



UNITED NATIONS SECURITY COUNCIL COUNTER-TERRORISM COMMITTEE EXECUTIVE DIRECTORATE (CTED)

HUMAN RIGHTS

Terrorism poses a serious threat, not only to international peace and security, but also to the enjoyment of human rights and social and economic development. Member States must take steps to effectively counter and prevent terrorism, as part of their obligation under international human rights law to protect the rights to life and personal security of their populations.



At the same time, beginning with its adoption of resolution 1456 (2003), the Security Council has consistently and repeatedly affirmed that States must ensure that any measures taken to counter terrorism

SECURITY COUNCIL RESOLUTIONS THAT UNDERScore THE IMPORTANCE OF HUMAN RIGHTS IN COUNTERING TERRORISM:

- [UNSCR 1456 \(2003\)](#)
- [UNSCR 1624 \(2005\)](#)
- [UNSCR 1805 \(2008\)](#)
- [UNSCR 2129 \(2013\)](#)
- [UNSCR 2178 \(2014\)](#)
- [UNSCR 2395 \(2017\)](#)
- [UNSCR 2396 \(2017\)](#)

comply with all their obligations under international law, in particular international human rights law, international refugee law, and international humanitarian law. More recently, the Council has underscored that effective counter-terrorism measures and respect for human rights, fundamental freedoms, and the rule of law are complementary and mutually reinforcing, and constitute an essential part of successful counter-terrorism efforts. In its resolution [2178 \(2014\)](#), the Council stated that failure to comply with these and other international obligations, including under the Charter of the United Nations, fosters a sense of impunity and is one of the factors contributing to increased radicalization. In its resolutions [2178 \(2014\)](#) and [2396 \(2017\)](#), the Security Council calls upon States to stem the flow of foreign terrorist fighters (FTFs) and to respond to the evolving threat posed by FTFs, particularly returnees, relocators, and their families, with full respect for human rights and fundamental freedoms. The latter resolution identifies an array of measures to be taken by States, and for these to be tailored and take gender and age sensitive factors into account. The resolution also emphasizes that women and children associated with FTFs require special focus, as they may have served in different roles and may be victims of terrorism, and for children to be treated in a manner that observes their rights and respects their dignity, in accordance with applicable international law.

Security Council resolution [1624 \(2005\)](#) calls upon States to prohibit and prevent incitement to commit a terrorist act. This resolution also stresses that States must ensure that any measures they take to implement the resolution comply with all their obligations under international law, thus recognizing the particular relevance of human rights to action against incitement. The preamble of resolution 1624 (2005) highlights, among

other factors, the relevance of the right to freedom of expression to lawful counter-incitement measures.

The Security Council Counter-Terrorism Committee (CTC) and its Executive Directorate (CTED) routinely refer to relevant human rights issues in all their activities, including country visits and assessments, thematic meetings, technical assistance recommendations, and other interactions with Member States, in line with the human rights policy guidance adopted by the Committee in 2006. CTED liaises closely with the Office of the United Nations High Commissioner for Human Rights (OHCHR) in matters related to counter-terrorism I. CTED is also an active member of the Global Compact's Working Group on Promoting and Protecting Human Rights and the Rule of Law While Countering Terrorism and Supporting Victims of Terrorism.

CTED facilitates strengthened engagement with civil society actors, in accordance with the relevant Security Council resolutions and the Committee's guidance, in a manner that respects human rights. The Council has increasingly recognized the role that local communities and non-governmental actors can play in countering violent extremism and addressing the phenomenon of foreign terrorist fighters, including the rehabilitation and reintegration of FTFs. Resolution 2178 (2014) encourages States to engage with civil society actors, including by empowering youth, families, women, religious, cultural, and education leaders, as well as all other concerned groups of civil society. The [Madrid Guiding Principles](#), which were adopted by the Committee in 2015, state that engagement between Government and non-governmental actors should be founded on trust and respect. With respect to civil society and human rights defenders, these principles also stress the importance of safeguarding the ability of non-governmental actors to operate in a secure environment and in full respect for human rights and fundamental freedoms, including the rights to freedom of thought, conscience and religion, expression, peaceful assembly, and association. In terms of victims of terrorism, the Council encourages CTED, in close co-operation with the United Nations Office of Counter-Terrorism (UNOCT), to take into account the important roles victims and their families and networks can play, including through the credibility of their voices, in countering terrorism.

In its [Global Surveys of the implementation of resolutions 1373 \(2001\)](#) and [1624 \(2005\)](#) by Member States, CTED drew attention to a range of human rights issues relevant to the implementation of the resolutions. For example, CTED observed situations in several States, in various regions, in which terrorism charges or administrative designations had been framed in vague terms, allowing for their misuse against legitimate conduct, such as the expression of political dissent or human rights advocacy. CTED noted that compliance with international standards of due process and fair treatment, notably wherever counter-terrorism measures were applied preventively, remained an area of concern. CTED also encouraged States to put in place independent oversight mechanisms to monitor the activities of law enforcement and intelligence bodies, and to ensure accountability in cases of violations. CTED has also explored potential concerns arising when countering incitement to terrorism, including with regard to the rights to freedom of expression and opinion; freedom of religion and belief; fair, equal and transparent treatment in criminal proceedings; the right to privacy; and the right to freedom from discrimination. In taking relevant actions, CTED recommended that States proceed cautiously, based on clearly and narrowly defined incitement offences.

The protection of human rights is not only a matter of legal obligations of States in countering terrorism, but is also crucial in addressing the conditions conducive to the spread of terrorism. Human rights are essential to ensuring that counter-terrorism measures are effective. In its resolution [2395 \(2017\)](#), the Security Council encourages CTED "to further develop its activities to ensure that all human rights and rule of law issues relevant to the implementation of resolutions [1373 \(2001\)](#), 1624 (2005), 2178 (2014), and other relevant resolutions are addressed as an important component of CTED's country visits, assessments, analysis of emerging issues, trends, and developments, and facilitation of technical assistance".