabling environment for civil society.

Many Member States highlighted the criticality of **meaningfully engaging with civil society** in the development, implementation, monitoring and evaluation of counter-terrorism and prevention of

violent extremism policies and programmes, at the local and at the United Nations levels, building on the recommendation from the Guidance Note on the Protection and Promotion of Civic Space. A number of participants proposed an increased, more consistent participation, enduring partnership, and political and decision-making role for CSOs in the works of the international organizations, with special reference to the United Nations system. At the same time, many participants also underscored that recommendations and expertise offered by civil society must be meaningfully channeled into practice, for which a wide-ranging number of recommendations exist, including as presented through the Working Groups of the United Nations Global Counter-Terrorism Coordination Compact.

Participants underscored that all programmes in support of Member States' counter-terrorism efforts and prevention of violent extremism, including those by United Nations entities must comply with the rule of law, international human rights law and international humanitarian law. Participants also engaged in a robust discussion on the current counter-terrorism architecture at the United Nations system, with participants commending positive developments with regard to coordination and coherence, while some participants also called for a review and oversight capacity. Further calls made included for enhanced coordination and coherence, more robust monitoring and evaluation, a revised and fully public civil society engagement strategy, sustained partnership with civil society and more sustainable funding, with references to the possibility of an increased participation in the regular budget of the organization, thus echoing the seventh review of the Global Counter-Terrorism Strategy.

The official launch of the UNOCT Human Rights and Gender Section at the conference was welcomed as a very positive step in the direction of further implementing, specifically, the mandates of the fourth pillar of the Global Counter-Terrorism Strategy, including the need for enhanced integration of the rule of law, human rights and gender as cross-cutting elements of the Strategy.

The following are key messages emerging from the Conference:

- High-level multilateral engagement on human rights, gender, civil society and counter-terrorism is critical to enhancing dialogue and broaden understanding, towards a more inclusive and effective multilateralism.
- Domestic legal and policy frameworks that promote and protect human rights and fundamental freedoms in the counter-terrorism context, including freedom of expression, peaceful assembly and association, religion and belief, and right to privacy and due process in accordance with international law must be strengthened.
- Member States must ensure that counter-terrorism strategies, laws, policies and measures comply with international law and the principles of legality, necessity, proportionality and non-discrimination, and further address the misuse of counter-

terrorism measures and the devastating and often discriminatory impact on human rights and civic space of measures that do not respect the rule of law.

- Women's full, equal and meaningful participation in political and decision-making power and leadership is critical in the planning, implementation and monitoring of counter-terrorism and the prevention of violent extremism policies and programmes. These must be anchored in context specific gender analysis, reflecting the nuanced role that women and men have in terrorism, e.g., as perpetrators, victims, preventers and agents of change.
- The negative impact that counter-terrorism measures and sanctions, particularly countering the financing of terrorism measures, can have on impartial humanitarian engagement and the delivery of humanitarian aid must be addressed, including through well-crafted and properly applied exemptions for humanitarian action in relevant Security Council resolutions on sanctions and counter-terrorism as well as in domestic legislation. Respect for international humanitarian law in situations of armed conflict as well as ensuring provision is made for the unimpeded delivery of principled humanitarian action across contexts is essential. Structures for dialogue between national authorities, the private sector and humanitarian actors must be fostered and sustained to mitigate or even prevent negative impacts on humanitarian action and ensure continued and timely access to financial services for humanitarian actors.
- More tangible support to victims and survivors of terrorism is required, moving from solidarity to addressing their rights in domestic legislation and policies; the Model Legal Provisions are an important step in this regard. Member States should enable victims and survivors to have a meaningful active role in all counter-terrorism efforts, empowered to have their voices heard.
- More meaningful engagement with civil society at all stages of the design, implementation and monitoring and evaluation of counter-terrorism and prevention of violent extremism policies and programmes is imperative; comprehensive engagement by Member States and United Nations entities requires an enabling environment for dialogue and pave the way for the realization of the United Nations Guidance on the Protection and Promotion of Civic Space. Working with local communities, towards local ownership, is crucial for prevention policies and programming.
- Inclusive and meaningful engagement and participation of civil society at every stage of the process is essential in the preparation and delivery of United Nations efforts,

including High-Level events and engagements on counter-terrorism and the prevention of violent extremism conducive to terrorism. Enhancement of the “Málaga process” of collaboration with CSO is a possible model for future events, while the UNOCT Civil Society Engagement Strategy could be updated based on the outcomes of the participatory process developed with CSOs and in line with the United Nations Guidance Note on the Protection and Promotion of Civic Space which emphasizes the importance to strengthen diversity and inclusive participation in the development of key strategies.

- Sustainable funding to human rights and gender capacities is required to ensure effective mainstreaming, robust monitoring and evaluation and support to the full realization of pillar IV, and in line with Member States’ primary responsibility for implementation of the Global Counter-Terrorism Strategy.
- UNOCT’s coordination and coherence mandate, especially through the Global Counter-Terrorism Coordination Compact, provides an opportunity to ensure greater human rights and gender mainstreaming across the counter-terrorism architecture; the Human Rights and Gender Section within UNOCT, and Compact partners can play an important role in this regard, in line with the Office’s mandate.



Summary of the Opening Session

H.E. Mr. António Guterres

Secretary-General of the United Nations, delivered a video message in which he welcomed the organization of this “vital” conference. He recalled that terrorism represents an assault on human rights and warned about the growing terrorist threat, the misuse of technology, online hatred and the rise in xenophobia, racism and intolerance. The Secretary-General further highlighted that responses to terrorism can impact the delivery of humanitarian aid, contribute to silencing civil society and human rights defenders, and affect victims of terrorism. He thus emphasized the need to put human rights “front and centre” in the fight against terrorism, and continue addressing the conditions conducive to terrorism, safeguarding principled humanitarian action, respecting international law and engaging civil society in counter-terrorism efforts.

Mr. Vladimir Voronkov

Under-Secretary-General for Counter-Terrorism, United Nations Office of Counter-Terrorism (UNOCT), United Nations, recalled last year’s virtual dialogue with human rights and civil society partners convened together with Spain and noted that this conference builds on the renewed emphasis and strengthened language on the rule of law, human rights, gender equality, and civil society engagement in the seventh review resolution of the United Nations Global Counter-Terrorism Strategy. He stressed the importance of upholding human rights while countering terrorism, as a human-rights based approach is essential to ensure effective and sustainable counter-terrorism efforts. Mr. Voronkov noted the official launch of UNOCT’s new Human Rights and Gender Section, as well as ongoing efforts to implement UNOCT’s Civil Society Engagement Strategy. He further emphasized the need to continue supporting victims of terrorism and mentioned the “Memories Campaign” as well as the first United Nations Global Congress of Victims of Terrorism to be held in September 2022 in New York. Moving forward, he called for identifying solutions and placing human rights and the rule of law at the center of effective counter-terrorism measures.

“At a time when human rights are under assault around the world, this Conference and its side events allow us to reflect on challenges, identify solutions and chart a path forward to place human rights and the rule of law at the very heart of effective counter-terrorism measures.”

Mr. Vladimir Voronkov

Under-Secretary-General for Counter-Terrorism, United Nations Office of Counter-Terrorism (UNOCT), United Nations

H.E. Mr. José Manuel Albares Bueno

Minister of Foreign Affairs, the European Union and Cooperation, Spain, welcomed the holding of the conference in Málaga, as Spain feels close to those combating terrorism and suffering from it. He said that Spain places great expectations in this conference, which is a declaration of intention on the part of the United Nations system. Mr. Bueno stressed the importance of full respect for the rule of law which must be “our guiding star”, and source of legitimacy in the fight against terrorism. He emphasized the work done by Spain with victims of terrorism, including in support of their needs. He added that the conference and its different sessions reflect the seventh review of the United Nations Global Counter-Terrorism Strategy, which constituted unprecedented progress by placing respect for human rights and the rule of law, civil society, victims of terrorism, and gender perspective at its heart. He underlined that opening this conference to the participation of civil society is a step forward in the right direction that needs to be followed by many more. He noted that Spain is co-Chair of the Group of Friends of Victims of Terrorism and will contribute to the preparations of the first United Nations Global Congress of Victims of Terrorism in September 2022 in New York. This Congress will have two main outcomes, namely the creation of a global network of associations of victims of terrorism, and a fiduciary fund for victims of terrorism. Lastly, he informed about the new UNOCT Programme Office in Madrid (focusing on victims of terrorism; protection of vulnerable targets; and sports and the prevention of violent extremism) and paid tribute to victims of terrorism.

“In Spain, we always put human beings, people, men and women at the heart of counter-terrorism, and so there is nothing more normal for us than bringing on board human rights and fundamental rights as well. Combating terrorism with full respect for the rule of law is our guiding star.”

H.E. Mr. José Manuel Albares Bueno

Minister of Foreign Affairs, the European Union and Cooperation of Spain



Summary of the High-Level Session

Ms. Michelle Bachelet

United Nations High Commissioner for Human Rights, described human rights as a “building block for trust, which terrorism seeks to shatter”, while emphasizing that counter-terrorism responses may even destroy trust further when they do not respect human rights. The High Commissioner further stressed that counter-terrorism measures can undermine rights to fair trial and due process, discriminate, lead to surveillance measures that profile individuals, as well as criminalize dissenting opinions and civil society actors. She added that discriminatory counter-terrorism measures can contribute to the stigmatization of civil society organizations and those expressing dissenting political views, thus also perpetuating discrimination and violence towards ethnic and religious minority groups. She noted that her next report to the Human Rights Council is expected to focus on the impact of counter-terrorism measures on the right to non-discrimination and the principle of equality. She also mentioned the situation in northeast Syria and Office of the High Commissioner for Human Rights (OHCHR) participation in the Global Framework for United Nations Support on Syria/Iraq Third Country National Returnees. She called on States to pursue efforts to repatriate their nationals from northeast Syria. On how to achieve a “human rights reset”, she urged States to promote inclusive debate and dialogue while giving civil society the ability to influence outcomes. Concluding, she stressed the need to ensure the safety and protection of such actors.

Mr. Miguel Angel Moratinos

High Representative for the United Nations Alliance of Civilizations (UNAOC), focused on the notions of participation, promotion and partnership when it comes to civil society engagement.

Ms. Katerina Hadzi-Miceva Evans

Executive Director, European Centre for Not-for-Profit Law (ECNL), said that enhancing the cooperation between the State and civil society and building trust may contribute to the prevention of terrorist attacks. She called for linking the counter-terrorism agenda with other human rights initiatives, as well as for a greater focus on oversight and accountability mechanisms. She added that

stronger civil society participation should also be encouraged, while noting that CSOs' recommendations must be further taken on board.

INTERVENTIONS FROM THE FLOOR

H.E. Mr. José Manuel Albares Bueno

Minister of Foreign Affairs, the European Union and Cooperation, Spain, said that countering terrorism can only be done through effective cooperation. He welcomed the inclusion of victims of terrorism at the center of the seventh review of the United Nations Global Counter-Terrorism Strategy, as well as the focus on civil society engagement and respect for human rights and the rule of law. He underscored that the challenge will be to put these gains into practice. In that regard, the Málaga conference is the first successful step, laying the foundation for many more to follow.

H.E. Mr. Gordan Grlić Radman

Minister of Foreign Affairs, Croatia, said that the United Nations Global Counter-Terrorism Strategy shows that human rights and counter-terrorism are intertwined, while adding that there has been a divide between commitments to respect human rights and realities on the ground. He stressed the importance of supporting and listening to victims of terrorism, while noting that there is also a need to address root causes of terrorism and to empower youth.

H.E. Mr. Mohamed Salem Ould Merzoug

Minister of Foreign Affairs, Mauritania, presented efforts by Mauritania to improve respect for human rights and bring justice closer to individuals. He said that Mauritania stands ready to enter into partnerships with civil society in the fight against terrorism, building on the good results achieved so far.

H.E. Mr. Nikola Selakovic

Minister of Foreign Affairs, Serbia, highlighted that counter-terrorism measures must be based on respect for human rights, the rule of law, and gender equality. He also stressed the importance of eliminating forms of discrimination based on ethnicity or religious beliefs, settling protracted conflicts, and promoting an inclusive society.

H.E. Mr. Péter Szijjártó

Minister of Foreign Affairs and Trade, Hungary, expressed concern over the ongoing conflict in Ukraine and the opportunities it can create for Da'esh to conduct terrorist attacks. In that regard, he noted that the conflict in Ukraine also impacts exportations of wheat and global food security, which may contribute to increased radicalization to violence. He also expressed support for UNOCT to be funded by the United Nations regular budget while adding that countering terrorism calls for a change in approach that fully protects human rights.

Ms. Johanna Sumuvuori

State Secretary to the Minister for Foreign Affairs, Finland, reaffirmed that fighting terrorism cannot be a pretext for human rights violations. In that regard, Ms. Sumuvuori emphasized that the United Nations Global Counter-Terrorism Strategy is an essential tool, however she noted that more efforts are needed to address conditions relating to social inequalities and climate change that can lead to violent extremism and terrorism, as well as to promote an open society involving multiple stakeholders, including at the local level. She particularly emphasized that protection of the humanitarian space is also key, while expressing concern over “lone actors” and “far-right activists” as the most pressing terrorist threats in Finland.

H.E. Ms. Najla El Mangoush

Minister of Foreign Affairs, Libya, noted that the absence of a definition of terrorism remains an issue. She added that fighting terrorism helps consolidate human rights and recognized the importance of the United Nations Global Counter-Terrorism Strategy, including with regard to civil society engagement.

H.E. Mr. Albert Kan-Dapaah

Minister for National Security, Ghana, said that human rights and the rule of law must be the “cornerstones” of effective counter-terrorism strategies while emphasizing also that there is a need to strike the right balance between law enforcement, respect for the rule of law and gender equality, so as to address the multiple facets of violent extremism and terrorism. Mr. Kan-Dapaah noted that Ghana will seek to continue the dialogue with relevant actors on human rights and the rule of law to achieve effective counter-terrorism measures in the country and as part of the Accra Initiative.

H.E. Mr. Riad Malki

Minister of Foreign Affairs and Expatriates, State of Palestine, raised concerns that actions taken by Israel resulted in a silencing of Palestinian society and the global human rights movement. He further denounced a “regime of apartheid and terror” against the people of Palestine. Mr. Malki noted that Palestine has been improving its legislation to counter “settler terrorism” and urged the international community to ensure accountability for acts of terrorism.

H.E. Mr. Josep Maria Rossell Pons

Minister of Justice and Interior, Andorra, called for greater attention to the use of new technologies, improved exchange of information, and safeguarding the rights of children and victims of terrorism. He welcomed the organization of this conference as an opportunity to map out the way forward on counter-terrorism.

H.E. Mr. Kabo Neale Sechele Morwaeng

Minister for Presidential Affairs, Governance and Public Administration, Botswana, mentioned the meaningful participation of diverse civil society groups, in line with the United Nations Guidance Note on the Protection and Promotion of Civic Space, and affirmed the commitment of Botswana to implementing and improving counter-terrorism measures while upholding the rule of law and protecting vulnerable groups.

H.E. Mr. Albert Fabrice Puela

Minister of Human Rights, Democratic Republic of the Congo, expressed concern about the “expansionist views of neighboring countries” and the use of rape as a terrorist weapon of war. Mr. Puela affirmed the commitment of the Democratic Republic of the Congo to counter-terrorism in cooperation with the international community, and with a view to protecting human rights.

H.E. Ms. Marija Golubeva

Minister of Interior, Latvia, said that human rights and adherence to the rule of law are guiding principles of Latvia when developing counter-terrorism policies, as enshrined in the country’s counter-terrorism strategy adopted last year. Ms. Golubeva mentioned the Latvian Prevent Forum, which involves multiple stakeholders, in cooperation with civil society, to recognize signs of radicalization.

She further added that the pandemic has increased radical views online and urged to empower marginalized communities and vulnerable groups.

H.E. Mr. Abdellatif Ouahbi

Minister of Justice, Morocco, informed that since the Casablanca terrorist attacks in 2003, Morocco has been consolidating counter-terrorism efforts, especially with regard to the prevention of terrorism, while taking into consideration human rights and the rule of law. Morocco has also been cooperating with all countries of the region on counter-terrorism and has dedicated funding and support to victims of terrorism. Mr. Ouahbi mentioned that more than 700 people have been pardoned and benefitted from a reconciliation programme, including women.

H.E. Ms. Catarina Sarmiento e Castro

Minister of Justice, Portugal, stressed the need to focus on the prevention of terrorism and uphold human rights and the rule of law while countering terrorism. She noted that the pandemic has exacerbated recruitment and propaganda online and increased cyberattacks. Furthermore, she emphasized that fighting terrorism requires “comprehensive and collective efforts” at the local, regional and national levels, and must ensure the protection of civic space and fundamental freedoms. She added that gender equality should be mainstreamed in the design and implementation of counter-terrorism measures while reminding that the protection of victims of terrorism is essential.

Mr. Mamadou Saliou Sow

Secretary of State to the Minister of Justice, Senegal, said that preventing and countering violent extremism is among the most pressing priorities of Senegal, particularly regarding at-risk youth. When it comes to prevention, he noted that civil society needs to be engaged to better understand and address root causes, while also highlighting the importance of supporting victims of terrorism.

H.E. Mr. Mohammed Saeed Elhilo

Minister of Justice, Sudan, said that countering terrorism is a priority for Sudan, as evidenced by the country’s legislation on preventing the financing of terrorism and ratification of treaties. The government has also adopted best practices to combat terrorism and violent extremism through dialogue and rehabilitation of former terrorists. He affirmed the commitment of Sudan to human rights and international law, as well as to supporting victims of terrorism and due process, which will require additional training.

H.E. Mr. Ibrahim Ali Ahmed Haidan

Minister of Interior, Yemen, thanked the League of Arab States and the United Nations for their work on counter-terrorism. He noted that Yemen is committed to implementing resolutions and abiding by international treaties, while asking for support to build their human rights capacity.

H.E. Ms. Artemis Malo

Deputy Minister for Europe and Foreign Affairs, Albania, stressed the need to invest in the prevention of violent extremism and comply with human rights and the rule of law while countering terrorism. She mentioned Albania's work on foreign terrorist fighters (FTFs), with the issue of repatriation of nationals held in Syria being at the center of discussions, while noting that many of them are victims of terrorism.

H.E. Mr. Karamoko Jean Marie Traoré

Deputy Minister of Foreign Affairs, Burkina Faso, mentioned the impact of terrorism on Burkina Faso, and noted that the failure to uphold human rights and the rule of law may create frustrations, leading to socio-economic instability and ultimately violent extremism. Mr. Traoré said that terrorists seek to exploit poverty and exclusion, hence the need for effective counter-terrorism with full respect of the rule of law and human rights. He noted that CSOs can also help bring people together at the local level.

H.E. Mr. Khaled El Bakly

Assistant Foreign Minister, Egypt, called for holding offenders accountable, in compliance with human rights and international law. He noted the commitment of Egypt to the balanced implementation of the United Nations Global Counter-Terrorism Strategy across all four pillars, with a focus on prevention. He informed that Egypt's Strategy includes plans of action to promote gender equality and the promotion of human rights, thus contributing to prevention of violent extremism efforts and addressing root causes of terrorism. He described the work of Egypt to support victims of terrorism and their families, including free health care, rehabilitation, and psychological support. He noted that the meaningful inclusion of women, as well as civil society engagement, are also of great importance for effective counter-terrorism efforts.

H.E. Ms. Meenakshi Lekhi

Minister of State for External Affairs, India, said that terrorism threatens social and economic development and undermines human rights. She stressed the importance of delivering justice, while calling for condemnation and action when terrorism is used as an instrument of State policy. She noted that “political ideologies” – which are an integral part of democracy – and “radical ideologies subscribing to terrorism” must be distinguished. She further highlighted the use by non-State actors of Information and Communications Technologies (ICTs), and mentioned the need to define terrorism, as well as prosecute terrorist offences and make cross-border terrorism an extraditable offense globally. Ms. Lekhi said that civil society engagement and rehabilitation of victims of terrorism are priorities for India while underscoring that India will continue to support UNOCT and the Counter-Terrorism Committee Executive Directorate (CTED) as Chair of the Counter-Terrorism Committee (CTC).

H.E. Mr. Kahtan Taha Aljanabi

Deputy Minister of Foreign Affairs, Iraq, highlighted the cooperation between Iraq and the United Nations and the commitment of Iraq to developing a national strategy to consolidate human rights, protect and assist victims of terrorism, as well as prosecute terrorists. He noted that Iraq had recently hosted a conference to support those who suffered from Da’esh attacks using Improvised Explosive Devices (IEDs) and is considering a National Day of Commemoration. Mr. Aljanabi further mentioned the arrest of thousands of FTFs in Syria and called upon all countries to cooperate with Iraq on these issues.

H.E. Ms. Fatmire Isaki

Deputy Minister of Foreign Affairs, North Macedonia, underscored that counter-terrorism measures must comply with human rights, particularly regarding vulnerable groups such as migrants, refugees and asylum seekers. She noted the value of engaging CSOs, which should be treated as partners while also being watchdogs of government initiatives. Ms. Isaki shared that North Macedonia has developed a national counter-terrorism strategy, a national plan and Standard Operating Procedures (SOPs) on prosecution, rehabilitation and reintegration (PRR), as well as an inter-agency working group in partnership with civil society.

Mr. Magnus Nilsson

State Secretary to Minister for Foreign Affairs, Sweden, noted that terrorism has links with organized crime and armed conflict, while emphasizing that any response to terrorism must comply with

international law, be gender-responsive and take into account accountability and transparency requirements. He stressed that civil society has a key role to play in preventing and combating violent extremism and terrorism, as well as its root causes, which can include poor governance, the lack of respect for the rule of law, and violations of human rights. He further stressed that a comprehensive approach must be adopted, which addresses the misuse of the Internet for terrorist purposes, hate speech and the lone actors phenomenon, while protecting human rights and fundamental freedoms. Lastly, he underscored the importance of accountability for crimes committed by terrorist groups, including for sexual- and gender-based violence (SGBV) committed by terrorists.

Mr. Ung Eang

Vice President of Secretariat of National Counter-Terrorism Committee, Secretary of State of Ministry of Mines and Energy, Cambodia, mentioned the establishment of a National Counter-Terrorism Committee in 2007 and the efforts of Cambodia to share information, implement regional capacity-building programmes and increase international cooperation on terrorism (e.g., in the fields of border security, advance passenger information, prevention of violent extremism).

Mr. Erik Idsoe

Secretary of State for the Minister of Justice and Public Security, Norway, stressed the role of local actors to achieve local progress i.e., involving local communities such as religious societies, as well as women and youth, through meaningful and inclusive consultation, in the formulation of counter-terrorism measures and during their implementation phase.

H.E. Mr. Mehmet Ersoy

Deputy Minister of Interior, Türkiye, highlighted human rights violations by terrorist groups, particularly rights of children, while calling for strengthened international cooperation and positive outcomes coming out of this conference.

Mr. Timothy Betts

Acting Coordinator for Counterterrorism, United States of America, stressed that whole-of-government and whole-of-society approaches are critical to preventing violent extremism, conflict, and fragility. As such, the terrorist threat is becoming more complex, with Da'esh affiliates continuing to expand in the Sahel and Afghanistan. Moreover, Mr. Betts expressed concern over terrorism based on xenophobia and racially and ethnically motivated violent extremism (REMVE), with actors often

interconnected online and offline, and called for a greater exchange of information and cooperation between countries and the technology sector in that regard. He mentioned the concerning situation of FTFs and their family members in northeast Syria, the support provided by the U.S. through the Global Framework, while encouraging further efforts to repatriate and prosecute, rehabilitate, and reintegrate nationals. He urged to pay attention to the misuse of the Internet for terrorist purposes, better understand the root causes of terrorism and address drivers of violent extremism. Finally, he welcomed the creation of UNOCT Human Rights and Gender Section and encouraged “whole-of-United Nations” approaches to counter the evolving and enduring threat of terrorism.

Ms. Nadia Costantini

Head of Division for Counter-Terrorism, European External Action Service, the European Union, emphasized that human rights must be at the center of counter-terrorism responses, and warned that harming human rights while countering terrorism can fuel radicalization and push individuals to join terrorist groups. Ms. Constantini said that the international community must join forces, with the United Nations at the center working together with civil society.

Ms. Melissa Lefas

Chief of Strategy, Global Center on Cooperative Security, welcomed the positive practice established with the seventh review of the United Nations Global Counter-Terrorism Strategy and described the Málaga conference as the continuation of that effort to engage civil society. Ms. Lefas also welcomed the inclusion of operative paragraph 86 in the resolution and called for a transformative approach that would foster civil society engagement in line with the United Nations Guidance Note on the Protection and Promotion of Civic Space. She further said that more needs to be done so that counter-terrorism measures strengthen human rights and do not negatively impact civil society, whose participation needs to reach its full potential. Indeed, Ms. Lefas noted that civil society participation often “comes at a cost”.

Mr. Dan Mahanty

Director, Research, Learning and Innovation, Center for Civilians in Conflict (CIVIC), emphasized the importance of States ensuring that the use of force, the power to detain, the authority to restrict are once again subject to sufficient restraints and that the government itself is subject to accountability. He noted that it should be recognized that civil society is called upon by the international community to play a critical role in oversight and accountability of counter-terrorism measures, but civil society also bears the vast preponderance of the transaction costs and the risks involved in oversight and accountability for both intentional and incidental harms. They face incredible risks, sometimes violent

hostility, and are almost always at tremendous information and resource disadvantage. Finally, he noted the need to ensure that we do not look past the urgent need to better protect civic space in places affected by or at risk of conflict, where the protection of civilians, prospects for peace, and the protection of civic space are intricately linked.

H.E. Mr. Piet Heirbau

Ambassador, Director General, Ministry of Foreign Affairs, Belgium, said that counter-terrorism measures must protect human rights and civil society. He mentioned an upcoming CTED visit later this month and that Belgium will pursue its efforts to repatriate some of its nationals from northeast Syria in the best interest of the child and when mothers do not represent a threat to national security. He stressed that the rights of women and girls must also be protected and called for greater gender mainstreaming and the meaningful participation of women at all levels.

H.E. Mr. Abdulaziz M. Alwasil

Ambassador, Permanent Representative of the Kingdom of Saudi Arabia to the United Nations Office and other International Organizations in Geneva, looked forward to the outcome of the conference. He mentioned the efforts of Saudi Arabia to protect human rights in line with United Nations resolutions and to address root causes of terrorism and counter terrorism in the cyberspace.

H.E. Mr. Joaquín Alberto Pérez Ayestarán

Ambassador, Deputy Permanent Representative, Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations, New York, said that the prevention of violent extremism and counter-terrorism measures must be carried out in compliance with human rights and protect vulnerable groups while highlighting that security measures are not enough in the fight against terrorism. He further noted that because terrorism is a “multi-dimensional threat”, efforts must also focus on the promotion of sustainable development and strengthening the rule of law.

Mr. Huib Mijharends

Special Envoy for Counterterrorism, the Netherlands, said that the United Nations Charter is the cornerstone and bedrock of any counter-terrorism measure, with human rights at the core of counter-terrorism efforts. Mr. Mijharends mentioned the work done together with OHCHR to achieve better counter-terrorism policies. He stressed that a unified approach to counter-terrorism is needed, with “hard” counter-terrorism measures not being sufficient. He further noted that there is also the need to

address root causes and further engage civil society while saying that lessons learned and good practices can help guide future efforts.

Mr. Kingsley Green

Head of Counter Terrorism and Extremism Network (Europe), Foreign, Commonwealth and Development Office, United Kingdom, encouraged further mainstreaming of human rights and stronger collaboration between UNOCT and CTED, leveraging assessment reports in the design of projects. He urged to continue protecting civil society actors which develop their own responses to terrorism, and emphasized that partnerships with civil society, including with women-led organizations, are essential to effective counter-terrorism.

Mr. Tian Geng

Counsellor, Embassy of China in Spain, highlighted that hate crimes against minorities have been on the rise, while noting that efforts need to focus on prevention and involve civil society because of its understanding of the local context and root causes. He warned about the misuse of artificial intelligence, cyberspace and drones by terrorists. He also encouraged UNOCT to promote coordination with government and civil society.

H.E. Mr. Konstantin Zhigalov

Ambassador of Kazakhstan to Spain, stressed that respect for human rights and the rule of law is a priority, as well as the repatriation of nationals from northeast Syria (some 700 individuals have been repatriated so far). He looked forward to further engagement with OHCHR and the Human Rights Council.

Mr. Luca Franchetti Pardo

Principal Director, Ministry of Foreign Affairs and International Cooperation of Italy, expressed support for UNOCT and its Programme Office in Rabat, Morocco. Mr. Pardo stressed the need to protect human rights and civil society. On the aspect of preserving the credibility of law enforcement, he further emphasized that its action must comply with human rights and the rule of law, while noting that local authorities' involvement is also indispensable, as well as integrating a gender perspective.

Mr. Samir Al Kassir

Chargé d'affaires, Embassy of Syria in Spain, highlighted efforts to ensure accountability and address the misuse of technology and the Internet for terrorist purposes. He noted that terrorist groups have recruited 10,000 people in Syria, thus stressing the importance of preventing the recruitment of youth. He also noted that reintegration efforts are important.

“I urge States to encourage and respect vibrant debate. Participation – when it involves real listening, honest dialogue and helps identify common ground – is the most effective way to build bridges. We need to bring different voices to the decision-making table – individuals, civil society and National Human Rights Institutions – and particularly communities that are negatively impacted by counter-terrorism measures.”

Ms. Michelle Bachelet

United Nations High Commissioner for Human Rights



Thematic Sessions

SESSION I

Human Rights and the Rule of Law as the Cornerstone of Effective Counter-Terrorism Efforts

Addressing the misuse of counter-terrorism measures by enhancing the integration of the rule of law, human rights, and gender as cross-cutting elements

Further to the “Secretary-General’s Call to Action for Human Rights,” the seventh biennial review of the United Nations Global Counter-Terrorism Strategy underscored that respect for human rights, fundamental freedoms and the rule of law are complementary and mutually reinforcing with effective counter-terrorism measures, and are an essential part of a successful counter-terrorism effort, and further noted that failure to comply with these obligations was one of the contributing factors to increased radicalization. It is therefore vital that human rights guide the development, implementation, oversight, monitoring and evaluation of comprehensive laws, policies, programmes, and measures to prevent and counter terrorism and violent extremism, with specific consideration given to gender and age dimensions.

This Session discussed human rights-related challenges in the field, highlighted practical guidance and tools to ensure rule of law- and human rights-compliant regional, national and local counter-terrorism efforts, while also stressing the practical benefits of such approach, including with regard to the return and reintegration of FTFs. The Session considered the potential adverse impact of counter-terrorism laws on civil society and the need to protect civic space and engage meaningfully with CSOs. The Session further explored good practices for the effective integration of gender and intersectional factors into counter-terrorism efforts, including gender mainstreaming, addressing threats to and violence against women human rights defenders and peacebuilders in line with Security Council resolutions 2493 (2019) and

2242 (2015), and promoting the full, equal and meaningful participation of women in preventing and countering terrorism. The Session also explored good practices in the implementation of obligations under the Convention on the Rights of the Child with respect to Member States' actions to prevent the stigmatization of children with links to terrorist groups.

Ms. Fionnuala Ní Aoláin

Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, began by expressing appreciation for the co-facilitators of the seventh review of the United Nations Global Counter-Terrorism Strategy (the Kingdom of Spain and the Sultanate of Oman) for the depth of discussion among Member States during the process, noting that the final review brought advancements and practical gains in multiple areas, including: strengthened language on human rights and rule of law; civic space and civil society; gender and advancing women's roles, specifically on preventing the instrumentalization of women; as well as initiating critical discussions around internal independent oversight of the work of the United Nations in counter-terrorism, monitoring and evaluation, human rights due diligence, and funding. Ms. Ní Aoláin underscored a range of challenges that had been documented under the Special Rapporteur's mandate, including a relative lack of data-based evidence on how counter-terrorism measures are contributing to greater human rights and rule of law outcomes; a lack of information on how counter-terrorism measures mainstream human rights, rule of law, gender equality, and civil society engagement; deficiencies in human rights protections including rule of law and equality; the routine misuse of counter-terrorism measures to restrict the rights to freedom of opinion and expression, assembly, fair trial and more; the targeting of human rights defenders through counter-terrorism measures (judicial, administrative and other) that are unlawful or arbitrary; the failures to treat victims of terrorism and counter-terrorism with dignity and respect and ensure access to justice and redress; and finally a failure to address the distinct impact of terrorism and counter-terrorism measures on women and to engage women and women-led organizations in meaningful ways.

Mr. Nicholas Miller

Senior Legal Adviser, International Center for Not-For-Profit Law (ICNL), shared three reflections drawing on the shared views of civil society as reflected in the civil society workshop on 9 May and the civil society consultations of human rights defenders and activists in 43 countries. The first was that counter-terrorism should strengthen rights, not erode them, noting that currently, counter-terrorism norms and practices are contributing to human rights harms and insecurity. He noted that the negative human rights impact of counter-terrorism is structural and systemic, impacting human

rights defenders, journalists, dissidents and others. While welcoming the seventh review of the United Nations Global Counter-Terrorism Strategy, Mr. Miller also acknowledged the link between counter-terrorism measures and downstream of human rights harms. Mr. Miller also noted the lack of adequate engagement with such human rights harms in security spaces, including the “New York space”, saying that there is a need to move “towards a UN counter-terrorism system that does no harm” and towards our shared goal of a vibrant civic space, and a renewed social contract in line with the United Nations most recent commitments under the Secretary-General’s Common Agenda. Secondly, Mr. Miller highlighted the need for the United Nations, Member States, and civil society actors to look deeply at the relationship between the rule of law and public participation and counter-terrorism, emphasizing that a failure to do so – and instead applying rule ‘by’ law – will inevitably contribute to a weakening of democracy and the rule of law, a lack of human rights protections, and socio-economic disenfranchisement. Finally, Mr. Miller stressed the need to maximize local ownership of counter-terrorism efforts, noting that counter-terrorism innovations and improvement will come most reliably not from the top, but from those who are closest to the problem. He stressed the need to listen to local voices – individuals and civil society, women and girls, as well as marginalized groups – to ensure that counter-terrorism policies and programs are responsive to the realities of people on the ground and reflective of local ownership.

Ms. Ilze Brands Kehris

Assistant Secretary-General for Human Rights, OHCHR, highlighted that the conference is an opportunity to examine how to redouble our collective efforts to advance human rights and gender equality and protect civic space in counter-terrorism globally, noting that alongside some examples of good practices, we continue to see the misuse of counter-terrorism measures for political and other reasons that restrict and violate human rights. Such examples include: overly broad or vague anti-terrorism laws that go against the principles of necessity and proportionality and may result in the criminalization of petty crimes without in some instances the requirement of terrorist intent; the misuse of counter-terrorism laws contributing to the shrinking of civic space, including being applied against persons engaging in non-violent expression, protest, and political advocacy; the deprivation of nationality, even including of children; and the targeting of entire communities under the guise of terrorism or national security resulting in arrest, arbitrary detention, enforced disappearances, extrajudicial killings or sexual- and gender-based violence . Ms. Brands Kehris also underscored that the protection of human rights and gender equality are intrinsic to development and peace, while protecting human rights, gender equality and civic space is a Member State’s obligation. In order to fully incorporate these into counter-terrorism measures, she provided a number of conditions: all counter-terrorism measures must comply with the principles of legality, necessity, proportionality, and the pursuit of a legitimate goal; moreover, human rights and gender equality should feature at every stage of counter-terrorism responses and structures – from State policy formulation and coordination mechanisms to budget allocations and counter-terrorism operations. Ms. Brands Kehris further called

for greater emphasis on the human rights- and gender-based dimension of the United Nations counter-terrorism architecture to support Member States, including through the more effective use of the Human Rights Due Diligence Policy (HRDDP). Finally, the importance of Member States and the United Nations promoting meaningful engagement with civil society organizations, human rights defenders, and national human rights institutions was underscored, including through the effective and consistent operationalization of the United Nations Guidance Note on the Protection and Promotion of Civic Space with its three Ps: Participation, Promotion and Protection. Such participation requires supporting legislative frameworks that guarantee freedoms of association, peaceful assembly, and expression, thus promoting safe and unimpeded civic space, as well as advocating for stronger protection for civil society actors that engage with the United Nations, particularly women- and youth-led CSOs and women human rights defenders.

Ms. Dilnoza Muratova

Deputy Head, Human Rights Center, Uzbekistan, highlighted that terrorism poses a serious challenge to the very tenets of the rule of law, protection of human rights and their effective implementation, and noted that States therefore must ensure that counter-terrorism measures are compliant with international human rights standards and embrace openness and inclusiveness, as well as a “whole-of-society” approach. Further, she said that the COVID-19 pandemic has negatively impacted progress towards the achievement of the United Nations Sustainable Development Goals, with the resultant economic and social crises exacerbating global inequality, noting that this situation significantly increased the risks of conflict and terrorism. Ms. Muratova also provided an overview of the Central Asian Joint Plan of Action on the implementation of the United Nations Global Counter-Terrorism Strategy (JPoA), noting that its new regional strategy had been adopted in March 2022. Providing an overview of the Uzbekistan experience, Ms. Muratova described that the country’s counter-terrorism policy is based on a comprehensive, inclusive and consistent approach that combines the use of preventive measures along with law enforcement, and not only State bodies, but also civil society institutions actively participating in the process. She further noted that particular attention is paid to intercultural and interreligious dialogue and the empowerment of women and the youth. Ms. Muratova then provided an overview of the work of Uzbekistan on the repatriation and reintegration of women and children, recalling that in the last three years, under the special operation “Mehr-Mercy”, more than 530 citizens have been returned from conflict zones (Syria, Iraq and Afghanistan) with more than 370 children who have been provided with an opportunity to integrate into “normal life”. With regard to the prevention of violent extremism, she noted that investing in such efforts costs far less than mitigating its consequences, while noting that it is first and foremost a national challenge. She also mentioned efforts of Uzbekistan in the field of dialogue, inclusivity and respect for all as foundations for peace. In the field of youth, Ms. Muratova noted that Uzbekistan is focusing on programmes to prevent violence at home, at school and in public places and on programmes that teach young people about the risks of using digital media. On the inter-ethnic dimension, Ms. Muratova noted that two years ago

Uzbekistan initiated a United Nations General Assembly resolution on “Education and Religious Tolerance”, and she informed also that in 2023, Uzbekistan will host a high-level conference on “Enlightenment and Religious Tolerance”. Ms. Muratova also recalled that in December 2021, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism visited Uzbekistan and provided a number of constructive proposals and recommendations. Finally, with regard to cooperation, she noted that Uzbekistan currently contributes to several cooperation mechanisms and joint initiatives in the area of counter-terrorism, namely, the initiation in Samarkand of the Youth Council of the Central and South Asia in 2023, the promotion of the adoption of a United Nations Convention on Youth Rights, as well as advocating for the opening of the United Nations Counter-Terrorism Office in Central Asia to strengthen the mechanisms for monitoring of the implementation of the JPoA and to coordinate interaction between the Central Asian countries. She also mentioned the creation of the Central Asian unified electronic network on cyberterrorism within the Programme on Cybersecurity and New Technologies; and the preparation to implement an e-learning course on the protection of human rights and the rule of law in the context of counter-terrorism in Central Asia, as well as to translate it into the national language.

Mr. Edward Flynn

Senior Human Rights Officer, CTED, first highlighted a lack of broad agreement and real commitment to pursuing goals in countering terrorism while placing compliance with international human rights obligations at the top of priorities. Mr. Flynn noted that CTED has made significant progress in human rights mainstreaming over the years under the guidance of the Security Council CTC. He mentioned the strong emphasis placed on human rights issues in the assessment visits conducted on behalf of the Committee and in analytical reports on trends, meetings on thematic issues of concern, and flagship products such as the CTED’s Global Implementation Surveys, and Technical Guide on implementing Security Council resolution 1373 (2001), as well as other resolutions. He further noted that CTED is also steadily increasing the attention to the critical issue of gender in its work, based on the mandate of Security Council resolution 2242 (2015). Finally, he emphasized CTED’s strong partnership and active engagement (including through virtual roundtables and workshops during the pandemic) with civil society, at global, national and local levels, which provide invaluable insights into the impact – including the sometimes-harmful impact of counter-terrorism laws and policies. CTED has consistently urged States to engage with civil society. Based on the expanded mandate on civil society engagement pursuant to Security Council resolution 2617 (2021), CTED will be aiming to consult with CSOs – if security conditions permit – both before, during, and after the assessment visits to Member States. Mr. Flynn further emphasized that CSO engagement is a guarantee of transparency, dialogue and inclusion. Mr. Flynn summarized a number of proposed recommendations. Firstly, that all counter-terrorism actors – including CTED and UNOCT – might commit to taking stronger action in response to the findings of the United Nations human rights mechanisms, including those of the Special Rapporteur on the promotion and protection of human rights and

fundamental freedoms while countering terrorism, to urge States to change laws and practices that are in violation of human rights. Secondly, that CTED, UNOCT, as well as OHCHR and others, can establish better procedures to follow up on the human rights and gender-related recommendations contained in the CTC's country visit reports, including with regard to the ongoing, deep concern about the persistence of vague and overbroad definitions of terrorist acts in national legislation that can be misused to repress civil society, human rights defenders, and political opponents and undermines international cooperation against the threats of actual, violent terrorist attacks.

Mr. Mutuma Ruteere

Director, Centre for Human Rights and Policy Studies (CHRIPS), Kenya, noted that human rights and the rule of law are central to effective counter-terrorism, at all stages. Mr. Ruteere noted that while coordination between States and human rights mechanisms is improving, the gaps in incorporating human rights in counter-terrorism responses are growing and human rights violations continue to be part and parcel of counter-terrorism. He emphasized that the existence of a system of global norms has not changed State practices, for example with national norms, including constitutional norms aimed at the protection of human rights, not being implemented. Mr. Ruteere further noted that counter-terrorism practices have excluded civil society or kept it at a distance, linked at least in part to the perceived exceptional nature of counter-terrorism frameworks while noting that this is a problem as, historically, it is civil society that drives norm development, and the implementation of human rights guarantees. He added that civic space has been shrinking and the sanctions imposed in the context of counter-terrorism have impacted civil society. He said that placing restrictions on CSOs that are allowed to engage with the State poses a challenge, noting that if only a few CSOs are allowed to engage with the State, these may be viewed as compromised while also highlighting that it is important that a diverse range of civil society actors are able to engage with States at all levels, including at national and local levels. Finally, he said that it is important to pay attention to the conditions that drive terrorism and fully integrate human rights into counter-terrorism mechanisms and processes while noting that terrorism and the conditions that drive it cannot be addressed solely by law enforcement, they must be accompanied by peace and respect for human rights and the rule of law.

Mr. Tom Parker

Project Coordinator for Counter-Terrorism Programming in Nigeria, United Nations Office on Drugs and Crime (UNODC), noted the common misconception in the national security area that successful counter-terrorism operations and human rights observance are somehow antagonistic. He said that history consistently teaches us that counter-terrorism efforts are most effective when conducted within a human rights framework and most counterproductive when conducted in defiance of international human rights law. He further underlined that it is for this reason that one of the four

pillars of the United Nations Global Counter-Terrorism Strategy focuses specifically on ensuring respect for human rights and the rule of law. He also noted that terrorists seek to turn the State's strength to their advantage, provoking governments to overreact to the threat they pose by introducing draconian security measures, curtailing civil liberties, and infringing established human rights protections, which in turn results in a greater polarization of the population, increased radicalization, and the undermining of the State's legitimacy both at home and abroad. Mr. Parker recalled extensive evidence that experience of State violence, whether direct or indirect, is one of the primary drivers of terrorism. He referred to the United Nations Development Programme (UNDP) study, *Journey to Extremism in Africa*, which found that 71 per cent of the interviewees cited violent government action as the tipping point that prompted them to join a terrorist group and concluded that State security actor conduct could often be considered "a prominent accelerator of recruitment, rather than the reverse." Mr. Parker added that a 57 per cent of former Boko Haram fighters interviewed in northeast Nigeria by the Network for Religious and Traditional Peacemakers in early 2017 identified a desire for revenge as having had a major influence on their decision to join Boko Haram. Mr. Parker stressed that international human rights law and international humanitarian law provide a framework within which lawful State responses to terrorism should be conducted and which allows for international cooperation on counter-terrorism, establishes the benchmarks characterizing genuinely democratic societies, and creates an international regime of protection from both State's power and terrorist actors. He recalled the due process requirement and principles of reasonable, necessary, and proportionate State's action against terrorism which allow for the use of a wide range of potentially intrusive and robust enforcement tools while preventing potential abuses. Mr. Parker concluded that the historical record strongly suggests that abuses serve little practical purpose but can greatly damage the societies that do so.

“As I have plainly stated elsewhere, however, we cannot have rose colored glasses when we look at the situation for human rights and rule of law in counter-terrorism around the world. The evidence now only demonstrates that conflict is one of strongest predictors of the impact of terrorism. It also shows that deficiencies in human rights protections, socio-economic factors related to disenfranchisement, deficient rule of law and equality are also core predictors.”

Ms. Fionnuala Ní Aoláin

Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

INTERVENTIONS FROM THE FLOOR

Mr. Masood Karimipour

Chief of Terrorism Prevention Branch, UNODC, highlighted that the United Nations is in a unique position to advocate for human rights within counter-terrorism given its political neutrality. However, it cannot obtain sustainable results without civil society, which is the perspective of the community, as there are spaces where neither the United Nations nor government can deliver. The solution should be where the violator and the violated are – on the ground, in the communities. In this regard, Mr. Karimipour noted that UNODC works at the community level and helps those arbitrarily detained receive due process. He underscored there is a need to deliver more human rights on the ground, as well as recalling that prevention is more effective than countering and combating terrorism, as long as we also address the conditions conducive to terrorism.

Ms. Sofia Koller

Senior Research Analyst, Counter Extremism Project (CEP), advised that CEP has engaged in analyzing practices for the return and reintegration of FTFs across various countries. In this regard, Ms. Koller highlighted that in several countries, female returnees are not systematically prosecuted due to stereotyped perceptions about their involvement in terrorism and as law enforcement agencies are unsure about the offenses they may have committed. An additional concern was that access to evidence remains a challenge: CEP recommends making better use of evidence collected on the battlefield. Ms. Koller further advised that CEP is among the first Non-Governmental Organizations (NGOs) to sign a cooperation agreement with the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD).

H.E. Ms. Mariin Ratnik

Ambassador, Republic of Estonia to the Kingdom of Spain, advised that Estonia is contributing to tackling terrorism based on a few key principles: compliance with international human rights law, international humanitarian law, and refugee law – noting that ignoring these can contribute to further radicalization; the need to address the conditions conducive to terrorism; accountability and bringing terrorists to justice while respecting human rights, promoting social inclusion and justice; as well as inclusion and social cohesion.

Mr. Bogdan Batic

Deputy Director General, Ministry of Foreign Affairs, Slovenia, highlighted the importance of prevention, particularly taking into account gender, minorities, and tackling misinformation as well as amplifying the voices of victims of terrorism. He noted that in this regard, Slovenia has a comprehensive approach with a special focus on prevention, as well as intercultural and interreligious dialogue. Slovenia is engaged in a number of initiatives in the Western Balkans aimed at countering terrorism and preventing violent extremism, including the Operational Group for the Fight Against Terrorism. Mr. Batic noted that there is a need for increased regional cooperation, including in relation to cyberspace while informing that Slovenia also implements grassroots human rights education programmes building on the Convention on the Rights of the Child that have been carried out in diverse countries in Europe, Africa, and the Middle East. Other relevant initiatives include the Euro-Mediterranean University.

Mr. Simon Crowther

Legal Adviser, Amnesty International, noted that human rights should not be instrumentalized – saying that otherwise we undermine the principles we are seeking to protect. Mr. Crowther recalled that human rights are meant to be adhered to whether or not they are considered to be effective for counter-terrorism. Mr. Crowther also highlighted that over a million people are affected by counter-terrorism measures through deprivation of liberty, torture, and other practices that go against respect for human rights. He opined that the United Nations architecture has not yet been able to effectively integrate human rights in counter-terrorism, including particularly that pillar IV is not adequately funded or prioritized.

Ms. Cholpon Orozbekova

Director, Bulan Institute for Peace Innovations, affirmed that CSOs are important actors but the “assault” on CSOs in an increasing number of countries is accompanied with the dissemination of fake news and hate speech, where CSOs are portrayed as enemies. Ms. Orozbekova noted that many States prefer government-organized NGOs over genuine civil society. She further noted the impact of foreign agent laws that are aimed at undermining the credibility of NGOs when they receive foreign funds, acting as an additional restriction.

Mr. Jordan Street

Senior Policy and Advocacy Adviser, Saferworld, advised that Saferworld has released a new report (“No shortcuts to security: Learning from responses to armed conflicts involving proscribed groups”) which analyses the patterns in conflicts involving violent proscribed groups to inform the creation of improved response strategies. Mr. Street said that this new report shows that “violent terror groups”, across multiple contexts, spot weaknesses in the social fabric and use these to gain support. These groups often understand local dynamics and marginalization “much better” than authorities. Moreover, given almost all acts of terrorism today occur in conflict settings, effectively and sustainably reducing the threat from proscribed groups requires understanding conflict better and finding entry points to tackle it – in particular the powerful incentives that exacerbate and perpetuate conflicts involving proscribed groups. Strategies that appear to offer shortcuts to security will continue to fail – or require constant, year-on-year investments – if they try to ignore this reality.

Mr. Iseghohime (Daniel) Ehighalua

Legal and Advocacy Director, Rights and Security International – UK, underscored that counter-terrorism needs to build on the idea of local engagement, and that counter-terrorism policies thus

need to be adjusted to local levels. Mr. Ehighalua also highlighted the need to explore how to provide the right oversight mechanisms (such as an independent ombudsperson mechanism) at the international level, including to CTED and UNOCT and other United Nations entities.

Mr. Manuel Eising

Senior Legal Advisor, Organization for Security and Co-operation in Europe (OSCE), affirmed that the OSCE promotes human rights and the rule of law, as well as gender-sensitive responses and strengthening resilience against violent extremism. Mr. Eising also noted that the OSCE is working on PRR, promoting age- and gender-sensitive responses, as well as on the protection of critical infrastructure and soft targets; and the provision of human rights focused recommendations on developing national strategies. Mr. Eising further noted that the OSCE is a good partner in counter-terrorism and the prevention and countering of violent extremism efforts due to their field operations and network of partners. He advised that OSCE's approach is built on the following pillars: 1) cooperation with governments; 2) cooperation with civil society and the private sector; and 3) partnerships with the international community. He recalled that OSCE co-organized the recent Tashkent conference in March 2022 which, among others, assessed the impact of the volatile situation in Afghanistan, an issue that needs to remain in focus.

Mr. Morita Koichiro

First Secretary, Embassy of Japan in Spain, highlighted that Japan attaches great importance to human rights and the rule of law in the fight against terrorism and contributes to the implementation of the four pillars of the United Nations Global Counter-Terrorism Strategy, including with consideration for gender and age dimensions of relevant measures. Further, Mr. Koichiro noted that Japan is aware of the international community's efforts to incorporate human rights and the rule of law into capacity-building and stands ready to continue playing its part. He noted that Japan has contributed to the UNOCT programme on the use of biometric data for border security and methodologies for collection of Open-Source Intelligence (OSINT) for counter-terrorism investigations.

Mr. Adrian Farrell

Deputy Director, Department of Foreign Affairs and Trade, Ireland, noted that effective counter-terrorism requires whole-of-society approaches grounded in human rights, the rule of law, and gender equality. Some States use counter-terrorism to justify targeting of civil society and to commit human rights violations – with civil society actors being targeted, and human rights defenders and women-led organizations being particularly vulnerable. In this regard, Mr. Farrell also recalled that children

should be treated primarily as victims. He emphasized the importance to take into account the needs of women and girls, including those who are victims of sexual- and gender-based violence as well as the need to consider the role of masculinities, the experiences of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, and to ensure that responses are not built on stereotypes. He further noted that Ireland advocated for strengthening human rights and gender equality protections in the context of the seventh review of the United Nations Global Counter-Terrorism Strategy and that next year's eighth review must build on this, also recalling the need for oversight of the counter-terrorism architecture.

H.E. Mr. Joaquín Alberto Pérez Ayestarán

Ambassador, Deputy Permanent Representative of Venezuela to the United Nations, New York, noted that Venezuela guarantees the promotion and protection of all human rights, including the right to development and that counter-terrorism efforts are conducted in accordance with its international commitments, including Security Council resolutions, the Venezuelan Constitution, and relevant laws, such as Anti-Money Laundering and the Countering of Financing of Terrorism laws. In this regard, he highlighted the importance of engagement with the Financial Action Task Force (FATF), as well as the FATF for Latin America (GAFILAT) and CTED. Mr. Pérez Ayestarán further noted the need for balance between preventing and countering terrorism and the protection of human rights, including that all human rights need to be protected without exclusion or discrimination and should not be 'rule by law'. He noted that Venezuela is the victim of economic and financial terrorism, affecting the rights to development and peace and that the perpetrators are supported by governments from the region, in contravention of Security Council resolution 1373 (2001). Mr. Pérez Ayestarán reaffirmed his country's commitment to contribute to regional and international efforts on counter-terrorism and to continue strengthening its national counter-terrorism policies which will be aligned with the rule of law, human rights, and gender mainstreaming.

Mr. Kingsley Green

Head of Counter Terrorism and Extremism Network (Europe), Foreign, Commonwealth and Development Office, United Kingdom, emphasized the importance of human rights and a gender-sensitive approach, noting with concern that human rights abuses are exploited by terrorists for recruitment, and emphasizing that incorporating gender in counter-terrorism efforts is a prerequisite. Mr. Green expressed concerns about securitized counter-terrorism approaches, violence against civilians and the use of mercenaries noting that such practices fuel conflicts and enable terrorist recruitment. He stressed that security measures should not go beyond the confines of international law and recalled that the United Kingdom regularly raises with human rights mechanisms occasions where counter-terrorism is used as a pretext to undermine human rights.

Mr. Juan Jose Quintana

Ambassador, Director of Multilateral Political Affairs, Colombia, noted that terrorism is a crime against humanity that affects human rights and economic development as well as a global threat to peace. Mr. Quintana informed of the commitment of Colombia to counter-terrorism and highlighted the links between human rights and counter-terrorism efforts. He also underscored the importance of implementing the United Nations Global Counter-Terrorism Strategy particularly with regards to the rights of victims. Mr. Quintana noted the need for the strict observance of international humanitarian law in a counter-terrorism context as well as the need for intelligence-sharing, including financial intelligence.

CONCLUDING REMARKS BY MODERATORS

Mr. Nicholas Miller

Senior Legal Adviser, International Center for Not-For-Profit Law (ICNL), recalled the need for greater human rights due diligence to avoid causing counter-terrorism harms, saying that the focus should be on human rights over counter-terrorism. He also mentioned the need for internal United Nations oversight on human rights, gender and civil society participation and the emerging consensus in this respect. Further, he recalled both that CSOs need greater access to the United Nations system, including grassroots organizations, and in line with efforts to protect civic space, and there is a need to further explore ways to meaningfully mainstream gender and ensure women's participation.

Ms. Fionnuala Ní Aoláin

Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, in summary noted that harm and devastation from terrorist acts is real and tangible. She said that counter-terrorism, "if done right", is a clear and collective good for all. She also noted that this panel had addressed the well-documented misuse of counter-terrorism and underscored the need for open civic space, the right to security, and the rights and needs of victims. She further noted that after twenty years of counter-terrorism, this is the first international conference on counter-terrorism and human rights, commending the presence and contribution of civil society representing a vibrant set of voices. Finally, Ms. Ní Aoláin noted that the seventh review of the United Nations Global Counter-Terrorism Strategy was progress although there is still more to be done – adding that the eighth review will be an opportunity for that.

SESSION II

Protection of Principled Humanitarian Action

Guaranteeing that counter-terrorism measures and sanctions comply with International Humanitarian Law

Preserving humanitarian space amidst counter-terrorism measures, including sanctions, is an issue of concern and a great challenge to the international community. Terrorist activity has caused displacement, endless human suffering and loss of lives, and has thereby exacerbated humanitarian crises. Terrorist activity has also impeded humanitarian action by obstructing the delivery of humanitarian services, as well as through threats and violence against humanitarian actors. At the same time, broadly conceived or improperly applied counter-terrorism measures have also been shown to negatively impact humanitarian action and actors, and, by extension, persons in need of assistance, including victims of terrorism. Despite growing momentum, as demonstrated by Security Council resolutions 2462 (2019), 2482 (2019) and the seventh biennial review of the United Nations Global Counter-Terrorism Strategy, the challenges that counter-terrorism policies and measures pose for the delivery of humanitarian aid have not been alleviated, and actions to mitigate their impact remain limited.

This Session reflected on the impact of overly broad definitions or improperly applied counter-terrorism measures on the delivery of humanitarian activities, discussed the challenges faced by humanitarian organizations operating in areas where terrorist groups are active, including on the importance of dialogue between key stakeholders, as well as highlighted international cooperation efforts and positive developments in this regard. It also explored ways in which the COVID-19 pandemic and related restrictions may have exacerbated existing concerns. The Session further underscored practical steps and good practices to prevent or mitigate the negative impact of counter-terrorism legislation, policies, measures and operations on principled humanitarian action, including the crafting of humanitarian exemptions at the international and national level.

Mr. Hussein Khalid

Executive Director, HAKI Africa, highlighted that in the context of armed conflict and humanitarian emergencies, basic needs are frequently met through humanitarian assistance – and these basic needs also correspond to basic rights. Therefore, humanitarian assistance is a basic right that every human person is entitled to while noting that humanitarian action is not only necessary for the

advancement of human rights but in and by itself, is a fundamental human right that must be guaranteed in conflict situations. He mentioned that multiple ongoing armed conflicts are linked to escalating humanitarian crisis. In the Russia-Ukraine war alone, he noted that it is estimated that at least seven million people have been displaced and in need of humanitarian assistance while many more are presently in need of the same in Asia, Africa and Latin America. He further noted that there is a need for a concerted effort to protect humanitarian action, saying that this is essential in order to provide assistance to those who are not involved in the hostilities but find themselves impacted by conflict, as humanitarian action also confers dignity and respect to those in need. He added that protecting humanitarian action directly contributes to the universal protection of rights of all mankind. He finally emphasized that humanitarian action and practices must exceed all boundaries, in terms of “race and religion” and be guided by a needs-based approach, without discrimination.

H.E. Mr. Stephan Husy

Ambassador at Large for International Counter-Terrorism, Switzerland, began with a quote from Kofi Annan: “Today, no walls can separate humanitarian or human rights crises in one part of the world from national security crises in another. What begins with the failure to uphold the dignity of one life all too often ends with a calamity for entire nations.” Mr. Husy noted that this quote takes us to the heart of the issue: terrorism is a matter of international peace and security, and it violates international humanitarian law (IHL) and human rights. If we fail to uphold these, not only will we erode our fundamental values and norms, but ultimately also fertilize the breeding grounds for terrorism. Mr. Husy further noted that the intersections between counter-terrorism measures and IHL have been explored for a long time and the findings are clear: counter-terrorism measures and sanctions have been shown to have negative impact on impartial humanitarian engagement. He noted that at times, humanitarian action and actors are criminalized. However, there is a solid body of evidence that the fear of criminalization leads to altering or stopping humanitarian operations, including where they are needed the most. Counter-terrorism measures must not criminalize the delivery of humanitarian assistance and protection or make it even more difficult. This would run counter to the letter and spirit of the 1949 Geneva Conventions that are universally ratified and are in good parts considered as customary law. Mr. Husy further noted that recently the number of references to armed conflict and international humanitarian law in Security Council resolutions dealing with counter-terrorism and sanctions has increased. He noted in particular that these resolutions require Member States to implement counter-terrorism measures in accordance with international law, including IHL (e.g., Security Council resolution 2462 (2019)), and this must be duly considered when implementing counter-terrorism measures and sanctions domestically. Mr. Husy underscored the need to find concrete solutions to these challenges on various levels, including noting that an increasing number of humanitarian organizations now assume that, if suitably crafted and prudently applied, exemptions for humanitarian action may present one of the solutions. In this regard, he noted that with the adoption of Security Council Resolution 2615 (2021) on Afghanistan, the Council has recently

demonstrated that political will for safeguarding human dignity and humanitarian engagement is possible. Mr. Husy recalled that Switzerland highly welcomes this development and would wish to see it reiterated in other contexts, including calling for more in-depth discussions on Security Council practice in this field as well as more clarity on how Member States should implement its decisions.

Ms. Eva Svoboda

Deputy Director, International Law and Policy at the International Committee of the Red Cross (ICRC), noted that terrorism does not only violate IHL, but also negates the basic principle of humanity and can have devastating impacts on communities and individuals while also saying that it is legitimate and necessary for States to take responsive action to ensure their security and that of their population. She noted that the ICRC has seen that the increasingly broad counter-terrorism measures, including sanctions regimes, often create tension with the application of IHL. Also, despite their fundamental legitimacy in theory, efforts to cut off all sources of direct and indirect support to persons and organizations designated as terrorist generate unintended adverse consequences and negatively impact humanitarian action. Ms. Svoboda informed that the interplay between counter-terrorism and IHL is not widely known or often properly understood and noted that the scope of the counter-terrorism offenses laid out in Security Council resolutions that States are obliged to implement at the domestic level has become particularly wide. As a result, she said that the two frameworks may overlap and come into tension. She also noted the lack of understanding that, in addition to human rights concerns, separately, IHL legally requires certain actions of States, that can be obstructed by their counter-terrorism efforts. For example, where there are unmet basic needs, impartial humanitarian activities must be actively “allowed and facilitated”. On addressing the adverse impact of counter-terrorism measures on humanitarian action including sanctions, Ms. Svoboda noted that this has been supported by an increasing amount of evidence. These measures notably prohibit offering assets of any kind to listed individuals and entities and may even consider humanitarian activities authorized under IHL as a form of support prohibited under counter-terrorism regimes and whose violations can result in criminal and civil liability. Turning to the ICRC, Ms. Svoboda informed that despite its established reputation and over 150 years of humanitarian practice and experience; despite its mandate from States, its specific responsibilities under IHL and its protected emblem, the ICRC has not been spared from these effects. As an example, she noted that for fear of violating counter-terrorism and sanctions legal frameworks, private actors such as banks, suppliers, transporters and insurers have developed over-compliance or “de-risking” policies. Consequently, several commercial actors have reduced or even stopped their lines of business with impartial humanitarian organizations, which are often considered to be “low-profit” and “high-risk” clients. Consequently, it becomes extremely challenging to bring in equipment essential to repair damaged water systems or other essential infrastructure, to distribute humanitarian items such as medicine, or to keep hospitals staffed. Further, when forms of contact and transactions with listed persons groups are prohibited outright, the ICRC may be prevented from visiting detained persons, facilitating the release of

detainees, training armed groups on IHL, or reuniting missing persons with their families – all humanitarian activities mandated by the Geneva Conventions and IHL. She noted that the cumulative effects of counter-terrorism measures and sanctions regimes have thus adversely impacted the scope, amount, and quality of humanitarian activities delivered to victims of armed conflict, affecting supply chains and humanitarian operational responsiveness. She further emphasized that when humanitarian organizations are hindered in their mandate, the consequences are grave for those in need of protection and for humanitarian workers. Ms. Svoboda noted that by adopting Security Council resolutions 2462 (2019) and 2482 (2019), Council Members sought to better protect principled humanitarian action by requiring States to ensure that all the counter-terrorism measures comply with IHL and by urging them to “take into account” the impact of United Nations counter-terrorism measures on impartial humanitarian action. She recalled that the Somalia and Taliban sanctions regimes now include standing humanitarian carveouts excluding humanitarian activities from their scope. Other United Nations regimes have started to emphasize the need for IHL to be respected and affirm that sanctions are not intended to have adverse humanitarian consequences. At the domestic level for example, Chad, the Philippines, Ethiopia or Switzerland began to incorporate safeguards in their legislation aimed at preserving principled humanitarian action. Finally, Ms. Svoboda noted that the Security Council, and Member States more broadly, should incorporate carefully crafted, standing humanitarian exemptions into future counter-terrorism language, as an effective way to reconcile sanctions and counter-terrorism measures with States’ obligations under IHL. Future resolutions should require States to adopt concrete and practical measures to ensure impartial humanitarian organizations are allowed to protect and assist populations in need. United Nations leadership should also publicly call for such measures to be adopted.

Mr. Manuel Navarrete

Head of the Intelligence Centre against Terrorism and Organized Crime (CITCO), Spain, highlighted that democratic States have the obligation to both guarantee the security of their citizens and safeguard their fundamental rights and freedoms, as well as prevent and respond to terrorism. Mr. Navarrete noted that counter-terrorism measures based solely on repression have proven to be insufficient and must be complemented by the full respect for human rights, international refugee law, and IHL to be effective, as non-compliance fosters and contributes to increased radicalization and impunity. Mr. Navarrete shared that since 2010, Spain has operated under the framework of the National Security Strategy (ESN-2021) and the National Strategy against Terrorism (ENCOT-2019), which are both based on the United Nations Global Counter-Terrorism Strategy and the European Union Counter-Terrorism Strategy. He informed that the mission of CITCO is the reception and analysis of strategic information available on all forms of serious crime and terrorism, and the design of tailored strategies to counter said threats and their financing. It also establishes the operational coordination criteria in cases of overlapping investigations related to drugs and explosives. In this regard, he noted that the response to the threat of terrorism must be of national and international

scope. Thus, noting that international coordination is essential in all areas (political, regulatory, police, intelligence, social, media, cyberspace, education, etc.). Mr. Navarrete highlighted the important role of Fusion Centers in this regard, which operate between the Intelligence and Police units, linked with the judicial power, and are responsible for technical-political decision-making. He noted that those Centers play an essential role in the field of coordination and also help ensure that all counter-terrorism activities are carried out while respecting the corresponding regulatory framework, data protection laws and the rights of citizens. He indicated that these Fusion Centers share common characteristics, as they facilitate and ensure operational-judicial coordination, the development of intelligence in the strategic-prospective field, and the design of plans and procedures that result in a reliable, transparent and sustainable system. Also, due to their structure, functions, and situation within the national security systems, they enhance the already-existing controls to guarantee respect for the rule of law in the fight against terrorism. Specifically on judicial process, Mr. Navarrete underscored that it is of paramount importance that all agents involved in “the chain of justice” are properly trained and fully aware of the international regulatory framework on human rights and terrorism prevention to be able to apply it efficiently. He noted that this is a key condition to guarantee the full respect for individual rights and freedoms that democratic States strive for. He recalled the role of bodies that support the regulation through jurisprudence, such as the European Court of Human Rights.

Ms. Sanam Naraghi Anderlini

Founder & CEO, International Civil Society Action Network (ICAN), underscored that we need to not only hear but also heed the voice and expertise of women peacebuilders in countries affected by conflict and violent extremism. She advised that already in 2012, women from Libya, Afghanistan, Tunisia, Iraq, and elsewhere warned about the rising tide of violent extremism and its targeting of women and civic space. She noted that the spaces that human rights defenders and peacebuilders work in are not safe. For example, she mentioned that ICAN partners – men and women peacebuilders – have been arrested and tortured under the guise of counter-terrorism and their families targeted. Ms. Anderlini further highlighted the situation in Afghanistan as “an entire country overtaken by violent extremists”, where Afghan women are being violated and are having their rights curtailed. In this context, she said that civil society took the responsibility of protecting, supporting, and evacuating civic actors, police officers, and others, now directly under threat from the Taliban. She noted that the “failed diplomacy” regarding Afghanistan and the unwillingness of the international community to understand the importance of ensuring the protection of women’s rights are directly linked to the horrific developments in Afghanistan today, while also emphasizing that if women had been included in delegations at the political talks, the Taliban would not have succeeded in the way they did. Ms. Anderlini further underscored some of the geopolitical consequences of the Taliban takeover including: the resurgence of “transnational and identity-based extremisms” around the world; a rise in “statist authoritarianism and State-led terrorism”, imbued with extremist thinking, and curtailing of

human rights leading to rapidly shrinking civic space, while noting that today only 3 per cent of the world's population live in countries with "open" conditions for civil society; and finally, the shredding of value-based multilateralism. Ms. Anderlini particularly underscored the experience of women peacebuilders, noting their struggle for basic human rights and dignity, all while assuming great risk. Women peacebuilders are indeed particularly vulnerable to retaliation from government forces and extremist groups and are often subject to distinctly gendered threats such as accusations of sexual promiscuity, threats to their children and family, and attempts to undermine their credibility and reputation that charge them with violating social norms of behaviour. Ms. Anderlini further noted that while States have the responsibility to protect citizens, instead often citizens take the responsibility to protect communities but without the power to do so. In this regard, Ms. Anderlini provided some suggestions to minimize the harm to local peacebuilders and provide them with the recognition, protection, and support to lead on their vision for transforming extremism and building more peaceful and pluralistic societies. These include: ensuring robust and safe reporting and response mechanisms for peacebuilders unlawfully targeted, arrested, and detained by their governments, including through the support of the United Nations, suggesting that UNOCT take the lead in following up on cases; providing help with safe passage, and support to vulnerable civil society members in need of safe houses and protected movement; ensuring peacebuilding work is "carved out" of anything to do with sanctions and material support; preventing counter-terrorism laws and sanctions from having an adverse impact on peacebuilders and people working to prevent extremism; including and inviting civil society – especially women peacebuilders – to negotiations, meetings, and decision-making platforms on peace, counter-terrorism, and security, with the United Nations facilitating their access; and legitimizing and protecting civil society through an accreditation programme at the United Nations or in regional organizations that lend them recognition from the government. Ms. Anderlini emphasized that to address terrorism, we have to foster peace, resilience, equality and pluralism, while saying that we need an "ecosystem" of States, the United Nations, regional organizations, local and international civil society to work together to complement each other and "above all" to trust and respect each other.

Ms. Emma O'Leary

Head of Humanitarian Policy, Norwegian Refugee Council (NRC), noted that since 9/11 there has been a proliferation of counter-terrorism efforts, which intersect with humanitarian action at three different levels: at international level, the Security Council designates groups, freezing their assets, and banning the provision directly or indirectly of funding and other economic assets while also introducing counter-terrorism focused resolutions that require Member States to criminalize activities that might be linked to terrorism; at domestic level – Member States must then reflect on decisions taken at the international level, including by developing their own potential additional measures; at the donor level, Ms. O'Leary said that donors often reflect those counter-terrorism measures in grant agreements, sometimes including restrictive language around their expectations for humanitarian

organizations to comply with, which may also impact perceptions of neutrality. Ms. O'Leary also addressed the impact of the proliferation of sanctions on engagement with non-State armed groups (NSAGs), noting that in some contexts, humanitarian actors are restricted from engaging with NSAGs or United Nations-designated terrorist groups which hampers the ability of humanitarian actors to operate in these areas. She further noted that some of NRC's facilities were subject to attacks by NSAGs last year in northeastern Nigeria – an area where it has become notoriously difficult for organizations to operate outside government control. With regards to bank de-risking, Ms. O'Leary noted that banks also need to comply with counter-terrorism measures and are becoming increasingly cautious in their engagement with humanitarian organizations as they are concerned about enforcement actions. She advised that last year the NRC had over 1,000 payments delayed or stopped owing to bank de-risking, significantly impacting their ability to pay staff and suppliers and to deliver assistance – although noting that the FATF made efforts to address this issue including by revising FATF recommendation 8. Finally, Ms. O'Leary addressed the increase in risk aversion in the aid sector. Particularly in the context of proliferating counter-terrorism measures, donor governments became increasingly risk-averse in their approach. Notably, in recent years, several donors temporarily suspended programming in contexts where designated terrorist groups operate (or even stopped programmes, such as support for cash assistance in parts of Syria), with minimal advance warning, owing to concerns about possible diversion. While acknowledging that donors are legitimate in emphasizing the importance of due diligence, she cautioned that zero-tolerance policies fail to recognize the complexities of operating in conflict zones. Ms. O'Leary noted a few key solutions to these international humanitarian law challenges. Firstly, if worded and applied correctly, humanitarian exemptions can minimize impact, allowing financial channels to remain open, and ensuring also that humanitarian actors keep delivering the aid. In this regard, she also noted that some States adopted exemptions domestically such as Switzerland, Chad, and Ethiopia, while also recalling the Security Council introduction of a humanitarian exemption in Afghanistan. She further noted that these efforts reflect a belief that exemptions are a solution and encouraged these efforts to become the norm, and not the exception. Moreover, Ms. O'Leary referred to a range of other measures to address challenges including better information sharing and more dialogue within governments, and with other stakeholders, though noting these are not 'solutions' *per se*.

Mr. Julien Piacibello

Humanitarian Affairs Officer, United Nations Office for the Coordination of Humanitarian Affairs (OCHA), noted that it was encouraging to see the impact of counter-terrorism measures on humanitarian activities getting increased attention by the counter-terrorism community – particularly since the adoption of Security Council resolution 2462 (2019). Additionally, he noted that CTED's report on the interrelationship between counter-terrorism frameworks and international humanitarian law – the first from a United Nations counter-terrorism body – is another significant step, including that the report confirms that, where non-State actors are considered 'terrorist' by the host State or

third States (particularly donors), counter-terrorism measures often impede the ability to reach people in need with humanitarian assistance. Mr. Piacibello highlighted a number of challenges in this regard. Firstly, that counter-terrorism measures may generate legal risks that inhibit humanitarian action. For example, in several jurisdictions, routine humanitarian activities or incidental transactions can expose actors to heavy fines or prosecution (including the provision of medical care), resulting in practical consequences, as has been seen recently in Afghanistan before the adoption of a humanitarian exemption by the Security Council and its domestication. He added that other examples include IHL training or vaccination campaigns suspended in places like northwest Syria or the Great Lakes region. Moreover, international banks and companies are particularly risk-averse, resulting in delays in financial transactions that may result in delays or cancellation of programmes implementation. He thus noted that well-crafted humanitarian exemptions as the Security Council adopted for Somalia and Afghanistan are essential to “reassure” humanitarian organizations and the private sector, while adding that some EU and national counter-terrorism laws include similar exemptions and mentioning that this is a good practice that should be generalized across all relevant legislations. A second challenge Mr. Piacibello highlighted is that humanitarian actors can be confined to overly restrictive practices and policies, even in spite of humanitarian exemptions. For example, banks might refuse to provide services for humanitarian operations in areas where terrorist groups have influence, even when covered by an exemption; in this context, several NGOs had multiple bank accounts closed without any justification or prior notice. Donors have thus made funding decisions and promoted risk management practices that challenge humanitarian principles, such as requirements to vet beneficiaries or not to operate in certain areas which could lead to denying assistance to persons entitled to it under IHL, such as the wounded and sick, family relations of designated individuals, or entire communities. Mr. Piacibello thus highlighted that humanitarian organizations have a duty to take measures to prevent aid diversion while it is also a humanitarian imperative to ensure that humanitarian resources are used to provide assistance to those who need it and not for any other purpose. He further noted that the United Nations and its partners have thorough systems in place to ensure that assistance effectively reaches intended beneficiaries and prevent diversion along the way – for example the FATF advises against a general presumption of a high-risk non-profit sector. In this regard, Mr. Piacibello said that these practices should also inform the development of dialogue between humanitarian and counter-terrorism actors on risk mitigation. A final challenge he mentioned was the range of measures taken against aid staff, noting that in some cases they have been intimidated, threatened, arrested, and sometimes detained, including upon suspicion of support to terrorism. In order to address these challenges, Mr. Piacibello said that a multifaceted approach is needed which includes: the adoption of well-crafted humanitarian exemptions; the effective implementation of such exemptions including through clarifications, engagement with, and reassurances to, humanitarian organizations and the private sector; further strengthened by the creation of structures of dialogue on risk management between sanctions implementation administrations, donor agencies, humanitarian organizations, and banks. Finally, Mr. Piacibello emphasized that the legitimacy of neutral and impartial humanitarian action in counter-terrorism contexts must be reasserted.

INTERVENTIONS FROM THE FLOOR

Ms. Virginia Gamba de Potgieter

Special Representative of the Secretary-General for Children and Armed Conflict (via video link), began by noting that in 25 years of existence of her mandate, attacks against civilians, including children, by armed groups and terrorist groups have increased. The Special Representative further noted that children affected by conflict are further subject to disproportionate direct targeting. Since the inception of her mandate, 170,000 children were released from armed groups, with many of these children, though not all, receiving help towards reintegration into society. Ms. Gamba de Potgieter noted that violations of the rights of children are numerous, and include their recruitment and use in hostilities, as well as their use as human shields, human bombs, and sexual slavery, while many armed groups (including terrorist groups) also coerce children into participating in horrific practices. She recalled that children under the age of 18 years old should be treated in line with the Convention on the Rights of the Child and its Optional Protocols. Further, the deprivation of liberty of children should be a measure of last resort, and children should be treated primarily as victims including if they are held criminally accountable, this should happen in accordance with national juvenile justice standards. Finally, Ms. Gamba de Potgieter called for States to ensure that children associated with armed groups are reintegrated into civilian life, while reintegration should be prioritized in counter-terrorism strategies, frameworks, and operations.

H.E. Ms. Gordana Čomić

Minister for Human and Minority Rights and Social Dialogue, Serbia, noted that globally we are experiencing times of uncertainty, a lack of hope, and a surplus of fear. She further mentioned the challenge of a “politicization of problems” while deploring that some are arguing that times of economic crisis and pandemic are not the time to deal with human rights, emphasizing that this is an incorrect approach which has far-reaching implications.

Mr. Olivier Caron

Special Envoy for Counter-Terrorism, France, highlighted that working with humanitarian actors, including civil society actors is essential and a priority for France, underscoring the need to ensure the preservation of the humanitarian space as well as to avoid any undue impact of counter-terrorism. Mr. Caron noted that humanitarian systems around the world have been impacted by the pandemic with implications in many countries experiencing a humanitarian crisis including Afghanistan and Syria. He stated that France considers Security Council resolution 2462 (2019) as a key frame of reference,

particularly its landmark provisions addressing the impact of counter-terrorism on humanitarian action, and particularly in the context of countering the financing of terrorism. In this regard, Mr. Caron noted that humanitarian actors need to retain the capacity to obtain financing and carry out their activities. Mr. Caron also mentioned that to implement Security Council resolution 2462 (2019) France developed a series of dialogue at the national level involving all relevant stakeholders.

Mr. Pascal-Hervé Bogdański

Senior Legal Adviser, Directorate of International Law, Federal Department of Foreign Affairs, Switzerland, noted that the unintended negative consequences of counter-terrorism on humanitarian action have been documented and known for more than a decade. He noted the “complex linkages” between terrorist conduct and crimes under international law, including war crimes, crimes against humanity and genocide, as well as violations of human rights and international humanitarian law, but also sexual- and gender-based violence while saying that perpetrators should be held accountable for the full extent of their conduct. Mr. Bogdański recalled that humanitarian action should not be criminalized and said that such practices go against the letter and spirit of the 1949 Geneva Conventions that are universally ratified and largely considered to reflect international customary law. In this regard, he noted that Switzerland introduced a humanitarian exemption clause in its criminal legislation to prevent the negative impact of counter-terrorism on humanitarian actors and their activities, while saying that Switzerland encourages others to adopt and implement similar clauses.

Ms. Megan L. Manion

Senior Legal Advisor, Mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, referenced the mandate’s 2020 report addressing the impact of counter-terrorism on human rights, the rule of law and humanitarian action (A/75/337) and highlighted that the deficits in the promotion and protection of human rights and respect for international humanitarian law are connected. They are also linked to counter-terrorism measures being at times taken hastily, without consultations or a participatory approach. Ms. Manion stressed that humanitarian action is protected under IHL and emphasized that the negative impact of counter-terrorism on humanitarian action is well documented. Similarly, the impact on minority groups, peacebuilders and local communities has also been demonstrated. Ms. Manion advised that the Civil Society Organization Workshop on 9 May highlighted the need for “unambiguous” humanitarian exemptions.

Mr. Adrian Farrell

Deputy Director, Department of Foreign Affairs and Trade, Ireland, expressed concern about the obstruction of humanitarian aid in areas controlled by armed groups designated as terrorist organizations and about the criminalization of humanitarian action under domestic law in some jurisdictions, emphasizing that principled humanitarian action should not be impeded, and humanitarian actors should be allowed and facilitated to operate safely and effectively. He recalled that the humanitarian exemption clause included in the Somalia sanctions regime represented a best practice, now included in the Taliban sanctions regime, demonstrating how humanitarian exemption clauses can facilitate humanitarian action. Mr. Farrell underscored that the impact on humanitarian action and its facilitation is a key component of a comprehensive approach to counter-terrorism. In this regard, Mr. Farrell welcomed the recent report by CTED on international humanitarian law, saying that Ireland looks forward to further work by the CTC on this issue.

Ms. Gabriele Scheel

Head of Division, International Cooperation against Terrorism and Organized Crime, Federal Foreign Office of Germany, noted that addressing the need to mitigate unintended consequences of counter-terrorism on humanitarian action was a priority during Germany's Security Council membership. Humanitarian needs worldwide are currently at a record high, at the same time there is a concerning erosion of IHL and a lack of respect for humanitarian actors and humanitarian principles. Ms. Scheel expressed concern about de-risking practices and the high costs of compliance on part of service providers to humanitarian actors, noting that the places where financial and other transactions bear the most risk are also the ones with the highest humanitarian need. Ms. Scheel emphasized that counter-terrorism approaches must comply with IHL with respect to humanitarian action and recalled the humanitarian exemption clause regarding sanctions against the Taliban by the United Nations and the European Union.

“ If we are serious about addressing terrorism, we have to foster peace, resilience, equality and pluralism. We need an ecosystem – of States, the UN, regional organizations, local and international civil society to work together – to complement each other and above all to trust and respect each other.”

Ms. Sanam Naraghi Anderlini

Founder & CEO, International Civil Society Action Network (ICAN)

SESSION III

Victims and Survivors of Terrorism

Upholding their rights and needs, and paying tribute to them

The seventh biennial review of the United Nations Global Counter-Terrorism Strategy reaffirms support to victims of terrorism, in particular to women and children and victims of sexual- and gender-based violence committed by terrorists as a high priority. The Strategy acknowledges the importance of building the resilience of victims of terrorism and their families as an integral part of a counter-terrorism strategy, and recognizes the important role that they can play, including in countering the appeal of terrorism. Progress made in recent years risks being eroded in the context of the COVID-19 pandemic, which has placed additional burdens on survivors and victims by triggering or adding to their trauma, isolating them from support networks and limiting their access to vital social services.

Looking ahead to the upcoming first United Nations Global Congress of Victims of Terrorism, this Session highlighted the essential elements in developing human rights-compliant, gender-responsive and age-sensitive national comprehensive assistance plans, which are complementary to national legislation on victims. These plans aim to support the rights and needs of victims of terrorism, which includes assistance and support, remembrance and

recognition, access to justice, and compensation. “The Model Legislative Provisions for Victims of Terrorism” developed under the UNOCT-UNODC and Inter-Parliamentary Union initiative were highlighted as useful guidance in that regard. The Memories Campaign was also launched during the Session which showcased through the screening of a film how physical objects can help victims cope with the traumatic incidents caused by terrorist attacks.

Ms. Montserrat Torija Noguerales

Director General, Support to Victims of Terrorism, Ministry of Interior, Spain, provided an overview of how the victim support system works in Spain. She said that associations of victims of terrorism have existed for a long time, and therefore Spain has been regarded as a model in this field, particularly since the 2004 terrorist attacks. She stressed the importance of remembrance as part of efforts to counter terrorist narratives, and to raise awareness among younger generations.

Mr. James Ndeda

Founder, Association of Victims of Terrorism, Kenya, explained that he founded this association for victims of terrorism to share their experiences and speak with one voice, notably to seek compensation and justice from the government. He added that the establishment of a “central fund” for victims of terrorism, to which Member States could contribute, would be very helpful while also highlighting that his association has been holding seminars and trainings on the effect of violence, radicalization and terrorism. Finally, he stressed the key role played by associations and civil society in amplifying victims’ voices and needs, as well as the importance of working closely with governments, arguing that many fail to take care of victims of terrorism.

Ms. Ana Izar

Head of Victims of Terrorism Unit, United Nations Counter-Terrorism Centre (UNCCT), UNOCT, reminded that the seventh review of the United Nations Global Counter-Terrorism Strategy provided the United Nations and the international community with a clear mandate on victims of terrorism. She stressed the need to involve victims into counter-terrorism work to strengthen communities’ resilience. She mentioned the recent launch of model legislative provisions to support and protect the rights and needs of victims of terrorism, as well as the first Global Victims of Terrorism Congress to be held later this year, which will foster interactions between victims’ associations and Member States. She said that such initiatives are important as they provide a platform to amplify victims’ voices to share their experiences and memories.

Mr. José Gomez

Filmmaker, UNCCT, UNOCT, discussed with Ms. Sandra Lescano her experience as a victim of terrorism and the Memories Campaign film. Ms. Lescano stressed the importance of receiving psychosocial support and connecting with other victims of terrorism.

H.E. Mr. Mohammed Hussein Bahr Al-Uloom

Permanent Representative of the Republic of Iraq to the United Nations, New York, said that victims of terrorism must play a central role in counter-terrorism efforts – to that end, raising awareness, empowering victims and amplifying their voices at the international level is essential. He also welcomed the organization of the Global Congress of Victims of Terrorism to be held in September and encouraged concerted efforts to bring together governments, parliaments, civil society, victims' associations and the United Nations to support the rights and needs of victims. He said that the Group of Friends of Victims of Terrorism calls on all States to provide adequate support to victims, and ensure that their needs are met, and their rights protected. He also noted that victims of terrorism can play a role in the field of counter-narrative. He stressed the importance of developing programmes that support victims and their families, including through psychosocial support while also encouraging the creation of a dedicated fund to provide compensation to victims of terrorism, as well as the creation of assistance plans for victims in national counter-terrorism strategies. He emphasized that cooperation between countries to exchange information and best practices is crucial, with the United Nations playing a key role in coordinating some of these efforts. He further mentioned the efforts of Iraq to protect victims of terrorism, provide psychosocial support, and promote justice, accountability, as well as to provide reparations and reintegration support to victims of terrorism.

Mr. Philippe Vansteenkiste

Director, V-Europe, said that there are four pillars for helping victims: memory, dignity, truth and justice. He emphasized that memory is important because it helps victims feel “part of society”; this is why commemorations are so important. He further noted that victims can also play a major role in countering and preventing radicalization, including by meeting with convicts in prisons.

Ms. Susilaningtias

Vice Chair, Witness and Victim Protection Agency, Indonesia, highlighted the compensation and support that victims of terrorism can receive in Indonesia. She gave an example of a training for victims of terrorism organized by UNODC that brought together CSOs and local governments officials. She also mentioned collaboration with the private sector and religious organizations.

Ms. Fatima Ali Haider

Co-Founder, The Grief Directory, underlined that civil society and the State should further work together; States can for instance engage CSOs in the drafting of national legislation. She also mentioned the need to raise awareness of victims' needs, especially women's needs.

INTERVENTIONS FROM THE FLOOR

Ms. Fionnuala Ní Aoláin

Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, stressed the need for a human rights-based approach to victims of terrorism. On accountability, she commended France for putting victims at the center of the Paris attacks trial. She also expressed concern that children associated with armed groups are often not treated as victims of terrorism. She praised Mr. Vansteenkiste of V-Europe for the complex and transformative work of engaging former perpetrators in prisons.

A representative from an association of victims

emphasized that truth, justice, dignity, and memory are the pillars for assisting victims of terrorism. She reiterated the importance of providing tailored psychosocial and legal support to victims.

Ms. Päivi Kairamo

Chair, Council of Europe Committee on Counter-Terrorism, presented the Council of Europe Network on Victims of Terrorism that helps government officials exchange confidential information on support to victims via secured channels.

Mr. Hussein Elkhimdy

Executive Director, HAKI Africa, said that communities may also require support because of the stigma associated with a terrorist attack, which can for instance negatively impact tourism or affect the functioning of institutions.

SESSION IV

Civil Society Efforts for Preventing and Countering Terrorism

Ensuring that measures to prevent and counter terrorism preserve and promote an enabling environment for Civic Space

The seventh biennial review of the United Nations Global Counter-Terrorism Strategy encourages civil society to engage, as appropriate, in efforts to enhance the implementation of the Strategy, including through interaction with Member States and the United Nations system. This engagement can and needs to be further strengthened and supported to enable more effective and sustainable measures to prevent and counter terrorism.

This Session addressed the negative impact that counter-terrorism measures may have on the shrinking of civic space, CSOs and, by extension, the groups and communities that these organizations represent. It also highlighted practical steps and good practices in the development and implementation of counter-terrorism legislation, policies, measures and operations in a manner that allows for the preservation and promotion of an enabling environment for civil society, as well as facilitate the participation of diverse civil society stakeholders, including women, youth and locally based actors. Participants made recommendations on how to strengthen dialogue between a diversity of civil society actors and Member States under the auspices of the United Nations, as well as how Global Counter-Terrorism Coordination Compact entities can individually and collectively strengthen their engagement with civil society.

Mr. Raffi Gregorian

Director and Deputy to the Under-Secretary-General, UNOCT, welcomed participants and gave a brief overview of the United Nations approach to civil society since the launch of the United Nations Global Counter-Terrorism Strategy in 2006. He noted that the 2021 biennial review of the United Nations Global Counter-Terrorism Strategy is the ‘high water mark’ so far on civil society, human rights, gender issues and others. He also emphasized the strong involvement of CSOs in the 36 side events of the United Nations High-Level Conference of Heads of Counter-Terrorism Agencies held in 2021. He highlighted that UNOCT is now making it a routine matter to get CSO input into reports and that UNOCT has ‘upped its game’ in terms of regular interactions with civil society, including noting that civil society had been incorporated in every session of the present Conference. Mr. Gregorian further articulated online meetings with diverse CSOs, including grassroots, regional and international organizations, the

holding of CSO Roundtables, as well as upcoming initiatives for civil society on the UNOCT Connect & Learn platform, as opportunities to engage with UNOCT programme managers. He noted that every UNOCT programme is required to have clear markers related to gender and human rights components. Finally, he noted that UNOCT is 97 per cent funded by extra-budgetary contributions and has never had a donation for its civil society engagement work. However, UNOCT plans to have a dedicated CSO Unit which will continue to strengthen efforts to ensure that CSO voices and perspectives are incorporated throughout UNOCT's work.

Mr. Eelco Kessels

Executive Director, Global Center on Cooperative Security, highlighted the participation by CSOs in advance of the conference, during the workshop and side events, both in person and online. He emphasized that civil society is diverse, and include for example community-based organizations, academia and victims' networks. He noted that CSOs contributions are varied and fundamental, and listed several examples related to counter-terrorism and preventing and countering violent extremism efforts. He also highlighted that in 2021, 97 per cent of terrorist attacks happened in areas of ongoing conflict, and that CSOs are often the target of both terrorists and security forces. He emphasized that there is a shrinking of civic space and a deterioration of rights, highlighting that 89 per cent of the population live in countries with severe civil society restrictions. He noted that the lack of a definition of terrorism plays a role in this regard, saying that counter-terrorism measures are often abused to target opponents and to justify abuse. This includes measures to counter the financing of terrorism, which can be used as "barriers" against CSOs. He also noted the negative consequences of counter-terrorism measures on women-led and grassroots organizations. He added that the COVID-19 pandemic furthered negative trends against civil society, which increases grievances towards governments. Mr. Kessels emphasized that the negative impacts of counter-terrorism measures on civic space are recognized in the seventh review of the United Nations Global Counter-Terrorism Strategy, while saying however that the consensus document failed to explicitly call for the protection of civic space in line with the United Nations Guidance Note on the Protection and Promotion of Civic Space. He noted that equitable and sustained civil society engagement is needed throughout the design, implementation, monitoring, and evaluation of counter-terrorism policies and programmes. He added that direct financial support to independent grassroots organizations is critical, and that there is a long way to go in mainstreaming gender responsiveness in counter-terrorism efforts. He concluded that – as highlighted in the Civil Society Workshop the preceding day – defending civic space and effective counter-terrorism measures are mutually reinforcing. In his closing remarks, Mr. Kessels noted that only three per cent of people benefit from an open civic space, especially in the context of counter-terrorism, while noting that women often bear the brunt. He added that CSOs contribute to various efforts while measures against the financing of terrorism and other counter-terrorism responses have further limited civic space. He concluded that the shared hope – building on gains made in the seventh review of the United Nations Global Counter-Terrorism Strategy – is that

this conference can function as a 'systemic reset' in the organization of spaces for dialogue and the involvement of civil society in the design, implementation, and monitoring and evaluation of counter-terrorism and the prevention and countering of violent extremism efforts.

H.E. Mr. Humaid Al Maani

Head of International Affairs Department, Ministry of Foreign Affairs, the Sultanate of Oman, noted that the Sultanate of Oman and Kingdom of Spain have made joint efforts, together with other Member States, to review the United Nations Global Counter-Terrorism Strategy and that this review is an achievement in getting on the 'right track' with human rights and the rule of law. He emphasized that combatting terrorism and violent extremism must always be within the framework of the rule of law and human rights in order to create a comprehensive vision of peace, security, and social stability. He also noted that there needs to be a priority on dialogue and understanding between different stakeholders in any society, and this requires uniting different actors, especially NGOs and grassroots organizations. He further highlighted that the National Counter-Terrorism Strategy that Oman has finished designing is based on essential humanitarian standards, and the most important of these are respecting the rights of individuals within society, the supremacy of the rule of law, and safeguarding fundamental rights. He also highlighted efforts that Oman is taking in the rehabilitation of prisoners, and the role that penitentiary institutions can play in this. He emphasized that the religious and cultural discourse that takes place in Oman focuses on moving people away from extremism and towards promoting tolerance, regardless of creed. He also noted that Oman has developed a project under the slogan "humanitarian coalitions", which has the goal of supporting dialogue between individuals and also between people and society as well as to protect fundamental freedoms. He concluded that it is important to assist people in their spiritual values, and that any counter-terrorism effort requires in-depth knowledge of the different causes of these actions.

Ms. Nadia Costantini

Head of the Division for Counter-Terrorism, European External Action Service (EEAS), noted that the preceding day's discussions were a 'systemic reset'. She added that the European Union (EU) is convinced about why human rights and engagement with civil society are important in counter-terrorism, so the focus should be on how to implement this. She highlighted that for the EU, the seventh review of the United Nations Global Counter-Terrorism Strategy represents a positive step forward with stronger provisions on: i) human rights, ii) the important role of CSOs, and iii) protecting civic space, while adding "concerns" about the focus on law enforcement in this year's review. She noted the risk for counter-terrorism efforts to be used as a pretext for abuses which might undermine efforts to build lasting security in particular by "securitizing" the CSOs' work and by restricting their ability to operate. She also emphasized that the respect for human rights and international law must form the basis of the fight against terrorism, and that this lies at the heart of the EU fight against

terrorism. She added that sanctions can prevent further conflict, including violations of international humanitarian law, and can stabilize the humanitarian situation in a country. However, she added that the EU is committed to mitigating to the maximum any unintentional negative impact of EU measures on civic space. She emphasized that the role of CSOs in counter-terrorism and preventing and countering violent extremism is “fundamental” and that there need to be platforms for dialogue with well-rooted voices within the local context to ensure that responses are context-specific. She gave an overview of EU’s engagement with community dialogues and community policing, as well as in the field of strengthening the resilience of individuals to violent extremism. Ms. Costantini noted there are valuable lessons on how efforts can harness local ownership, can ensure continued government buy-in, and can support law enforcement agencies in their role. She highlighted the EU’s investment in community policing which demonstrates that law enforcement and civil society can work together. She noted that CSOs empowerment is also important, as they need support to continue to engage with communities to address violent extremism, thus making public safety a collective endeavor. She informed that the EU will be co-chairman of the Global Counterterrorism Forum (GCTF) with Morocco as of September and Egypt from March 2023, saying that one of the aims is to consult as widely as possible with civil society. She concluded by commending the organizers for fully involving the views of CSOs when organizing the high-level event, noting it is easier said than done. She added that this is a great example for the EU.

Ms. Susan Wilding

Head of Geneva Office, CIVICUS, noted that CSOs and human rights defenders are essential partners in ensuring social cohesion and the rule of law, but CSOs need a conducive operating environment. She said that while CSOs are protected under law and the Sustainable Development Goals, the reality on the ground is that the global civic space remains constrained by a multitude of threats, with only 3 per cent of the world’s population living in open civic space. She gave a brief overview of how counter-terrorism legislation can be deliberately or inadvertently used to restrict civic space while concluding that CSOs need to be included in the formulation of policies, that a climate of trust should be created and that there is a need to increase funding for CSOs.

Ms. Amel Grami

Chairperson, Euro-Mediterranean Women Foundation, expressed that gender equality is not an issue only women should care about, noting that it concerns society as a whole. She highlighted that in different countries, women are excluded from policy life and full participation in different sectors. She further noted that women are made “invisible”, despite United Nations support and are facing a range of different threats. She emphasized that “we must ask ourselves how women can become central to political processes and agents of change and seen as such by women themselves”. She cited examples from Sudan, Libya, and Yemen where women had been negotiating their presence in places

where before they were “invisible”, however noting that factors such as populism, corruption, lack of political will and an absence of good governance are contributing to a wave of backlash against women’s rights. She noted that some governments also use counter-terrorism strategies and COVID-19 measures to suppress women’s civic space. She emphasized that we need to include women in decision-making processes and to open more safe spaces for women human rights defenders. She concluded that we need to move from crisis to dynamism and change narratives, noting that “women’s rights are human rights”.

Ms. Lourdes Castro Garcia

Coordinator, Somos Defensores Programme, noted that the doctrine of the “enemy within” in Latin America, that arose during the Cold War, has been “recycled” since 9/11. She highlighted that this national security doctrine leads to measures that have a negative impact on the civic space, including on ethnic communities and those with ancestral rights. She also emphasized that current peace agreements need to take precedence over any counter-terrorism legislation. Ms. Garcia noted that the building of long-lasting peace is the best guarantee of domestic and global security. She highlighted that transnational companies should play an important role in the implementation of peace agreements, including by supporting communities in areas where they do business. She also noted that often civil society participation in counter-terrorism measures is merely instrumental, saying that this needs to be avoided while noting that, instead, CSOs need to be involved in the whole design process, including in follow-ups and evaluations. She added that it is important to have emphasis on victims of terrorism and victims of counter-terrorism strategies, noting that those victims must be fully acknowledged as rights holders, including with a right to truth and justice.

INTERVENTIONS FROM THE FLOOR

Mr. Kingsley Green

Head of Counter Terrorism and Extremism Network (Europe), Foreign, Commonwealth and Development Office, United Kingdom, noted that the United Kingdom is a strong believer of a ‘whole-of-society’ approach to counter-terrorism and the prevention of violent extremism. Mr. Green gave a brief overview of the United Kingdom Government’s promotion of the active role of civil society both domestically and overseas. This includes the PREVENT strategy of the United Kingdom, which supports CSOs to safeguard communities and equip them to challenge extremist narratives. He noted that the United Kingdom is increasingly worried about the tendency of States to misuse counter-terrorism measures, highlighting that research shows that terrorism does not decline when civic space

is constrained. Instead, restrictions on civic space risk undermining counter-terrorism measures and weaken the ability to identify threats. He concluded that the United Kingdom is working with CSOs to understand how the United Nations can better incorporate civil society in its counter-terrorism measures.

Mr. Khalid Koser

Founding Executive Director, Global Community Engagement and Resilience Fund (GCERF), noted that empowering CSOs is the mandate of GCERF. He also noted that GCERF, in partnership with GCTF, is conducting an in-depth study on lifting barriers to funding for civil society, adding that the recommendations will be shared in early 2023. He also highlighted that GCERF is consolidating its global network of CSOs into a “Global Action Platform”, which will be a space for organizations to learn from one another and will comprise a global and representative civil society constituency for future representation as meetings such as this United Nations High-level Conference.

Ms. Ashleigh Subramanian-Montgomery

Associate Director for Policy and Advocacy, Charity and Security Network, highlighted that civil society, just like “the United Nations is not a monolith”, but rather is composed of “diversity, complexity, differing opinions, and contradictions”. She added that when civil society asks for “meaningful, consistent, and formal engagement”, what is really being asked for is “to be seen – and treated – as equal partners”. She added that this engagement needs to “be multidirectional and extended to all civil society partners”, and that “civil society partners should be free to dictate and operate on their own terms”. She highlighted that “recognition of, and respect for, [CSO] expertise, creates an enabling environment for civil society. And [that] to create an enabling environment for civil society is to create an enabling environment for civic space.” She concluded that the conference is full of commitments, “but commitments are only as good as they are actually applied once the conference ends.” And she urged United Nations and Member State colleagues to ask themselves “what will I do tomorrow to operationalize the commitments of today?”.

Mr. Siam Tooran

United Nations Office Representative and Coordinator, Network for Religious & Traditional Peacemakers, delivered an intervention focused on the role of religious and traditional actors, and ensuring their security. He noted that the United Nations operates in contexts and remote places where religious and traditional actors play an important role. He highlighted that religious leaders as well as women and youth, play an important role in conflict situations, with unique connections and trust with local communities. In this context, Mr. Tooran emphasized the need to acknowledge their

contributions and ensure that greater efforts are put in place to mobilize their efforts. He added that the United Nations system must further strengthen the work at local level, with Track 1, Track 1.5 and Track 2 actors. He also emphasized the risks for religious and traditional actors to be “coopted” into the role of security actors when dealing with countering and preventing violent extremism, which can be damaging for them.

Ms. Päivi Kairamo

Chair, Council of Europe Committee on Counter-Terrorism, noted that the European Convention for the Protection of Human Rights and Fundamental Freedoms provides for a secure space for CSOs to work in safe conditions. She emphasized that the Council of Europe Committee on Counter-Terrorism (CDCT) recognizes the contribution of civil society actors and is looking for greater inclusion of CSOs in different efforts. She added that the CDCT’s “Recommendation on measures aimed at protecting children against radicalization for the purpose of terrorism” calls for Member States to involve civil society in their respective efforts. She also highlighted the CDCT’s work regarding the engagement with victims of terrorism, including support to victims in cross-border situations.

Mr. Simon Crowther

Legal Adviser, Amnesty International, noted that the United Nations counter-terrorism architecture is not understanding nor addressing the impact it has on civil society. He cited examples of the negative impact of counter-terrorism measures on CSOs while also expressing concern that Egypt will be co-chair of GCTF, given the restrictions on civic space in that country. He concluded that he hopes the conference will lead to better understanding and systemic changes so these issues are properly addressed.

Ms. Cholpon Orozbekova

Director, Bulan Institute for Peace Innovations, highlighted United Nations Security Council resolutions that encourage Member States to engage with civil society in developing strategies, including Security Council resolution 2396 (2017) which highlights a “whole-of-government approach”, and the role of CSOs in rehabilitation and reintegration and relocation of FTFs. She gave a brief overview of the work being done by CSOs in Central Asia in the reintegration of FTFs and those associated with them, including in Kazakhstan and Uzbekistan, saying that this includes work by women-led organizations. She also noted that given the restrictions on civic space in Central Asia, this engagement between Member States and CSOs is “remarkable”. She added that this engagement will lead to authorities expanding their cooperation with CSOs to other areas, and to being less restrictive

of their work. She concluded that there are many good practices from Central Asian States to learn from.

Mr. Masood Karimipour

Chief of Terrorism Prevention Branch, UNODC, noted that for 20 years since 9/11, CSOs have been excluded or criminalized in counter-terrorism measures. He highlighted, however, that CSOs are uniquely able to gain access in areas where the United Nations and government cannot. He emphasized the need to base counter-terrorism measures on the value that CSOs can deliver, in working with victims, promoting access to justice, and in the field of reintegrating individuals into communities. He concluded that in many other areas civil society has proved very capable of delivering results, and that the United Nations and Member States have an obligation to learn from the mistakes of the past 20 years and to bring CSOs on as an “equal partner”.

H.E. Mr. Araz Azimov

Deputy Minister of Foreign Affairs, Azerbaijan, noted that CSOs perform a vital role in society and that their rights and freedom must be granted, in line with United Nations obligations and not as a “favor”. However, he highlighted that in some places, those “under the guise of charities” provide cover for the financing of terrorism, while adding that, if there are legitimate CSOs activities, States must however exercise due diligence and put in place oversight mechanisms of CSOs, especially to prevent those organizations from being abused for terrorist financing.

H.E. Mr. Malek Twal

Ambassador, Head of Mission of the League of Arab States in Madrid, highlighted the achievement of Oman in incorporating a human rights-based approach into counter-terrorism, noting this is a model that represents a very important lesson for other countries and that the League of Arab States is proud of this. He gave a brief overview of the actions of the League of Arab States to promote human rights within the framework of counter-terrorism, including through four different committees. He added that since the conference opened, there has been no mention of “State-sponsored terrorism”, and that it is important to denounce any violation, “wherever it is coming from”.

“Recently, women and girls in many countries are being denied the right to be responsible actors in their society. Some governments have been enforcing a number of strategies, tactics and instruments to suppress or restrict civic space such as counter-terrorism laws and policies (...). Indeed, this new context has an impact on the everyday life of diverse civil society groups and actors, particularly women human rights defenders and peacebuilders.”

Ms. Amel Grami

Chairperson, Euro-Mediterranean Women Foundation

SESSION V

Role of the United Nations Counter-Terrorism Architecture

Challenges and the way forward

The reform of the United Nations counter-terrorism architecture undertaken by Secretary-General Guterres resulted in the establishment of UNOCT in 2017 and the launch of the Global Counter-Terrorism Coordination Compact in 2018 – the largest coordination framework within the United Nations, with 41 United Nations and four non-United Nations entities – which serves as the primary vehicle for coherent and coordinated support to Member States, with UNOCT serving as its Secretariat.

Building on the outcome of the seventh biennial review of the United Nations Global Counter-Terrorism Strategy, the Session reflected on the role of UNOCT and the United Nations system in fostering human rights- and rule of law-based counter-terrorism approaches and efforts to

date, including through the application of the HRDDP. The Session discussed the call contained in the United Nations Global Counter-Terrorism Strategy for the Secretary-General's assessment of the need for internal rule of law, human rights and gender advisory or monitoring and evaluation capacity. It identified good practices, ongoing efforts and further avenues to strengthen consistent civil society engagement, in line with the United Nations Guidance Note on the Protection and Promotion of Civic Space. This Session also considered how to sustain engagement with Member States and civil society partners to better address new and emerging challenges.

H.E. Mr. Agustín Santos Maraver

Permanent Representative of the Kingdom of Spain to the United Nations, New York, emphasized the importance of consensus and civil society engagement during the seventh review of the United Nations Global Counter-Terrorism Strategy. The new elements introduced in the resolution need to be consolidated. For instance, he referred to operative paragraphs 85, 86 and 87 (OP85, OP86, and OP87). Mr. Maraver highlighted that the budget situation of UNOCT is a “strategic problem” that needs to be addressed, and recalled OP86, which calls upon the Secretary-General to assess the need to further enhance the integration of the rule of law, human rights and gender in the counter-terrorism efforts of the United Nations system, including the need for an oversight mechanism.

Mr. Jordan Street

Policy and Advocacy Adviser, Saferworld, said that “burning issues” for CSOs that have been vocalised during the conference include the issue of internal oversight over the United Nations counter-terrorism architecture, which is a performance management issue for all stakeholders and should be considered in the interest of both Member States and civil society in order to get the most impactful outcome. Mr. Street further noted that this oversight mechanism would also have to be adequately resourced. He stressed the need for the counter-terrorism architecture to tap into the right expertise within the United Nations, rather than trying to duplicate it. He noted this meant investing in OHCHR and United Nations Entity for Gender Equality and the Empowerment of Women (UN Women). Calling for a stronger engagement of civil society, he cited CTED's efforts to engage CSOs as part of its country assessment visits as a step in the right direction – but urged the wider United Nations counter-terrorism architecture to engage with civil society with the principles of transparency, dialogue, and inclusion.

H.E. Mr. T. S. Tirumurti

Ambassador and Chair of the CTC of the Security Council and Permanent Representative of India to the United Nations, New York, underlined that effective counter-terrorism measures and human rights protection are complementary and mutually reinforcing and noted the CTC and CTED continued commitment to facilitate technical assistance delivery to enhance the capacities of Member States. He underscored that the threat of terrorism continues to grow in several parts of the world, especially in the Middle East, Central and South Asia and several regions of Africa. Mr. Tirumurti further stressed the need to distinguish between political ideologies in a constitutional framework and radical and terrorist ideologies. He warned about the misuse of cyberspace and the Internet for terrorist purposes, including to raise funds or recruit individuals, and expressed concern about the use of drones for cross-border trafficking of arms, drugs and launching terrorist attacks. He noted that it is essential to continue to identify further ways to support the victims of terrorism, including for victims of sexual and gender-based violence. He recalled recent Security Council resolutions that requested the CTC and CTED to identify ways to enhance and promote engagement with a broad range of civil society actors, representing all regions of the world and all levels of society, including the grassroots level, to ensure that a broad and diverse range of voices are heard.

Mr. Vladimir Voronkov

Under-Secretary-General for Counter-Terrorism, UNOCT, echoed Mr. Street's observation that the issue of oversight is important and timely, while stressing that in its five years of existence UNOCT had already undergone two evaluations, at both internal and external levels. He also stressed the importance of coordinating activities within the United Nations counter-terrorism architecture and avoiding duplication of efforts and competition among entities, including when it comes to fundraising. In that regard, Mr. Voronkov noted that the Global Counter-Terrorism Coordination Compact can play a great role in harmonizing the interest of different entities. Mr. Voronkov also recalled the difficult negotiations that underpinned the seventh review of the United Nations Global Counter-Terrorism Strategy, which led to strengthened language on human rights and civil society engagement. This conference shows that efforts are going in the right direction, but they will need to be complemented by practical steps going forward. Mr. Voronkov said that the Málaga conference outcome document will be of utmost importance and referred to UNOCT Civil Society Engagement Strategy, as well as the need for adequate financial resources, to proceed further. Additionally, he called for stronger civil society engagement in the framework of the Counter-Terrorism Compact.

H.E. Mr. Abdulla bin Ibrahim Abdulrahman Sultan Al Hamar

Ambassador of the State of Qatar to Spain, stressed the need to better understand terrorism and its links to religious intolerance. He reiterated that counter-terrorism efforts are counter-productive when

they undermine human rights and fundamental freedoms. Efforts should concentrate on raising awareness and promoting education to address violent extremism conducive to terrorism. He also noted the importance of supporting victims of terrorism. Lastly, he mentioned the UNOCT Programme Office on Parliamentary Engagement, as well as UNOCT International Hub on Behavioural Insights to Counter Terrorism, both based in Doha.

Mr. John Brandolino

Director, UNODC, said that engaging civil society increases human rights aspects. He underscored the need to do better on that front, including with regards to coordination by leveraging the Counter-Terrorism Compact. He briefed on UNODC's monitoring and evaluation activities, as well as the mainstreaming of human rights, gender, and civil society into programming, while also noting that UNODC's Civil Society Organization unit helps foster "formal engagement" with civil society.

Ms. Naureen Fink

Executive Director, The Soufan Center, emphasized the need to move forward from consensus to concrete and operational steps within the United Nations counter-terrorism architecture, in order to do more on the protection of human rights and victims of terrorism, as well as on civil society engagement and gender mainstreaming. She noted that the implementation of the United Nations Global Counter-Terrorism Strategy is still a work in progress for most States. On the issue of accountability, she said that progress remains elusive despite the establishment of UNITAD, with only a "handful of prosecutions". To conclude, she outlined a few recommendations, such as: i) donors to pay greater attention to human rights and gender considerations in project proposals and during implementation; ii) the HRDDP should be implemented; iii) reports of human rights violations should result in the pause of United Nations assistance; iv) more informal dialogues and Arria formula meetings in the Security Council on human rights compliance should be organized; v) the CTC could require an annual human rights assessment report; vi) more regular consultations with civil society should be organized.

Ms. Victoria Ibezim-Ohaeri

Executive Director, Spaces for Change (S4C), Nigeria, highlighted several areas that require further action and attention, such as: i) addressing the incorrect "transplantation of counter-terrorism policies" that disregard local contexts; ii) clarifying when and how terrorist designations occur and what review mechanisms exist; iii) need for additional guidance on the delivery of humanitarian assistance in conflict zones where terrorist groups may operate; iv) study the issue of mass surveillance and its impact on fundamental freedoms and civic space.

INTERVENTIONS FROM THE FLOOR

Ms. Melissa Lefas

Chief of Strategy, Global Center on Cooperative Security, reiterated the need for an independent oversight mechanism focusing on human rights and gender that would contribute to holding all actors accountable. The United Nations Global Counter-Terrorism Strategy must take into account existing challenges, by further incorporating feedback provided by civil society actors, and aligning itself with the United Nations Guidance Note on the Protection and Promotion of Civic Space by establishing meaningful, equitable and sustained partnerships. She also raised the issue of adequate funding for civil society participation so as to ensure a plurality of voices and achieve real gains.

Mr. Timothy Betts

Acting Coordinator for Counterterrorism, United States of America, expressed appreciation for the State of Qatar and the Kingdom of Saudi Arabia as UNOCT's main donors, and other Member States whose financial contributions have enabled the creation of the new Human Rights and Gender Section. Mr. Betts stressed the need to work locally and engage civil society to have effective counter-terrorism measures. Mr. Betts also noted that civil society engagement must go beyond conferences or *ad hoc* meetings – it must be intertwined with policies and programmes as well as use sustainable mechanisms for ensuring broad participation.

Ms. Fionnuala Ní Aoláin

Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, stressed that “counter-terrorism clubs” outside the United Nations system also need to follow the same rules applicable to the United Nations. She welcomed the serious Monitoring and Evaluation work started within UNOCT, which will need to be followed by additional work on measuring outcomes. She also called for an independent oversight mechanism for United Nations counter-terrorism.

H.E. Mr. Joaquín Alberto Pérez Ayestarán

Ambassador, Deputy Permanent Representative of Venezuela to the United Nations, New York, said that the use of artificial intelligence for terrorist purposes, drones and cyberattacks require more attention.

Mr. Asim Ali Khan

Director General of the Counter-Terrorism Division, Ministry of Foreign Affairs, Pakistan, expressed concern about the rise of xenophobia, racism, intolerance, and “far-right” ideologies, which can lead to a “new form” of terrorism often targeting the “Muslim community”. He added that the seventh review of the United Nations Global Counter-Terrorism Strategy was a step in the right direction, but many more will be required. For instance, appropriate changes to the United Nations counter-terrorism architecture and sanctions regimes will be needed to address new terrorist attacks based on “xenophobia, racism, and other forms of intolerance or in the name of religion or belief”.

Mr. Jordan Street

Policy and Advocacy Adviser, Saferworld, reiterated the idea of establishing an oversight mechanism and achieving greater impact, with respect for human rights and gender at the center of counter-terrorism efforts.

“The Committee and its Executive Directorate – working closely with UNOCT – identify new and impactful ways to effectively encourage Member States to address human rights shortcomings in their counter-terrorism measures, in order to support the full and effective implementation of relevant Council resolutions.”

H.E. Mr. T. S. Tirumurti

Ambassador and Chair of the CTC of the Security Council and Permanent Representative of India to the United Nations

Summary of the Closing Session



Mr. Vladimir Voronkov

Under-Secretary-General for Counter-Terrorism, UNOCT, delivered the co-chairs' summary on behalf of UNOCT and Spain, highlighting six key conclusions. **First**, he stressed that the rule of law, human rights, and gender mainstreaming are the cornerstones of effective and sustainable counter-terrorism responses. He noted that counter-terrorism laws, policies and practices that fail to respect the rule of law and human rights or are misused are counterproductive. He identified the need to strengthen meaningful accountability and to duly integrate gender analysis and gender perspectives in all counter-terrorism policies and measures. **Second**, Mr. Voronkov emphasized the need to safeguard principled humanitarian action and to enable a safe and unhindered environment for impartial humanitarian actors to operate, in a context of increasingly complex linkages between terrorism and armed conflict. **Third**, he underscored that international community's support to victims should be consolidated, moving from solidarity to addressing their rights, securing their access to justice, and providing sustainable support, including through the adoption of gender-sensitive comprehensive national assistance plans and meaningful engagement with civil society and affected local communities. **Fourth**, he recalled the unique contributions of civil society actors, including human rights defenders, youth, women and grassroots organizations to preventive and counter-terrorism efforts, stressing the need to create and maintain a safe space for these actors, including women's human rights defenders. He noted that transparent, comprehensive, inclusive and meaningful partnerships with civil society contribute to increased legitimacy, accountability, effectiveness, and sustainability of counter-terrorism responses. **Fifth**, Mr. Voronkov highlighted the need for more human rights mainstreaming in the United Nations counter-terrorism activities, including the enhanced implementation of the HRDDP, but also more dedicated human rights, rule of law and gender equality initiatives. He underlined that the Global Counter-Terrorism Coordination Compact and its Coordination Platform must be further leveraged for that purpose. **Sixth**, he underscored the need to translate the international community's commitment to the rule of law, human rights, and gender mainstreaming into concrete and impactful actions, backed up with adequate resources. He further echoed the Secretary-General's opening remarks to place human rights "front and centre in the fight against terror", emphasizing UNOCT's continued commitment in that regard.

H.E. Mr. Fernando Grande-Marlaska

Minister of the Interior, Spain, said that Spain is proof that the victory of the rule of law over terrorism is possible and necessary. He noted that the 2004 terrorist attacks have caused the highest number of casualties on European soil. He expressed concern over the radical ideology of “Jihadist terrorism” and described it as one of the major threats faced by the international community. He argued that the counter-terrorism efforts of Spain can prove useful to the international community, noting that in 2019 Spain updated its national counter-terrorism strategy. He emphasized that effective counter-terrorism measures must bring a variety of actors together and comply with the rule of law. He hoped to achieve a society that is resilient against terrorism and radicalization/violent extremism and is inspired by victims of terrorism. Spain’s national counter-terrorism strategy also highlights the relevance of international, police and judicial cooperation, and the role of the intelligence community. To promote this, in 2020 Spain created a special committee on counter-terrorism, and since 2005 it has implemented a terrorism prevention plan introducing different levels of alert. This plan is now called the prevention, protection and response plan against terrorism, which enables Spain to detect, monitor and analyze terrorist threats and improve coordination. He further mentioned efforts by Spain to implement deradicalization processes, the country’s strategy to counter the financing of terrorism, as well as measures to address the threat posed by FTFs and the misuse of the Internet for terrorist purposes. He also highlighted that victims of terrorism need protection and assistance. Victims of terrorism are entitled to reparations and the State has an obligation to preserve their memory and dignity. This work also requires collaboration with civil society actors and the international community so the memory of victims of terrorism can help delegitimize violence and prevent terrorism.



Annexes

ANNEX I

Video Message of United Nations Secretary-General António Guterres to the High-Level International Conference on Human Rights, Civil Society and Counter-Terrorism

My thanks to the Kingdom of Spain and the United Nations Office of Counter-Terrorism colleagues for organizing this vital conference on human rights, civil society and counter-terrorism.

This gathering reflects a central truth.

Terrorism is not only an attack on innocent people.

It represents an all-out assault on human rights.

The threat is growing and global.

Da'esh and Al-Qaeda continue to expand into Africa.

Terrorism is resurgent in Afghanistan.

Extremist groups target women and girls with gender-based violence, including sexual violence.

Xenophobia, racism and cultural and religious intolerance are accelerating.

Technology allows terrorists to spread and export lies, hatred and division at the touch of a button.

Online hatred can quickly incite real-life acts of horrifying violence.

At the same time, global responses to terrorism can make things worse.

In the name of security, humanitarian aid is often blocked – increasing human suffering.

Civil society and human rights defenders are silenced – particularly women.

And survivors of terrorism and violence are left without the support and access to justice they need to rebuild their lives.

We need to re-affirm our commitment to core values.

By addressing the conditions that can give rise to terrorism, including by investing in health, education, protection, gender equality and justice systems accessible to all.

By safeguarding principled humanitarian action and fully respecting international law.

And by opening the door to civil society – and especially women – to meaningfully engage with counter-terrorism efforts.

As a moral duty, a legal obligation, and a strategic imperative – let's put human rights where they belong: front and centre in the fight against terror.

ANNEX II

Opening Remarks of Mr. Vladimir Voronkov, United Nations Under-Secretary-General for Counter-Terrorism

Excellencies,

Ladies and Gentlemen, Dear Colleagues,

It is my great pleasure to welcome you to the first United Nations High-Level International Conference on Human Rights, Civil Society and Counter-Terrorism.

I would like to express my deep gratitude to the Government of the Kingdom of Spain for hosting and organizing this event together with the United Nations, and for its continued cooperation with the United Nations Office of Counter-Terrorism.

I am honoured to be speaking directly following the remarks delivered by Mr. António Guterres, Secretary-General of the United Nations, and alongside His Excellency Mr. José Manuel Albares Bueno, Minister of Foreign Affairs, the European Union and Cooperation of the Kingdom of Spain.

I am thankful to representatives from Member States the United Nations and regional organizations for their presence; and I am especially grateful to our human rights and civil society colleagues and partners for their participation in this Conference.

Allow me at the outset, to acknowledge and thank all our 35 donors, including our leading donors, the State of Qatar, the Kingdom of Saudi Arabia, and the European Union, whose financial contributions are critical in the implementation of our policy leadership, coordination and capacity-building mandates entrusted to my Office by the United Nations General Assembly.

This Conference follows last year's Virtual Dialogue with Human Rights and Civil Society partners, which we convened together with Spain.

It also builds on the renewed emphasis on the rule of law, human rights and gender equality in the 7th review resolution of the United Nations Global Counter-Terrorism Strategy.

This Conference focuses on a central – yet too often neglected – component of our united front against terrorism.

Countering terrorism helps protect human rights, but only if human rights are protected while countering terrorism.

Moreover, the violation or abuse of human rights plays into terrorists' hands, as these seek to provoke heavy-handed and indiscriminate responses from security forces. Terrorists do this with the aim of undermining public confidence in the ability of governments to protect their own citizens.

That is why a human rights-based approach is not aimed at challenging or frustrating counter-terrorism initiatives.

On the contrary, it's essential to ensure effective, long-term, and sustainable counter-terrorism efforts.

It's also why human rights, the rule of law and gender equality are cross-cutting and crucial elements of the United Nations Global Counter-Terrorism Strategy.

The General Assembly's last review of the Strategy resulted in strengthened language on the rule of law and human rights, including the rights and needs of victims of terrorism, on women's participation, civil society engagement, the rights of the child, and safeguarding humanitarian action.

So this Conference is a direct implementation of the important provision of the resolution.

While Member States have the primary responsibility to implement the Strategy, they can count on the United Nations Office of Counter-Terrorism's full support to do so in a balanced way.

Yesterday marked the official launch of UNOCT's new Human Rights and Gender Section, which will run both our Global Human Rights and Gender Programmes.

Its establishment will ensure that human rights and a gender perspective are mainstreamed in our policy, coordination, and programming activities.

We have also continued to strengthen the implementation of our Civil Society Engagement Strategy, with dedicated roundtables that allow direct dialogue between civil society organizations and programme managers of the United Nations Office of Counter-Terrorism, as well as a civil society online community forum hosted on our Connect & Learn Platform.

Honoring, advocating for, and supporting victims of terrorism remains a high priority for my Office. The "Memories" Campaign, which will be launched tomorrow during the victims' session of the conference. I look forward to welcoming you later this year to the first United Nations Global Congress of Victims of Terrorism held in New York in September to discuss this issue further.

Excellencies, ladies and gentlemen,

The international community is aware that promoting and protecting human rights and preventing and countering terrorism are mutually reinforcing goals.

Yet, much remains to be done.

At a time when human rights are under assault around the world, this Conference and its side events allow us to reflect on challenges, identify solutions and chart a path forward to place human rights and the rule of law at the very heart of effective counter-terrorism measures.

I look forward to our open, honest and transparent dialogue, and wish you all a successful conference.

Thank you.

ANNEX III

Opening Remarks of H.E. Mr. José Manuel Albares Bueno, Minister of Foreign Affairs, the European Union and Cooperation of Spain

Señor Secretario General Adjunto de la Oficina de Lucha contra el Terrorismo de las Naciones Unidas, querido Vladimir,

Señor Alcalde de Málaga, querido Francisco,

Señoras y señores Ministros y jefes de delegación de los Estados miembros de las Naciones Unidas,

Señoras y señores representantes de las organizaciones internacionales y regionales,

Señoras y señores representantes de los organismos del Pacto Mundial de Coordinación de la Lucha Antiterrorista de las Naciones Unidas,

Señoras y señores representantes de la sociedad civil,

Señoras y señores moderadores, panelistas y participantes,

Quisiera darles a todos la más cordial bienvenida a la Conferencia Internacional de Alto Nivel sobre Derechos Humanos, Sociedad Civil y Lucha contra el Terrorismo, que celebraremos hoy y mañana en la ciudad de Málaga.

Es para España un gran honor y también una gran responsabilidad ser los anfitriones de estas jornadas.

Hemos puesto muchas esperanzas en esta Conferencia, la primera que lleva en el título los “derechos humanos” y la “sociedad civil” junto a la “lucha contra el terrorismo”.

Es en sí misma toda una declaración de intenciones por parte del Sistema de Naciones Unidas, que España hace suya porque está en absoluta sintonía con nuestra doctrina, que sitúa al ser humano en el centro de la lucha contra el terrorismo y por tanto integra los derechos y libertades desde una doble óptica, la de luchar contra el terrorismo con pleno respeto al Estado de Derecho, y la de reparar el daño causado a las víctimas en su derecho más básico, el derecho a la vida.

Hemos organizado la Conferencia conjuntamente con la Oficina de Lucha contra el Terrorismo (UNOCT). Ha supuesto un gran esfuerzo, y no pocas preocupaciones, pero creemos que ha merecido la pena.

No podemos sino reconocer el enorme trabajo llevado a cabo por la Oficina desde su creación en 2017, bajo el liderazgo del Secretario General Adjunto.

Esperamos mucho de las cinco sesiones de la Conferencia sobre derechos humanos, derecho humanitario, víctimas, sociedad civil y arquitectura institucional.

Son un fiel reflejo del carácter integral conferido a la Estrategia Global contra el Terrorismo durante la séptima revisión, que fue cofacilitada por España y se adoptó por consenso por la Asamblea General en junio del año pasado.

Supuso un avance histórico sin precedentes al situar en su centro, junto a los aspectos de seguridad, aspectos novedosos como el respeto de los derechos humanos y del Estado de Derecho, el apoyo a las víctimas, la participación de la sociedad civil y la perspectiva de género.

Confiamos en que la Conferencia de Málaga sirva para empezar a ponerla en práctica. Con ese objetivo la hemos organizado, abriéndola a la participación de la sociedad civil. Tal vez sea esta su principal seña de identidad.

Para asegurarnos el éxito de la Conferencia hemos elegido a la ciudad de Málaga como sede.

Nos hemos adelantado unos años a la Exposición Internacional que esperamos que Málaga albergue en 2027 bajo el lema “La Era Urbana: hacia la ciudad sostenible”. Si tenemos éxito con esta candidatura, Málaga les espera de nuevo en cinco años.

Quisiera agradecer a su Alcalde por acogeremos con la legendaria hospitalidad de la que Málaga hace gala como ninguna otra.

Para España, la Conferencia de Málaga es gran paso adelante en la buena dirección, pero solo uno que tiene que ser seguido de muchos otros.

En cuanto acabe la Conferencia empezaremos a trabajar, desde la copresidencia del Grupo de Amigos de Víctimas del Terrorismo, en la preparación del Primer Congreso Global de Víctimas del Terrorismo, que tendrá lugar en septiembre en Nueva York.

Nos hemos puesto dos objetivos ambiciosos, porque no podemos defraudar a las víctimas: la creación de una red global de asociaciones de víctimas del terrorismo y la creación de un fondo fiduciario para las víctimas del terrorismo.

Y para entonces habremos abierto una Oficina de lucha contra el terrorismo en Madrid, con tres programas prioritarios que serán su seña de identidad: las víctimas del terrorismo, los objetivos vulnerables y el deporte en la prevención del extremismo violento.

Esta Oficina supone mucho para España, que ha hecho siempre de la lucha contra el terrorismo una prioridad de su política exterior.

Supondrá el reconocimiento por parte de Naciones Unidas del intenso trabajo llevado a cabo desde hace 20 años, tanto en el Consejo de Seguridad, donde España fue el primer miembro no permanente del Consejo de Seguridad que presidió el Comité contra el Terrorismo en 2003-2004, como en la Asamblea General, donde España es copresidente del Grupo de Amigos de Víctimas del Terrorismo desde su creación en 2019.

En particular, supondrá el reconocimiento del intenso trabajo llevado a cabo durante los dos últimos años, nuestro “bienio de oro” en la lucha contra el terrorismo, en el que España ha cofacilitado la séptima revisión de la Estrategia Global en 2021, y ha organizado la Conferencia de Málaga, abierto la Oficina de Madrid y celebrado el Primer Congreso Mundial de Víctimas del Terrorismo en 2022.

Tenemos mucho trabajo por delante y una gran responsabilidad que nos interpela a todos. No podemos fallarle a la sociedad, tampoco a las generaciones futuras, ni mucho menos a las víctimas y sus familiares.

Finalizo rindiendo un sentido homenaje a todas las víctimas del terrorismo. No nos olvidamos ni nos olvidaremos nunca de ellas.

Quisiera reiterarles, para concluir, nuestro más sincero agradecimiento por su participación en la Conferencia de Málaga.

Doy por inaugurada la Conferencia Internacional de Alto Nivel de Derechos Humanos, Sociedad Civil y Lucha contra el Terrorismo.

Muchas gracias.

ANNEX IV

Co-Chairs Summary Delivered by Mr. Vladimir Voronkov, United Nations Under-Secretary-General for Counter-Terrorism

Excellencies,
Ladies and Gentlemen,
Dear Colleagues,

I have the honour to present the co-chairs' summary for this Conference.

Let me first reiterate my deep gratitude to the Government of the Kingdom of Spain for having co-organized this important event and particularly to His Excellency Mr. José Manuel Albares Bueno, Minister of Foreign Affairs, the European Union and Cooperation and His Excellency Mr. Fernando Grande-Marlaska, the Minister of Interior for their participation.

I am thankful to our distinguished speakers and 430 participants from Member States, international and regional organizations, and United Nations partners.

My heartfelt appreciation especially to 44 civil society representatives for having openly shared their views, insights, and experiences over the past few days.

I would also like to express my sincere gratitude to the victims of terrorism who courageously presented their powerful stories in the "Memories Campaign" documentary.

Excellencies,
Ladies and Gentlemen, Dear Colleagues,

This is our first High-Level Conference dedicated to human rights, civil society and counter- terrorism.

My Office will work with the Government of Spain, and in consultation with our civil society partners, to prepare an outcome document reflecting our discussions over the past days.

I would however like to share with you some key conclusions, on behalf of the co-chairs:

First, the rule of law, human rights, and gender mainstreaming are the cornerstones of effective and sustainable counter-terrorism responses.

Of course, nothing can ever justify terrorism. Member States have legitimate reasons to take those measures necessary to address this threat.

However, as reiterated during this conference, our collective efforts against terrorism cannot succeed if they neglect or abuse the rule of law and human rights, if they undermine civic space and principled humanitarian action, and if they fail to advance the rights of the child, women, and victims.

Unfortunately, our discussions over the past days underscored that many counter-terrorism laws, policies, and practices continue to have an adverse impact on the rule of law and human rights.

They often rely on vague or overly broad definitions of acts of terrorism and in some cases are even used to oppress civil society actors and human rights defenders.

This is not only wrong – it is counterproductive.

This conference highlighted several areas that require our urgent action. This includes ensuring accountability in the counter-terrorism context.

Bringing perpetrators of terrorist offences to justice is critical to deter future attacks and to uphold the rights of victims of terrorism and their families.

Comprehensive, gender-sensitive and human rights-compliant prosecution, rehabilitation and reintegration strategies for returning and relocating foreign terrorist fighters and their families are key in this regard.

A comprehensive approach to accountability is also crucial in cases of sexual and gender-based violence perpetrated by terrorist groups.

At the same time, participants called for meaningful accountability for abuses and violations committed by State or non-State actors in the context of countering terrorism. Impunity for those acts may otherwise fuel further radicalization to terrorism.

Another area explored during this conference is the need to duly integrate gender analysis and gender perspectives in all policies and measures to prevent violent extremism and terrorism.

This includes taking into consideration the differential impact of violent extremism and terrorism as well as initiatives to prevent and counter terrorism and violent extremism on men, women, boys and girls.

Participants further underlined women's critical roles as preventers and peacebuilders. We need to empower, meaningfully engage with, and promote the leadership of women, including women human rights defenders and women-led civil society organizations in our efforts.

As the General Assembly's resolution on the seventh review of the UN Global Counter-Terrorism Strategy demonstrated, gender considerations in the counter-terrorism context have been increasingly on the agenda of the international community. We need now to match the rhetoric by concrete action and implementation.

Second, we need to safeguard principled humanitarian action in a context of increasingly complex linkages between terrorism and armed conflict.

Participants underlined the challenges raised by the increase in the number of armed groups designated as terrorist organizations that are engaged in non-international armed conflicts.

They also expressed concerns about the contribution of terrorist activity to complex humanitarian emergencies, including through forced displacement and persecution on the basis of gender, religious or ethnic affiliation, or other protected characteristics.

We further heard about the threats and attacks by terrorist elements against humanitarian actors and their activities.

At the same time, ill-conceived, or improperly applied counter-terrorism measures often impede impartial humanitarian action and contribute to the shrinking of the humanitarian space.

Participants stressed the need to enable a safe and unhindered environment for impartial humanitarian actors to deliver aid and alleviate the suffering of individuals affected by humanitarian emergencies, including those linked to armed conflicts where terrorist groups are active.

Third, we need to consolidate our support to victims of terrorism.

The "Memories Campaign" film launched this morning is another powerful reminder of the need to redouble our efforts to break free from terrorist violence.

Societies benefit when victims are recognized as bearers of rights and are treated with compassion and respect.

Strengthening victims' resilience, showing solidarity, and supporting victims contribute to rebuilding the fabric of a fragmented community torn apart by terrorism.

Despite some progress, more needs to be done, including by States adopting gender-sensitive comprehensive national assistance plans.

This was also encouraged by the General Assembly in its seventh review of the Global Counter-Terrorism Strategy.

The Model Legislative Provisions recently launched by my Office, together with the United Nations Office on Drugs and Crime and the Inter-Parliamentary Union, have been mentioned as useful guidance to provide holistic and comprehensive support to victims.

While the primary responsibility for protecting the rights of victims lies with Member States, we need to empower and meaningfully engage all relevant stakeholders, including civil society and affected communities at the local level.

Securing access to justice and providing sustainable support to victims should remain our priority.

We look forward to continuing our discussions during the first Global Congress of Victims of Terrorism that my Office will organize in September this year.

Fourth, civil society actors, including human rights defenders, youth, women and grass-roots organizations, are essential interlocutors for both Member States and the United Nations.

They bring unique perspectives and expertise, drawing upon their knowledge of realities on the ground and access to local communities.

A vibrant and pluralistic civic space contributes to building resilience to terrorism, promoting human rights and gender equality, realizing the sustainable development goals, advocating for victims' needs, and supporting rehabilitation and reintegration.

Our discussions highlighted the need for a cooperative and participatory “whole-of-society” approach – from the development of counter-terrorism laws, policies and measures – to their implementation and evaluation.

Transparent, comprehensive, inclusive and meaningful partnerships with civil society contribute to increased legitimacy of decision-making and accountability, as well as enhanced effectiveness and sustainability of counter-terrorism laws, measures and policies.

Partnering with civil society actors requires us to create a safe space for them to express their views, without fear of reprisals, undue securitization or instrumentalization, particularly of women.

Women human rights defenders face particular risks and should not be silenced in the name of countering terrorism.

Fifth, the United Nations needs to reinforce its role in promoting respect for, and protection of human rights, gender equality and the rule of law in counter-terrorism efforts.

We welcome participants' call for strengthened efforts to meaningfully implement pillar IV of the Global Counter-Terrorism Strategy.

Member States have the primary responsibility to implement the Strategy in a balanced manner. The United Nations remains committed to support Member States in this endeavor.

We need more human rights and gender mainstreaming in the United Nations counter-terrorism activities, including the enhanced implementation of the United Nations Human Rights Due Diligence Policy, but also more dedicated initiatives on human rights, the rule of law and gender equality.

The reform of the United Nations counter-terrorism architecture by the Secretary-General – with the establishment of my Office and the Global Counter-Terrorism Coordination Compact – has been a major step forward in enhancing coordination and coherence in the work of the United Nations system.

The Global Counter-Terrorism Coordination Compact, now comprising 45 United Nations and non-United Nations entities, continues to promote gender, human rights and the rule of law, as well as enhanced engagement with academia and civil society.

Our Global Counter-Terrorism Coordination Platform, which connects over 900 focal points from Counter-Terrorism Compact entities, 13 Member States and nine regional organizations, serves as a vehicle for enhanced information-sharing and coordination among entities and is a useful tool for Member States to engage with all United Nations entities on counter-terrorism and preventing and countering violent extremism policy and programming.

We must continue to leverage the strength of this mechanism and its interagency working groups, to strengthen human rights, rule of law and gender mainstreaming as cross-cutting priorities across the United Nations system.

Sixth, we need to translate our commitment to the rule of law, human rights, and gender mainstreaming into concrete and impactful actions, backed up with adequate resources.

Excellencies,

The Secretary-General has recommended “a human rights reset for counter-terrorism”, in line with his Call to Action for Human Rights.

The time has come to act concretely to place human rights “front and centre in the fight against terror”, as reaffirmed by the Secretary-General during this Conference.

This is the responsibility of Member States at the national level, and bilaterally as capacity-building providers, within the framework of the United Nations.

I am confident that our exchanges over the past three days have inspired us to redouble our efforts to advance the balanced implementation of the Global Counter-Terrorism Strategy.

My Office will continue to play its part to strengthen our partnership with you all to support a coordinated, coherent, human rights-compliant and gender-sensitive “all-of-UN approach” to prevent and counter terrorism.

This event would not have been possible without the excellent partnership and support of the Kingdom of Spain. I am pleased to turn now to H.E. Mr. Fernando Grande-Marlaska, Minister of the Interior of Spain, for his concluding remarks.

Thank you for your attention.

ANNEX V

Conference Agenda

10 May 2022

9:00 – 11:00	<p>SESSION I: Human Rights and the Rule of Law as the Cornerstone of Effective Counter-Terrorism Efforts (Auditorium 2)</p> <p>Addressing the misuse of counter-terrorism measures by enhancing the integration of the rule of law, human rights, and gender as cross-cutting elements</p> <p>Co-Moderators</p> <ul style="list-style-type: none"> • Ms. Fionnuala Ní Aoláin, Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism • Mr. Nicholas Miller, Senior Legal Adviser, International Center for Not- For-Profit Law (ICNL) <p>Panellists</p> <ul style="list-style-type: none"> • Ms. Ilze Brands Kehris, Assistant Secretary-General for Human Rights, Office of the High Commissioner for Human Rights (OHCHR) • Ms. Dilnoza Muratova, Deputy Head of the Human Rights Center, Uzbekistan • Mr. Edward Flynn, Senior Human Rights Officer, Counter-Terrorism Committee Executive Directorate (CTED) • Mr. Mutuma Ruteere, Director, Centre for Human Rights and Policy Studies (CHRIPS), Kenya • Mr. Tom Parker, UNODC Project Coordinator for Counterterrorism Programming in Nigeria <p>Key issues to be addressed</p> <ul style="list-style-type: none"> • This session aims to bring together counter-terrorism, human rights and gender experts to review and discuss human rights related challenges in the field of preventing and countering terrorism and violent extremism. • What are the current ways in which counter-terrorism measures have impacted the realization of human rights, including misuse of measures against civil society and human rights defenders? • How are counter-terrorism measures that fail to adhere to human rights and
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	<p>the rule of law and address underlying factors that may be conducive to violent extremism?</p> <ul style="list-style-type: none"> • What are the challenges at the national level to ensuring an effective human rights- and rule of law-based approach, including gender perspective, in counter-terrorism efforts, and how can we integrate them in counter-terrorism approaches and initiatives to overcome those challenges? • What are the gender dimensions of counter-terrorism efforts, including addressing the threats and violence against women and girls, in line with Security Council resolution 2242 (2015) and 2493 (2019), General Assembly and Human Rights Council resolutions on terrorism and human rights (e.g., A/RES/74/147), good practices in implementing gender and age sensitive efforts, as well as the need to promote the full and equal participation of women in preventing and countering terrorism? • What are good practices in upholding children's rights in line with the Convention on the Rights of the Child, and other international standards and norms, in terrorism and counter-terrorism contexts, including legislative, judicial and administrative measures, and preventing the stigmatization of children with suspected or perceived links to designated terrorist groups?
	Questions and observations from the floor
11:00 – 11:30	Coffee Break (Patio Central Main Court)
11:30 – 13:30	<p>SESSION II: Protection of Principled Humanitarian Action (Auditorium 2)</p> <p>Guaranteeing that counter-terrorism measures and sanctions comply with International Humanitarian Law</p>
	<p>Co-Moderators</p> <ul style="list-style-type: none"> • H.E. Mr. Stephen Husy, Ambassador at Large for International Counter-Terrorism, Switzerland • Mr. Hussein Khalid Elkhimdy, Executive Director, HAKI Africa
	<p>Panellists</p> <ul style="list-style-type: none"> • Ms. Eva Svoboda, Deputy Director, International Law and Policy at the International Committee of the Red Cross (ICRC) • Manuel Navarrete, Head of Fusion Centre against Organized Crime and Counter-Terrorism, CITCO, Spain • Ms. Sanam Naraghi Anderlini, Founder & CEO, International Civil Society Action Network • Ms. Emma O'Leary, Head of Humanitarian Policy, Norwegian Refugee Council • Mr. Julien Piacibello, OCHA focal point on counterterrorism

	<p>Key Issues to be addressed</p> <ul style="list-style-type: none"> • In the context of counter-terrorism measures, how can principled humanitarian action be safeguarded in the context of counter-terrorism, including through practical steps and good practices in the development and implementation of legislation, policies, measures, and operations in a manner that does not impede or undermine principled humanitarian action? • How do broadly conceived or improperly applied counter-terrorism measures negatively impact principled humanitarian action? • What are the drivers for the shrinking humanitarian space; what are the gendered impacts of this shrinkage; and how has the COVID-19 pandemic and related restrictions exacerbated relevant concerns? • How does shrinking humanitarian space affect broader issues of human rights, gender equality, conflict prevention, as well as hinder sustainable efforts to prevent and counter terrorism? • What is the role of international cooperation in this regard?
	Questions and observations from the floor
13:30 – 14:30	Lunch Break (Main Restaurant/Sala Polivalente)
	Opening Ceremony (Auditorium 2)
15:00 – 15:30	<p>Opening Remarks</p> <ul style="list-style-type: none"> • Master of Ceremony • H.E. Mr. António Guterres, Secretary-General of the United Nations (Video message) • Mr. Vladimir Voronkov, Under-Secretary-General for Counter-Terrorism, United Nations Office of Counter-Terrorism, United Nations • H.E. Mr. José Manuel Albares Bueno, Minister of Foreign Affairs, the European Union and Cooperation of Spain <p>High-Level Ministerial Session (Conference Room 2)</p>
15:45 – 19:00	<p>Chair and Moderator Mr. Vladimir Voronkov, Under-Secretary-General for Counter-Terrorism, United Nations Office of Counter-Terrorism, United Nations</p> <p>Opening Remarks</p> <ul style="list-style-type: none"> • Ms. Michelle Bachelet, United Nations High Commissioner for Human Rights (Video message) • Mr. Miguel Ángel Moratinos, High Representative for the United

	<p>Nations Alliance of Civilizations (UNAOC)</p> <ul style="list-style-type: none"> • Ms. Katerina Hadzi-Miceva Evans, Executive Director, European Centre for Not-for-Profit Law (ECNL) <p>Statements by Ministers and others</p> <p>Key Issues to be addressed</p> <ul style="list-style-type: none"> • The importance of ensuring human rights- and rule of law-based and gender responsive counter-terrorism efforts, meaningful, inclusive and safe civil society participation as well as the past and present impediments to achieving these goals. • What is the status of human rights in the current counter-terrorism landscape, including terrorists exploiting human rights-related issues exposed during the COVID-19 pandemic, as well as the disruptive political and socio-economic impact of the pandemic, and how has this resulted in new and more diverse terrorist threats, particularly in fragile settings? • What are disproportional impacts of these terrorist threats on women and girls, as well as some of the measures to counter them? • What are the three most important next steps for Member States to counter terrorism in compliance with human rights, gender equality and the rule of law? • How can governments, parliamentarians, civil society and other key stakeholders collectively and effectively tackle terrorism and violent extremism conducive to terrorism while ensuring the protection and promotion of human rights and furthering gender equality?
19:30	Cocktail Dinner for Meeting Participants (Patio Central Main Court)

11 May 2022	
08:00 – 09:45	<p>SESSION III: Victims and Survivors of Terrorism (Auditorium 2)</p> <p>Upholding their rights and needs, and paying tribute to them</p>
	<p>Co-Moderators</p> <ul style="list-style-type: none"> • Ms. Montserrat Torija Noguerales, Director General, Support to Victims of Terrorism, Ministry of Interior, Spain • Mr. James Ndeda, Founder, Association of Victims of Terrorism, Kenya <p>Launch of the Memories Campaign Film</p> <ul style="list-style-type: none"> • Ms. Ana Izar, Head of Victims of Terrorism Unit, United Nations Counter-Terrorism Centre (UNCCT), United Nations Office of Counter-Terrorism

	<p>Screening of the Memories Campaign Film</p> <p>Conversation</p> <ul style="list-style-type: none"> • Mr. José Gomez, Filmmaker, Victims of Terrorism Unit, UNOCT/UNCCT discusses the Memories Campaign Film with: • Ms. Sandra Lescano, Victim of terrorism
	<ul style="list-style-type: none"> • H.E. Mr. Mohammed Hussein Bahr Al-Uloom, Permanent Representative of the Republic of Iraq to the United Nations • Mr. Philippe Vansteenkiste, Director, V-Europe • Ms. Susilaningtias, Vice Chair, Witness and Victim Protection Agency, Indonesia • Ms. Fatima Ali Hader, Co-Founder, The Grief Directory
	<p>Key Issues to be addressed:</p> <ul style="list-style-type: none"> • How could the collaboration and sharing of best practices between Member States regarding Victims of Terrorism be improved, with special reference to the establishment of national legislation and the development of national comprehensive assistance plans? • Looking at the First UN Global Congress of Victims of Terrorism, what could be the main objectives of this important event? • What role can initiatives such as the Model Legislative Provisions for Victims of Terrorism play in this regard? • What is the specific and important role that CSOs have and continue to play in this field?
	<p>Questions and observations from the floor</p>
<p>9:45 – 10:00</p>	<p>Coffee break (Patio Central Main Court)</p>
<p>10:00 – 11:45</p>	<p>SESSION IV: Civil Society Efforts for Preventing and Countering Terrorism (Auditorium 2)</p> <p>Ensuring that measures to prevent and counter terrorism preserve and promote an enabling environment for Civic Space</p> <p>Co-Moderators</p> <ul style="list-style-type: none"> • Mr. Raffi Gregorian, Director and Deputy to the Under-Secretary- General, United Nations Office of Counter-Terrorism • Mr. Eelco Kessels, Executive Director, Global Center on Cooperative Security

	<p>Panellists</p> <ul style="list-style-type: none"> • H.E. Mr. Humaid Al Maani, Head of International Affairs Department, Ministry of Foreign Affairs of the Sultanate of Oman • Ms. Nadia Costantini, Head of the Division for Counter-Terrorism, European External Action Service • Ms. Susan Wilding, Head of Geneva Office, CIVICUS • Ms. Amel Grami, Chairperson, Euro-Mediterranean Women Foundation, Tunisia • Ms. Lourdes Castro Garcia, Coordinador, Somos Defensores Programme <p>Key Issues to be addressed</p> <ul style="list-style-type: none"> • What are the causes and drivers of restrictions to civic space, and what safeguards exist on the international level to address this problem? • How does shrinking civic space negatively impact the promotion and protection of human rights in a counter-terrorism context? How has the COVID-19 pandemic impacted civic space? • What are the challenges faced by diverse civil society actors, including specific threats and violence faced by women human rights defenders and peacebuilders in the context of counter-terrorism? • What is the unique role of human rights in protecting civic space, including in counter-terrorism contexts, and the contributions of women, youth and locally-focused civil society actors to the designing, implementation and evaluation of counter-terrorism strategies, approaches and measures? • What are the practical steps and good practices through which Member States can develop human rights compliant and gender responsive counter-terrorism laws, policies, and measures that enable the effective and safe participation of diverse civil society groups and actors? <p>Questions and observations from the floor</p>
11:45 – 12:00	Coffee break (Patio Central Main Court)
12:00 – 13:45	<p>SESSION V: Role of the United Nations Counter-Terrorism Architecture (Auditorium 2)</p> <p>Challenges and the way forward</p> <p>Co-Moderators</p> <ul style="list-style-type: none"> • H.E. Mr. Agustín Santos Maraver, Permanent Representative of the Kingdom of Spain to the United Nations • Mr. Jordan Street, Policy and Advocacy Adviser, Saferworld, Washington D.C. USA

	<p>Panellists</p> <ul style="list-style-type: none"> • H.E. Mr. T. S. Tirumurti, Ambassador and Chair of the Counter-Terrorism Committee of the Security Council and Permanent Representative of India to the United Nations • Mr. Vladimir Voronkov, Under-Secretary-General for Counter-Terrorism, United Nations Office of Counter-Terrorism, United Nations • H.E. Mr. Abdulla bin Ibrahim Abdulrahman Sultan Al Hamar, Ambassador of the State of Qatar to Spain • Mr. John Brandolino, Director, United Nations Office on Drugs and Crime (UNODC) • Ms. Naureen Fink, Executive Director, The Soufan Center • Ms. Victoria Ibezim-Ohaeri, Executive Director, Spaces for Change (S4C), Nigeria <p>Key Issues to be addressed</p> <ul style="list-style-type: none"> • What is the role of the UN in fostering human rights and the rule of law-based counter-terrorism approaches and efforts to-date? • How could the UN ensure that any activities carried out by the UN in the area of preventing and countering terrorism and violent extremism that include the provision of support to non-UN security forces comply with the UN Human Rights Due Diligence Policy? In this regard, does the Global Counter-Terrorism Coordination Compact require greater attention to the Human Rights Due Diligence Policy as it applies to work with non-UN security forces? • How do we sustain the efforts by Member States and CSO partners to strengthen the UN CT architecture to better address priorities, emerging challenges and weaknesses/gaps in the human rights-compliant and gender-responsive implementation of counter-terrorism measures identified in the past two decades? Explore good practices and ongoing efforts to strengthen CSO engagement and ways in which it contributes to better counter-terrorism policies at the UN level. • What further safeguards and additional measures are needed to ensure progressive and consistent civil society engagement, in line with the United Nations Guidance Note on the Protection and Promotion of Civic Space? • Explore good practices and ongoing efforts to ensure gender mainstreaming within the design, implementation and monitoring of CT/PCVE strategies at the international, regional and national levels. <p>Questions and observations from the floor</p>
14:00 – 14:30	Closing Session (Auditorium 2)

	<p>Co-Chairs and Concluding Remarks</p> <ul style="list-style-type: none"> • Mr. Vladimir Voronkov, Under-Secretary-General for Counter-Terrorism, United Nations Office of Counter-Terrorism, United Nations • H.E. Mr. Fernando Grande-Marlaska, Minister of the Interior, Spain
14:30	Farewell Lunch (Optional) (Main Restaurant/Sala Polivalente)

ANNEX VI

Summaries of Side Events

9 May 2022

13:00 – 14:30	1: National Human Rights-Based Counter-Terrorism Responses
	<p>Jointly organized between United Nations entities (Office of the High Commissioner for Human Rights (OHCHR) and United Nations Office of Counter-Terrorism (UNOCT)), civil society organizations (Saferworld and the International Center for Not-for-Profit Law – ICNL), and the Permanent Mission of the Kingdom of the Netherlands to the United Nations</p>
	<p>Moderators</p> <ul style="list-style-type: none"> • Ms. Maya Mirchandani, Senior Fellow, Observer Research Foundation and Head of Department, Media Studies, Ashoka University, Sonapat Haryana, India
	<p>Panellists</p> <ul style="list-style-type: none"> • Ms. Theresa Luenemann, Permanent Mission of Germany to the United Nations • Mr. Noufal Abboud, The Nordic Center for Conflict Transformation • Ms. Karen Gomez Dumpit, Philippines Commission on Human Rights • Ms. Victoria Ibezim-Ohaeri, Spaces for Change (S4C), Nigeria
	<p>Discussion Summary</p> <p>Counter-terrorism laws and measures are misused and have negatively affected civil society, including human rights defenders. When counter-terrorism actions are led by the military, this contributes to human rights restrictions and violations. Some Member States have introduced procedures for assessing the potential impact on human rights of counter-terrorism measures. However, not all Member States document the impact of counter-terrorism measures. Civil society is playing an important role in this area, in particular in documenting human rights violations.</p> <p>Civil society organizations (CSOs) are slowly being recognised as important stakeholders in counter-terrorism. Consideration should be given to a global civil society movement, since terrorism and counter-terrorism has global reach. CSOs must be involved in counter-terrorism mechanisms. A stronger role for ombudsperson should be considered in addressing citizens' grievances against public</p>

	<p>administrations and State authorities.</p> <p>Human rights must be incorporated in counter-terrorism policies and responses. A human rights-based approach will ensure the incorporation of human rights safeguards in Member States' counter-terrorism strategies and responses. Furthermore, victims of terrorism and the concerns of victims must be included in counter-terrorism measures.</p>
	<p>2: Engaging Parliamentarians with Civil Society Organizations in Enhancing Legislation and Oversight Functions on CT and PVE</p>
	<p>Organized by UNOCT through its Programme Office on Parliamentary Engagement in Preventing and Countering Terrorism, in partnership with the Shura Council of the State of Qatar</p>
	<p>Moderator</p> <ul style="list-style-type: none"> • Mr. David Alamos, Chief a.i., Programme Office on Parliamentary Engagement, Special Projects and Innovation Branch, UNOCT
	<p>High-level Segment</p> <ul style="list-style-type: none"> • Mr. Mauro Miedico, Deputy Director, United Nations Counter-Terrorism Centre (UNCCT), UNOCT • H.E. Ms. Hamda bint Hassan Al Sulaiti, Deputy Speaker of the Shura Council of the State of Qatar
13:00 – 14:30	<p>Panellists</p> <ul style="list-style-type: none"> • H.E. Mr. Kyriakos Hadjiyiannis, Special Representative on Civil Society Engagement of the Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE) and Member of Cyprus Parliament • Mr. Francisco Javier López Ruiz, Patrono, Fundación Víctimas del Terrorismo, Vice-President of the Association of the Victims of Terrorism of the State Security Forces and Bodies, Spain • Mr. Francisco Zaragoza Lluch, President, Association of State Security Bodies and Forces Victims of Terrorism • Ms. Aleksandra Ivankovic, Deputy Director of Victims Support Europe • Ms. Carola Garcia Calvo Real, Senior Analyst, Real Instituto Elcano, Spain • Mr. Père Pascal, Vice-Director, Commission Diocesaine Justice et Paix (CDJP), Cameroon
	<p>Discussion Summary</p> <p>It is vital that parliamentarians hear voices of society through CSOs, to ensure that counter-terrorism (CT) and prevention of violent extremism (PVE) legislation is</p>

	<p>informed by the public. There can be important engagement between parliamentarians and CSOs to promote human rights-compliant and gender-responsive CT and PVE efforts. There can also be crucial cooperation on such key issues as: justice and accountability; addressing the conditions conducive to terrorism; supporting the victims of terrorism; and reintegration and rehabilitation. Currently, in some contexts there are gaps and needs in CT and PVE legislation and regulation that could be addressed via increased cooperation between parliamentarians and civil society. Open dialogue and synergies between parliamentarians and CSOs should be promoted and supported. In terms of prosecution, rehabilitation and reintegration (PRR) programmes, it is essential to facilitate multiparty and inter-institution cooperation. The protection and rehabilitation of victims of terrorism should receive larger recognition and support, including financially. Parliamentarians in cooperation with civil society should continue and increase their efforts in this area.</p> <p>It is essential to involve women in the development of CT and PVE legislation and regulations, so that their needs are taken into consideration and adequately reflected. Furthermore, CT and PVE initiatives must take into consideration the gender perspective, as research shows that women and men become radicalized to violence differently depending on multiple factors. It is critical to learn more about the radicalization process, including how gender stereotypes and stigmas emerge and multiply. In terms of rehabilitation and reintegration of women, it is necessary to understand how women are integrated into the economic life of a society and what are the particular challenges they face.</p>
13:00 – 14:30	3: Launch of the E-learning Course on Human Rights and Counter-Terrorism in Central Asia
	Organized by UNOCT, the Institute of Strategic Studies, Central Asian CSOs
	Moderator <ul style="list-style-type: none"> • Mr. Eldor Aripov, Director of the Institute for Strategic and Regional Studies under the President of the Republic of Uzbekistan (ISRS)
	Opening remarks <ul style="list-style-type: none"> • Ms. Natalia Gherman, Special Representative of the United Nations Secretary-General for Central Asia, Head of the United Nations Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA) [Online] • Mr. Rakhman Yessengulov, Second Secretary, Embassy of Kazakhstan in Spain • Mr. Zeeshan Amin, Chief of the Strategic Coordination Section, UNOCT • Mr. Frank Borchers, Chief of Division for Peace Office in Bonn, United Nations Institute for Training and Research (UNITAR)

	<p>Panellists</p> <ul style="list-style-type: none"> • Mr. Armands Pupols, Human Rights and Political Affairs Officer, UNRCCA • Ms. Karina Timsina, Regional Coordination Officer, UNOCT • Mr. Zhangazy Kunserkin, Lawyer, Member of the Almaty City Collegium of the Advocates, Republic of Kazakhstan • Ms. Indira Aslanova, “Search for Common Ground”, Kyrgyz Republic • Ms. Dilafruz Samadova, “Pro Bono DeJure”, Republic of Tajikistan • Mr. Jahongir Pirmuhamedov, “Center for Studying Regional Threats”, Adviser to the Director, Republic of Uzbekistan
	<p>Discussion Summary</p> <p>The E-learning Course on Human Rights and Counter-Terrorism in Central Asia was developed by UNOCT and UNRCCA, in partnership with UNITAR, United Nations Office for Project Service (UNOPS), OHCHR and United Nations Children's Fund (UNICEF). The course is offered in Russian and covers a variety of topics including human rights and counter-terrorism, victims of terrorism, and national approaches to counter-terrorism and their compliance with international human rights standards. The course is customized to the specific context of Central Asia and is intended for representatives and experts from law enforcement, counter-terrorism, intelligence and agencies in the region, as well as civil society and students.</p> <p>The course could be adjusted and broadened for a larger audience, if there is interest. Furthermore, cooperation could be explored with the UNODC Central Asian Network on Preventing and Countering Violent Extremism (CAPVE Network) and its relevant courses. Another suggestion, to maximise reach, is to consider translating the course into national languages of the Central Asian states.</p> <p>In the Central Asia region, CSOs are strategic partners in countering terrorism and preventing and countering violent extremism, and their important role is highlighted in national and regional strategies. Effective counter-terrorism measures and the protection of human rights are not conflicting goals, but are complementary and mutually reinforcing.</p>
15:00 – 16:30	<p>4: The Role of Civil Society Organizations in the Rehabilitation and Reintegration of Returnees from Syria and Iraq</p>
	<p>Organized by UNOCT; The Bulan Institute for Peace Innovations</p>
	<p>Moderator</p> <ul style="list-style-type: none"> • Mr. Ivo Veenkamp, Deputy Executive Director, Hedayah
	<p>Opening remarks</p> <ul style="list-style-type: none"> • H.E. Mr. Mohammed Hussein Bahr Al-Uloom, Permanent Representative of Iraq to the United Nations

	<ul style="list-style-type: none"> • H.E. Mr. Bakhtiyor Ibragimov, Permanent Representative of the Republic of Uzbekistan to the United Nations • Mr. Ian Moss, Deputy Coordinator for Counterterrorism, U.S. Department of State
	<p>Panellists</p> <ul style="list-style-type: none"> • Ms. Cholpon Orozbekova, Director of the Bulan Institute for Peace Innovations • Ms. Nazifa Kamalova, Director of Istiqboli Avlad • Ms. Martine Miller, Vice President of the International Center for Religion and Diplomacy • Mr. Hoger Chato, Director and Chairman of the Board of Trustees of the Public Aid Organisation (PAO)
	<p>Closing remarks</p> <ul style="list-style-type: none"> • Mr. Raffi Gregorian, Deputy to the Under-Secretary-General and Director, UNOCT
	<p>Discussion Summary</p> <p>Unified and coordinated efforts are crucial to successfully rehabilitate and reintegrate returnees from Syria and Iraq. Governments need to be further engaged in these efforts, and there should be sustained international support to implement comprehensive whole-of-government and whole-of-society strategies, including support by the United Nations and donor countries.</p> <p>Collaboration with CSOs is also crucial to rehabilitation and reintegration efforts, as CSOs often have strong knowledge of the local context, can build trusted relationships with communities, and possess the technical skills necessary to protect the human rights of returnees and create an environment that fosters long-term success in the rehabilitation and reintegration. Returnees may have higher trust in CSOs than in national institutions, therefore cooperation between the two is crucial. Furthermore, CSOs should not only be involved in the implementation of programmes and activities but also in the design.</p> <p>Providing psychosocial support and alleviating trauma faced by returnees is critical for their successful rehabilitation and reintegration. There are many civil society actors with appropriate expertise in this area.</p>
15:00 – 16:30	<p>5: Fostering Resiliency through a Behavioural Insights Approach</p>
	<p>Organized by the International Hub on Behavioural Insights to Counter Terrorism, UNOCT, in partnership with the State of Qatar and Beyond Conflict</p>

	<p>Moderator</p> <ul style="list-style-type: none"> • Ms. Aynabat Atayeva, Chief of the International Hub on Behavioural Insights to Counter Terrorism, UNOCT <p>High-level Segment</p> <ul style="list-style-type: none"> • H.E. Mr. Miguel Ángel Moratinos, High Representative for the United Nations Alliance of Civilizations (UNAOC) • H.E. Mr. Agustín Santos Maraver, Permanent Representative of Spain to the United Nations <p>Panellists</p> <ul style="list-style-type: none"> • Ms. Aynabat Atayeva, Chief of the International Hub on Behavioural Insights to Counter Terrorism, UNOCT • Ms. Sophia Moskalenko, psychologist, security consultant and research fellow at the National Consortium for the Study of Terrorism and Responses to Terrorism (NC-START) • Mr. Michael Niconchuk, Program Director for Trauma & Violent Conflict at Beyond Conflict • Mr. Tom Parker, UNODC Project Coordinator for Counterterrorism Programming in Nigeria • Mr. Ken Reidy, leader of Research and Best Practices Unit with the International Hub on Behavioural Insights to Counter Terrorism <p>Discussion Summary</p> <p>A behavioural insights approach can optimize resiliency and ensure that initiatives to prevent and counter violent extremism (PCVE) are as impactful as possible. Existing PCVE programming often aims to build resilience, however it lacks the tools to do so effectively. A more informed, clearer understanding of resiliency can be achieved if, among other critical factors, local civil society is engaged in behaviourally-informed interventions as well as measurement of their impact. A behavioural insights methodology must be embedded within a human rights framework and within the rule of law. Consideration of gender, along with other critical identity factors, is central when appealing to desired audiences using behavioural insights. It is important to note that collecting personal data is not a necessity for a behavioural insights approach, and it is not within the responsibility of the UNOCT Behavioural Insights Hub.</p> <p>There is a foundational assumption in most PCVE programming – especially those promoting critical thinking – that the problem is entirely one-sided and there is no logic to why individuals have turned to violence as a solution to their grievances in the first place. This leaves Member States in denial about structural drivers underpinning violent extremists’ motives, however it is extremely important to understand why and how people become radicalized to violence. This can lead to insights into where and when effective interventions can be made to uproot the radicalization process. While young people are typically the target for terrorist recruitment, recent trends in developed economies suggest more older people are</p>
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	<p>becoming radicalized to violence, so focusing resources solely on younger people is not recommended. Behaviours that contribute to radicalization leading to violence cannot be considered in isolation but must be connected to the environment that causes such behaviours. Mental health and psychosocial support play an important role in the reintegration of people formerly affiliated with violent extremist groups. Despite increasing focus on this area in global peacebuilding, there are still many unknown factors, challenges and risks associated with its application in PCVE.</p> <p>Two knowledge products will be presented by the UNOCT Behavioural Insights Hub later in 2022: i) Guidance Note on building resiliency in counter-terrorism and PCVE using a behavioural insights approach; and ii) a Code of Conduct. In addition, a training programme – the Behavioural Insights Academy – will soon be launched.</p>
	<p>6: Strengthening Partnerships for Human Rights Compliant and Gender Responsive Counter-Terrorism Efforts</p>
	Organized by Human Rights and Gender Section, UNOCT
	<p>Moderator</p> <ul style="list-style-type: none"> • Ms. Veronic Wright, Chief, Human Rights and Gender Section, UNOCT
17:00 – 18:30	<p>High-level Segment</p> <ul style="list-style-type: none"> • H.E. Mr. Agustín Santos Maraver, Permanent Representative of Spain to the United Nations • H.E. Ms. Wendy Drukier, Ambassador of Canada to Spain and Andorra • Mr. Vladimir Voronkov, Under-Secretary-General for Counter-Terrorism, UNOCT • Ms. Ilze Brands-Kehris, Assistant Secretary-General for Human Rights, OHCHR
	<p>Panellists</p> <ul style="list-style-type: none"> • Mr. Pierre Essomba Tsoungui, Rapporteur, National Expert Group for Human Rights, the Rule of Law, and the Fight against Terrorism, Cameroon • Ms. Mai E'leimat, CEO, Edmaaj for Development and Training Consulting & Member of the Global CSO Coalition on human rights and counter-terrorism • Ms. Azadeh Moaveni, Project Director, Gender and Conflict, International Crisis Group • Mr. Edward J. Flynn, Senior Human Rights Officer, Counter-Terrorism Committee Executive Directorate (CTED)
	<p>Concluding remarks</p> <ul style="list-style-type: none"> • Mr. Raffi Gregorian, Deputy to the Under-Secretary-General and Director, UNOCT

Discussion Summary

Engagement with CSOs on counter-terrorism and preventing and countering violent extremism (PCVE) at global, national and local levels, including women's groups, is crucial and long overdue. When done genuinely and meaningfully, it will help the United Nations and Member States to better understand what drives terrorism and violent extremism and how to address it in practical and effective ways. It will also lead to insights into the negative impact of counter-terrorism measures, including those that are not compliant with human rights obligations of Member States. There needs to be recognition that human rights violations and abuses perpetuated in the context of State counter-terrorism responses are themselves contributing to terrorists' persistence.

Furthermore, gender-informed approaches are key to increasing effectiveness and sustainability of counter-terrorism and PCVE measures. Decisions on the best approach when it comes to human rights and gender equality should be informed by genuine, accountability-minded engagement with broad civil society. There needs to be more investment in prevention, with an inclusive process in which CSOs are involved. The United Nations is crucial in promoting civil society's role as a force multiplier and key partner in counter-terrorism and PCVE efforts.

Effective and productive partnerships cannot be restricted to Government-to-Government relationships. For counter-terrorism and PCVE policies and approaches to be effective and sustainable, both domestic and international efforts are required. They must be civilian-led, evidence-based, gender-sensitive, guided by respect for human rights and the rule of law, and be adapted to the local context in consultation with multiple stakeholders. Beyond establishing new programmes, there needs to be greater respect for the principles behind those new programmes. Counter-terrorism obligations set out by the Security Council and General Assembly must not be misused or exploited with the aim of suppressing civil society and human rights defenders. Counter-terrorism and PCVE programming should also follow the United Nations Guidance Note on the Protection and Promotion of Civic Space. There also needs to be increased use of CTED reports. Furthermore, there needs to be more consistent use of the recommendations of the human rights mechanisms (including treaty bodies, special procedure mechanisms, Universal Periodic Review), especially during engagements with Member States.



2022

CIVIL SOCIETY WORKSHOP OUTCOME DOCUMENT

This outcome document was produced by civil society representatives from 43 countries through a series of consultations, including the Civil Society Workshop on 9 May 2022 co-organized by the Kingdom of Spain and the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

Civil Society Participation

The following organizations participated at various stages of the process to inform the findings and recommendations of the Civil Society Workshop Outcome Document.





Introduction

On 9 May 2022, in advance of the High-Level International Conference on Human Rights, Civil Society, and Counter-Terrorism, the Kingdom of Spain and the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism co-hosted a Civil Society Workshop on Enhancing Civil Society Leadership and the Promotion and Protection of Human Rights in Counter-Terrorism.

The Civil Society Workshop included over 90 civil society organizations in-person and online and was preceded by a month-long series of global and regional virtual consultations with civil society from 43 countries and five continents carried out by Fionnuala Ní Aoláin, UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and the Kingdom of Spain. The document includes over 70 civil society participant logos from organizations that contributed to the findings and recommendations.

The purpose of the Civil Society Workshop was to elevate existing recommendations and joint findings from civil society on the implementation of the UN Global Counter-Terrorism Strategy—including those of the Global Digital Consultations hosted by UN Women [1]—particularly on the meaningful participation of civil society and the promotion and protection of human rights.

Synergizing the field of counter-terrorism with the obligations of States on gender equality and women's rights, specifically, the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) and the United Nations Security Council Women, Peace and Security Agenda (WPS Agenda) remains imperative.

The Civil Society Workshop rooted its discussion in the latest the UN General Assembly resolution 75/291 adopted in July 2021 during the Seventh Review of the United Nations Global Counter-Terrorism Strategy. During this review, civil society, the United Nations, and Member States elevated issues of meaningful civil society participation in all efforts to counter-terrorism, protection from reprisal and other downstream harms, and full human rights and gender mainstreaming, particularly seeking to move away from models of “instrumentalization” and cooption. The Workshop and its lead up activities should serve as an example for how to meaningfully and positively engage diverse civil society, including through elevating their findings, recommendations, and ownership.

This outcome document reflects the discussions, main findings and recommendations presented during the Civil Society Workshop, and those expressed in the consultations held in the lead-up to the Workshop with insights from civil society from 43 countries. A preliminary framing of the issues was presented as a discussion paper, and revised during the Workshop.

This document will be made available as part of the outcome document of the High-Level International Conference on Human Rights, Civil Society and Counter-Terrorism. It will serve as an important advocacy document in the lead up to the Eighth biennial Global Counter-Terrorism Strategy Review in 2023.

FINDINGS


Finding 1

The misuse of counter-terrorism measures to crack down on civil society and repress fundamental rights and freedoms – and complicity therein – is well-documented and must be meaningfully addressed.

The international community has repeatedly expressed concerns about the documented misuse of counter-terrorism measures against civil society organizations (CSOs). In his latest report on terrorism and human rights, the Secretary-General found that “[i]n some countries, [counter-terrorism] laws are routinely misused to label civil society actors, including human rights defenders, as terrorists and to prosecute them for terrorism-related offences, with a view to hindering their human rights work” and that “[r]eprisals against human rights defenders and the stigmatization of civil society actors (see A/HRC/43/70, para. 64) for having engaged with the United Nations are of particular concern, as they are frequently applied through the misuse of counter-terrorism legislation” (A/76/273, para. 22). He also noted that such misuse “may disproportionately affect women’s civil society organisations that often take on the role of peacebuilders and human rights defenders.”[2] In its Seventh Global Counter-Terrorism Strategy Review resolution (Seventh Review), the General Assembly acknowledged “the potential negative impacts when counter-terrorism legislation and other measures are applied contrary to international law ... including by impeding the work [of] and endangering ... civil society.”

The Secretary-General’s findings build on a prior General Assembly resolution in which Member States expressed “grave concern[s] that national security and counter-terrorism legislation and other measures, such as laws regulating civil society organisations, are in some instances misused to target human rights defenders or have hindered their work and endangered their safety in a manner contrary to international law.”[3]

The linkage between counter-terrorism and preventing violent extremism measures and the widespread crackdown on civic space has grown increasingly evident in recent years, with abusive tools—stemming from the events of 11 September, 2001 and the lack of a universal definition of either terrorism or violent extremism—being exported and imported across countries and regions.



“[I]N SOME COUNTRIES, [COUNTER-TERRORISM] LAWS ARE ROUTINELY MISUSED TO LABEL CIVIL SOCIETY ACTORS, INCLUDING HUMAN RIGHTS DEFENDERS, AS TERRORISTS AND TO PROSECUTE THEM FOR TERRORISM-RELATED OFFENCES, WITH A VIEW TO HINDERING THEIR HUMAN RIGHTS WORK.”

– A/HRC/43/70, PARA. 64



As the Special Rapporteur on the promotion and protection of human rights while countering terrorism documented in her 2019 report to the Human Rights Council on closing civic space, 66% of all relevant communications sent to Governments since the mandate's inception in 2005 have related to the misuse of counter-terrorism or broadly defined security-related measures against civil society and human rights defenders, with a discernible uptick in more recent years.[4]

Such misuse includes the overbroad criminalization of the legitimate exercise of fundamental freedoms, like the freedoms of expression and opinion, peaceful assembly and association, and religion or belief, as well as minority and cultural rights.



"WE NEED TO CREATE A NEW NARRATIVE AND THE UNITED NATIONS HAS A VERY IMPORTANT ROLE IN PUSHING THE BASELINE THAT WE HAVE BEEN LIVING ON FOR THE LAST TWENTY YEARS TO A NEW RELATIONSHIP WITH CIVIL SOCIETY – WE NEED PROTECTION FOR THE PEOPLE, PROTECTION FOR THE NGOS AND PROTECTION FOR HUMAN RIGHTS DEFENDERS."

–RAMY SHAATH–
HUMAN RIGHTS DEFENDER

CIVIL SOCIETY WORKSHOP, 9 MAY 2022



States have also increasingly adopted administrative measures under the pretext of counter-terrorism. Such measures include direct and indirect measures that target civil society and range from classification as "foreign agents" and overburdensome non-profit organisation registration and reporting requirements to penalties like involuntary non-profit dissolution and extreme restrictions on movement. Civil society actors and human rights defenders have also been subject to physical, digital, and judicial harassment by States on the basis of countering terrorism and violent extremism—often with corporate actors complicit as well.

Due to the increasingly securitized and instrumentalized approach of States to counter-terrorism and preventing violent extremism measures, including the constriction, regulation and control of the family, women human rights defenders and women's rights organisations are especially disproportionately impacted.

The evidentiary record of counter-terrorism misuse is mounting and warrants immediate attention, mitigation, and prevention.

Finding 2

Counter-terrorism measures may infringe on protected humanitarian action and the full range of civil society actors playing critical roles in conflict, including human rights, development, peacebuilding, and the delivery of essential services. Express humanitarian exemptions and exceptions are required.

The General Assembly also recognized in the Seventh Review the "potential effect of [counter-terrorism financing] measures on exclusively humanitarian activities, including medical activities, that are carried out by impartial humanitarian actors"[5] and urged States to ensure that counter-terrorism measures "do not impede humanitarian and medical activities or engagement with all relevant actors as foreseen by international humanitarian law." [6] The UN Secretary-General has similarly recognized that "[i]n some cases, particularly in armed conflict settings, counter-terrorism measures are adversely affecting principled humanitarian and human rights action." [7] Counter-terrorism measures can contribute to further securitization and politicization of aid, and risk stigmatizing and excluding groups by, among others, gender, religion, race and/or displacement status. [8] Inequalities, poverty, and socio-economic exclusion can drive violence—further underscoring the value of humanitarian actors working in tandem with human rights, development, and peacebuilding actors.

The potential impediment to or delay of protected humanitarian operations due to counter-terrorism measures, particularly targeted sanctions, is well-documented, including by the UN Special Rapporteur on counter-terrorism and human rights, International Committee of the Red Cross (ICRC), Office of the High Commissioner for Human Rights (OHCHR), United Nations Office for the Coordination of Humanitarian Affairs (OCHA), and other civil society and academic institutions. [9]

Documented instances include criminal, civil, and administrative penalties for direct or indirect support to listed individuals and entities, donor conditionality, and bank de-risking. This includes the targeting of individuals or entities providing broader assistance, however far down the supply chain. In response, international and State actors have started to adopt limited case-specific exceptions or exemptions for humanitarian action. [10]

Measures to mitigate the impact of sanctions must not only address the impact on humanitarian action, but further address the impact on the full range of civil society actors playing critical roles in conflict, including in human rights, development, peacebuilding, and the delivery of essential services while also ensuring conflict sensitivity and enabling post-conflict transformation. However, the lack of systematic exemptions still poses serious challenges for humanitarian actors, particularly when it comes to local ownership as smaller organisations may not have the capacity to conduct the requisite due diligence. Challenges also stem from the common presumption that the mere, indirect benefit of armed groups from humanitarian assistance by default equates to tacit support to such groups. Moreover, the patriarchal and colonial nature of humanitarian systems must be acknowledged, and non-discrimination principle carefully applied to ensure counter-terrorism measures contribute to positive humanitarian system changes.

Finding 3

All efforts to promote and protect the rights of victims of terrorism and of counter-terrorism measures must address long-term accountability and the immediate needs of survivors in participatory, inclusive, and equitable processes.

The focus on the human rights of victims of terrorism and survivors and family members goes hand in hand with the rights of victims, survivors, and family members of human rights abuse in counter-terrorism. In the Seventh Review, the General Assembly emphasized the need "to ensure that victims of terrorism are treated with dignity and respect, [and] that their right to access to justice and redress mechanisms, as provided for in applicable domestic law and in accordance with principles of international law, is fully respected."^[11] The General Assembly further "welcome[d]" the ongoing efforts within the UN system, including the Global Congress of Victims of Terrorism convened by the Secretary-General, and encouraged the continued raising of "awareness on victims of terrorism and the promotion and protection of their rights, including in the criminal justice process."^[12]



THE GENERAL ASSEMBLY WELCOMED THE ONGOING EFFORTS WITHIN THE UN SYSTEM, INCLUDING THE GLOBAL CONGRESS OF VICTIMS OF TERRORISM CONVENED BY THE SECRETARY-GENERAL, AND ENCOURAGED THE CONTINUED RAISING OF "AWARENESS ON VICTIMS OF TERRORISM AND THE PROMOTION AND PROTECTION OF THEIR RIGHTS, INCLUDING IN THE CRIMINAL JUSTICE PROCESS."

- A/RES/75/291, PARA. 116



The promotion and protection of the rights of victims and survivors of terrorism and counter-terrorism require a human rights-based approach to terrorist designation procedures and criminal justice proceedings and investments in long-term accountability mechanisms underpinned by robust adherence to the rule of law and the international law requirements of proportionality, necessity, legality, and non-discrimination.^[13]

Only such an approach will render effective and fulsome justice and redress to victims and survivors of terrorism—and at the same time, safeguard against the misapplication of the justice system against individuals subject to counter-terrorism efforts, particularly baseless prosecutions and judicial harassment.

Further, any individual subject to human rights abuse in the context of terrorism, whether stemming from terrorist acts or counter-terrorism efforts, should be granted the requisite access to effective remedy, redress, and holistic, psychosocial, and trauma-informed care, as required under international and human rights law.

Finding 4

Open civic space, effective counter-terrorism, and the advancement of security are complementary and mutually reinforcing objectives.

As recognized by Member States in the Seventh Review of the UN Global Counter-Terrorism Strategy, CSOs play a "vital role . . . in national economies and social systems" and "can play [a role] in working with affected individuals and communities." [14] In particular, civil society actors, especially local, community-based organisations and women's-based organisations may "enhance dialogue and broaden understanding, in promoting pluralism, tolerance and co-existence," a reality that must be addressed to realize the objectives of Our Common Agenda's aim for "more inclusive multilateralism." [15]

However, despite the common invocation of counter-terrorism as a justification for cracking down on civic space, researchers have found no evidence to date to support the proposition that legal restrictions on civil society reduce the threat of terrorism. [16] In fact, independent experts and scholars have repeatedly found that civil society participation and civilian oversight play an invaluable role in strengthening the effectiveness of counter-terrorism efforts. [17]



"IF THE POPULATION OF A COUNTRY DOES NOT SEE ITS REFLECTION IN THE STRATEGIES THAT ARE USED, THAT ARE BEING ADOPTED OR CO-OPTED... [THOSE POLICIES] WILL ULTIMATELY FALTER."

-MARIAM SAFI-

EXECUTIVE DIRECTOR, ORGANIZATION FOR POLICY RESEARCH AND
DEVELOPMENT STUDIES (DROPS), AFGHANISTAN
CIVIL SOCIETY WORKSHOP, 9 MAY 2022



The evidence demonstrates that conflict is one of the strongest predictors of terrorism.[18] Other drivers include human rights violations, social, political, and economic marginalization, and the erosion of the rule of law, among others. A strong, resilient and vibrant civil society helps to build public trust and squarely address the conditions conducive to the rise of terrorism and violent extremism in the first place, including where such terrorism is sponsored by the State itself.

Finding 5

Significant civil society, human rights, gender, and accountability deficits remain within the UN counter-terrorism architecture, including a failure to coordinate UN obligations and efforts in the areas of human rights, gender equality, women's rights, and counter-terrorism.

The 2006 General Assembly resolution adopting the UN Global Counter-Terrorism Strategy "encourage[d] non-governmental organisations and civil society to engage, as appropriate, on how to enhance efforts to implement the Strategy." The resolution also called for "support" to the Human Rights Council, the "strengthening of the operational capacity of the Office of the United Nations High Commissioner for Human Rights," and the "role of the Special Rapporteur" on the promotion and protection of human rights while countering terrorism. [19]

In the Seventh Review, the General Assembly further recognized "that civil society actors should be further enabled to contribute to the goals of the Strategy, and in this regard not[ed] the Secretary-General's guidance to the United Nations system" (citing the UN Guidance Note on the Promotion and Protection of Civic Space); and encouraged Global Counter-Terrorism Coordination Compact entities to "support the role of civil society actors in the design, implementation, and monitoring of the Strategy." [20]

Despite these provisions, significant challenges remain for meaningfully and regularly engaging with CSOs, integrating a coordinated, one-UN approach, and mainstreaming human rights and gender within the UN counter-terrorism architecture and more broadly in national, regional and global security fora. Independent experts and CSOs have expressed concerns regarding the inadequate, ad hoc, and opaque nature of UN counter-terrorism entities' engagement with CSOs to date. [21]

Even when civil society actors are engaged, their presence is often instrumentalized, their recommendations not taken into account or reflected in statements or actions taken among decision makers and there remains a lack of accountability on the methods for reporting back to civil society how their expertise was meaningfully engaged.

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"PARTICIPATION COMES AT A COST TO CIVIL SOCIETY. FOR ADVOCATES LIKE ME THAT COME FROM COUNTRIES DESIGNATED AS "THIRD COUNTRIES," THE COST OF PARTICIPATION IS EVEN HIGHER."

– VICTORIA IBEZIM OHAERI –
EXECUTIVE DIRECTOR
SPACES FOR CHANGE (NIGERIA)

HIGH-LEVEL INTERNATIONAL CONFERENCE
ON HUMAN RIGHTS, CIVIL SOCIETY, AND
COUNTER-TERRORISM | 10 MAY 2022

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They have also observed human rights and rule of law deficits in UN counter-terrorism programming and policies, particularly in the absence of any independent monitoring and evaluation or oversight.[22] The United Nations has continued to find, as noted in the introduction, that peacebuilders, civil society actors, human rights defenders and others who belong to marginalized groups (women, youth, ethnic and religious minorities, and others) are disproportionately impacted by these deficits.



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- A/HRC/43/70, PARA. 64



Recommendations

The following recommendations align with existing recommendations produced by the United Nations and civil society and in the context of the next Eighth Review of the Global Counter-Terrorism Strategy present key opportunities to advance human rights, gender equality, and civic space issues within the United Nations counter-terrorism architecture. The recommendations are informed by the Civil Society Workshop and preceding consultations organized by the Special Rapporteur with civil society from 43 countries, the Outcome of the Global Digital Consultation: Voices and perspectives of civil society on the gendered dimensions of violent extremism and counter-terrorism responses, the Secretary-General's Call to Action on Human Rights, the Sustainable Development Goals imperative to leave no one behind, and the United Nations Guidance Note on the Protection and Promotion of Civic Space.

Recommendations to the United Nations Secretary-General



01. Facilitate

a process for the next Secretary-General's report that robustly engages civil society, including through dialogue with the Executive Office of the Secretary-General (EOSG) to meaningfully address the issues of monitoring and evaluation, human rights due diligence, budget, independent oversight, UN coordination and coherence, and increased integration of human rights norms and recommendations within UN counter-terrorism, as outlined in A/RES/75/291. Such a practice would follow the leadership and practice of the co-Chairs of the Seventh biennial review by encouraging and supporting similar inclusion and meaningful participation of civil society in advance of the forthcoming Eighth biennial Global Counter-Terrorism Strategy Review.



02. Establish

a standing committee for the biennial Secretary-General's report, which accounts for meaningful civil society engagement in the process. Following UN Women's model for the annual report on women, peace and security, the EOSG and UN Office of Counter-Terrorism (UNOCT) should establish a standing committee of United Nations entities and include early and transparent consultation and integration of inputs received throughout the processes for drafting and revision. Such processes should meaningfully include diverse and representative civil society participation and contribution at each stage, including through formal decision-making spaces, formal acknowledgement of their leadership role, incorporation of their recommendations in the eventual outcome, subsequent reporting thereof to civil society and affected communities, and fulsome engagement in monitoring, evaluation, and accountability mechanisms.

Recommendations to the United Nations Secretary-General



03. Implement

the existing commitment to allocate a minimum of 15 per cent of all UN managed funds on counter-terrorism to human rights and gender equality. Commitments to mainstreaming gender and human rights throughout peace and security within the United Nations should fully apply in the counter-terrorism context. In addition, support should be allocated from existing discretionary funds to the Global Compact Working Group on Human Rights, Rule of Law and Victims of Terrorism and the Working Group on Gender to undertake this planned process (S/2019/800, para. 73).

RECOMMENDATIONS TO THE UNITED NATIONS OFFICE OF COUNTER-TERRORISM, INCLUDING AS SECRETARIAT TO THE UNITED NATIONS GLOBAL COUNTER-TERRORISM COORDINATION COMPACT



01. Adopt

a revised Civil Society Engagement Strategy within the next year and in advance of the next Strategy Review that includes civil society in the development process. The entire Strategy should be made public and should demonstrate compliance with and next steps towards implementation of the United Nations Guidance Note on Protection and Promotion of Civic Space. The United Nations existing Guidance Note exemplifies good practice in promoting and protecting civic space and safeguarding the rights of civil society members. It should serve as the baseline for all United Nations Global Compact entities and their work with civil society. This strategy should include commitments to follow the example set by the civil society workshop to elevate civil society findings, prioritize civil society leadership and translate civil society recommendations into tangible policy oriented objectives within the UN system.



02. Standardize

a set of required implementation measures for human rights due diligence and other UN normative standards. Ensure the full application of the United Nations Human Rights Due Diligence Policy by creating standard procedures for programme and project inception and programme monitoring and evaluation over the full life span of a programme or project within the United Nations Global Counter-Terrorism Coordination Compact and member entities. Such programmes may include capacity-building and technology transfers involving cyber surveillance technologies, drones, weapons, and new technologies.

Recommendations to the United Nations Office of Counter-Terrorism, including in its role as secretariat to the United Nations Global Counter-Terrorism Coordination Compact



03. Initiate

in full partnership with civil society, transformative approaches to civil society engagement including listening to and addressing the evidence produced by civil society engagement and creating concrete methods to report back to civil society on key milestones or benchmarks reached towards shared objectives and progress on recommendations made. The United Nations must hold itself to greater levels of accountability to civil society, many of whom assume great risk, including threats of reprisal, to share their expertise and recommendations. Models for meaningful participation of civil society in counter-terrorism exist within the United Nations, such as those included in the UN Guidance Note or as modeled by the UN Secretary-General's report on women, peace and security (S/2017/861) and UN Women's work in this area.

Recommendations to Member States of the United Nations

In advance of the Eighth Global Counter-Terrorism Strategy Review in 2023, Member States should advocate for the following recommendations, engaging with the Special Rapporteur and this group of civil society organisations through key exercises in 2022 and 2023. Member States should:



01. Establish

an adequately resourced and appropriately mandated independent internal oversight mechanism of the United Nations counter-terrorism architecture and call upon the United Nations Secretary-General to meaningfully address this issue and set forth concrete recommendations in his forthcoming 2023 report to the General Assembly as mandated by A/RES/75/291.



02. Strengthen

domestic legal and policy frameworks that promote and protect fundamental freedoms and human rights in the counter-terrorism context, including freedom of expression, peaceful assembly and association, religion and belief, rights to privacy, and due process in accordance with international law—including pursuant to customary international law and treaty law.

Recommendations to Member States of the United Nations



03. Increase

significantly the direct financial commitments to independent national level civil society organisations to carry out dedicated human rights, civic space, and gender equality programming in counter-terrorism, violence prevention, and beyond. Civil society should not be relegated to the role of the United Nations' implementing partners and Member States should increase direct funding to civil society organisations to work on identified peace and security priorities as locally-defined, including in contexts affected by terrorism and misuse of counter-terrorism measures. Increased financial support on gender equality should also be channeled directly to civil society organizations in line with the institutional changes and investments made across the system, such as the Women's Peace and Humanitarian Fund.



04. Strengthen

the roles of entities mandated to lead the UN system on human rights and gender equality and women's empowerment through increased financial support, specifically the Office of the United Nations High Commissioner for Human Rights, UN Women, and the UN Special Rapporteur on the promotion and protection of human rights while countering terrorism.



05. Meaningfully engage

independent, diverse, and representative civil society and affected communities as partners at the national level in the design, development, implementation and evaluation of counter-terrorism measures, including the criminalization of terrorism, terrorist financing, and violent extremism offenses and preventative administrative measures, in line with the principles of do no harm and the right to take part in public affairs. Such meaningful and inclusive participation requires the provision of flexible funding for civil society-led initiatives, inclusion in formal decision-making spaces, formal acknowledgement of their leadership role, incorporation of their recommendations in the eventual outcome and subsequent reporting thereof to civil society and affected communities, and fulsome engagement in monitoring, evaluation, and accountability mechanisms. Member States and the United Nations should learn from existing guidance, including from UN Women on what constitutes meaningful participation. The standard set for civil society engagement by the last Global Counter-Terrorism Strategy Review, co-facilitated by Spain and Oman, should be implemented as standard practice, along with the model set by the Civil Society Workshop.

Recommendations to Member States of the United Nations



06. Implement

the recommendations of civil society and independent women and women-led civil society organisations through the Global Digital Consultation, specifically addressing the realization of the rights of women under CEDAW, promoting and protecting women human rights defenders, and supporting their work through flexible and long-term resources. Member States must align their commitments and obligations on women's human rights and the women, peace and security agenda with their actions in countering terrorism and preventing and countering violent extremism conducive to terrorism.



07. Ensure

that counter-terrorism measures comply with the international requirements of legality, proportionality, necessity, and non-discrimination and do not negatively affect civil society, including by only implementing counter-terrorism measures necessary for and narrowly tailored to an empirically and inclusively identified risk and instituting independent, civilian oversight mechanisms to remedy human rights violations resulting from measures adopted in the name of countering terrorism, violent extremism, and threats to national security.



08. Unambiguously exempt

humanitarian action from measures criminalizing terrorism support. Efforts to limit the negative effect of counter-terrorism measures, including sanctions, should also extend to the full range of civil society actors playing critical roles in conflict, including human rights, development, peacebuilding, and the delivery of essential services. Work collaboratively with all entities funding and/or delivering humanitarian assistance, as well as banks and private sector actors, to ensure that counter-terrorism measures do not unlawfully stigmatize or restrict the legitimate, protected activities of women-led and women's rights organisations, refugee/displacement-lead networks, rural communities and other groups often excluded from security policy spaces.

Acknowledgements

This outcome document was produced by civil society from 43 countries through a series of consultations, including the Civil Society Workshop on 9 May 2022 co-organized by the Kingdom of Spain and the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. The preparation of the Outcome Document was led by the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

The Civil Society Workshop was made possible through the generous contribution of the Kingdom of Spain and its Permanent Mission to the United Nations in New York.

The United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism is dedicated to providing support, technical assistance, and expertise to States, UN entities, civil society, and other relevant stakeholders. The mandate was established in recognition that as incidents of terrorism continue, the misuse of legislation and policies to combat terrorism have grown with an adverse impact human rights and fundamental freedoms.

The mandate was established to:

- Promote and ensure the protection of human rights and fundamental freedoms by recommending rights-compliant counter-terrorism legislation and policies;
- Offer support, technical assistance, and expertise to States, UN entities, civil society and other relevant stakeholders; and
- Be responsive to the shifting landscape of counter-terrorism and anticipating long-term needs and strategies.

Since 1 August 2017, Fionnuala Ní Aoláin has been the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

Endnotes

- [1] The consultations were hosted on behalf of the Gender Working Group of the United Nations Global Counter-Terrorism Coordination Compact, organized the global digital consultation on "Voices and perspectives of civil society on the gendered dimensions of violent extremism and counterterrorism responses", from 25 May to 5 July 2020.
- [2] A/RES/75/291, p. 4.
- [3] A/RES/74/247 (2020), preambular text.
- [4] A/HRC/40/52, para. 4.
- [5] A/RES/72/284, para. 60.
- [6] A/RES/72/284, para. 109.
- [7] A/74/677, para. 36.
- [8] UN Deputy Secretary-General's remarks to the Security Council on behalf of the Secretary-General on the protection of civilians and the preservation of humanitarian space, 16 July 2021.
- [9] See, e.g., UN Special Rapporteur, 2021 Position Paper on the Impact of Counter-Terrorism Targeted Sanctions on Human Rights; ICRC, "ICRC calls on States to ensure counter terrorism measures do not negatively impact humanitarian action," UNGA 76th Session, Sixth Committee Plenary Meeting on Measures to Eliminate International Terrorism, 8 October 2021; Emanuela – Chiara Gillard, IHL and the humanitarian impact of counterterrorism measures and sanctions, 3 September 2021, Chatham House Research Paper; Interaction, Detrimental Impacts: How Counter-Terror Measures Impede Humanitarian Action, April 2021.
- [10] See Emanuela – Chiara Gillard, IHL and the humanitarian impact of counterterrorism measures and sanctions, 3 September 2021, Chatham House Research Paper.
- [11] A/RES/75/291, p. 7.
- [12] A/RES/75/291, para. 116.
- [13] A/HRC/20/14.
- [14] A/RES/75/291, p. 17, para. 59; id., pp. 14–15, paras. 44, 47.
- [15] <https://www.un.org/en/un75/common-agenda>.
- [16] See A/HRC/40/52, para. 10 (citing Jeong-Woo Koo and Amanda Murdie, "Liberty or security: do civil society restrictions limit terrorism?", Center for Strategic and International Studies blog post, 4 June 2018).
- [17] See id.; see also Statement by Maina Kiai, United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, Financial Action Task Force Consultation and Dialogue Meeting with Non-Profit Organisations, 18 April 2016.
- [18] Global Terrorism Index 2022 report, pp. 33–34.
- [19] A/RES/60/288, p. 9, paras. 7–8.
- [20] A/RES/75/291, p. 4; id., p. 9, para. 10; see also Secretary-General 2020 Call to Action for Human Rights and UN Guidance Note on the Promotion and Protection of Civic Space.
- [21] Special Rapporteur, A/76/261, paras. 39–42; A/HRC/34/61, para. 63; IPI, Engagement with Civil Society: The Missing Piece in UN Counterterrorism Efforts, 23 June 2021; Global Center, A Blueprint for Civil Society-Led Engagement in UN Counterterrorism and P/CVE Efforts, March 2022.
- [22] A/76/261, Sec. V.