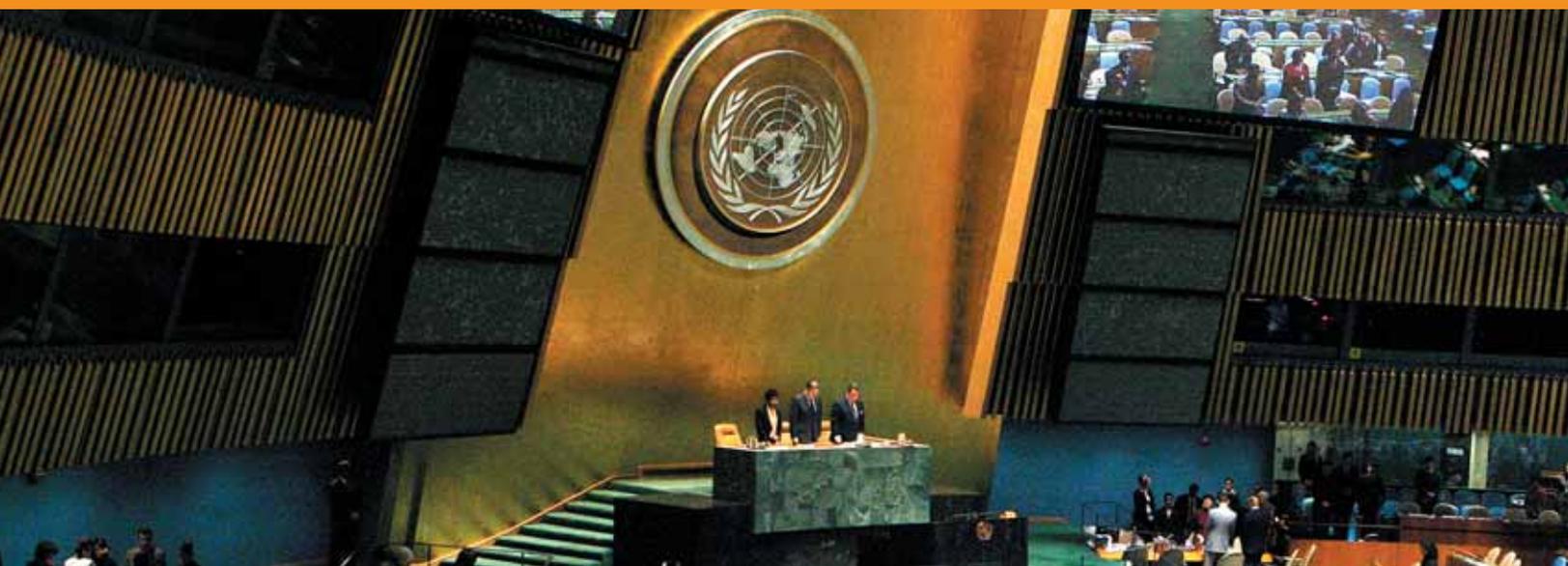




# Civil Society and the UN Global Counter-Terrorism Strategy: Opportunities and Challenges

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## Acronyms

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<b>BOND</b>	British Overseas NGOs for Development
<b>CSO</b>	Civil Society Organization
<b>CTC</b>	Counter-Terrorism Committee (UN Security Council)
<b>CTED</b>	Counter-Terrorism Executive Directorate (UN Security Council)
<b>CTM</b>	Counterterrorism Measures
<b>G8</b>	Group of Eight
<b>ICPAT</b>	IGAD Capacity Building Program against Terrorism
<b>IGAD</b>	Intergovernmental Authority on Development
<b>ILAC</b>	International Legal Assistance Consortium
<b>INTRAC</b>	International NGO Training and Research Centre
<b>ISS</b>	Institute for Security Studies
<b>MDGs</b>	Millennium Development Goals
<b>NGO</b>	Nongovernmental Organization
<b>ODA</b>	Official Development Assistance
<b>ODIHR</b>	Office for Democratic Institutions and Human Rights (OSCE)
<b>OECD</b>	Organization for Economic Co-operation and Development
<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>TPB</b>	Terrorism Prevention Branch (UNODC)
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Programme
<b>UNODA</b>	United Nations Office for Disarmament Affairs
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>U.S.</b>	United States of America
<b>WMD</b>	Weapons of Mass Destruction

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## Executive Summary

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Since 11 September 2001, terrorism and the reaction to it by many governments and intergovernmental bodies, including the United Nations, have had an increasing impact on civil society. For their part, nongovernmental and other civil society organizations (CSOs)<sup>1</sup> have played a critical role in encouraging governments and the United Nations to calibrate their response to terrorism by working to be effective against those who mean harm without eroding human rights and the rule of law. In 2006, with that challenge in mind, the United Nations General Assembly unanimously agreed to a global strategy that outlines a holistic approach to countering terrorism and calls for the collective effort of an array of stakeholders, including civil society, to implement it.

CSOs can help to give voice to marginalized and vulnerable peoples, including victims of terrorism, and provide a constructive outlet for the redress of grievances. They have important roles to play in activism, education, research, oversight, and even as potential assistance and service providers. They can also play a critical role in ensuring that counterterrorism measures (CTMs) respect human rights and the rule of law, and help generate awareness of a range of other Strategy-related issues.

CSOs are undertaking an array of activities that both directly and indirectly contribute to implementation of the UN Global Counter-Terrorism Strategy (UN Strategy), but often with little or no acknowledgement that those efforts contribute to implementation of the Strategy or even combating terrorism generally. It is not necessary to corral those efforts under the banner of counterterrorism but simply to recognize that a diversity of activity helps contribute to that long term goal.

Implementation of the UN Strategy will require popular support, which can only be built and sustained with the support and cooperation of civil society. However, the increasing tensions between states and civil society since 2001, with the former tending to view the latter with suspicion rather than as independent partners in a cooperative effort to combat terrorism, have complicated attempts to find ways to deepen the engagement among states, the UN system, and civil society in this effort. States are increasingly viewing CSOs as undefined risks and are thus reluctant to seek partnerships with them. As a result, CSOs are becoming more cautious about associating with governments to avoid undermining their own legitimacy among their constituencies and other vital partners. The adoption of the Strategy, with its explicit acknowledgement that civil society can contribute to its implementation, however, offers an opportunity to find ways to ease these tensions.

After discussing the political significance of the Strategy, this report provides a survey of the work of CSOs as it relates to the Strategy's four pillars: 1) measures to address the conditions conducive to the spread of terrorism; 2) measures to prevent and combat terrorism; 3) measures to build states' capacity to prevent and combat terrorism;

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<sup>1</sup> For the purposes of this report, the following definition of civil society, which has been used by the UN Secretary General's High-Level Panel on United Nations–Civil Society Relations, is useful. It includes associations of citizens (outside their families, friends, and businesses) entered into voluntarily to advance their interests, ideas, and ideologies and organizations such as professional associations, social movements, indigenous people's organizations, religious and spiritual organizations, academe, and public benefit nongovernmental organizations. The term does not include profit-making activity (the private sector) or governance (the public sector). "We the Peoples: Civil Society, the United Nations and Global Governance: Report of the Panel of Eminent Persons on United Nations–Civil Society Relations," New York, United Nations, 7 June 2004, <http://www.un-ngls.org/Final%20report%20-%20HLP.doc>.

and 4) measures to ensure respect for human rights and the rule of law as the fundamental basis of the fight against terrorism. In this context the report will explore the role that CSOs can play in implementation across all four pillars and how to define more clearly (and perhaps expand) that role, while avoiding any pretense of instrumentalizing CSOs. Appended to the report is a short mapping of some of the CSOs carrying out work in different regions that relates, often indirectly, to the implementation of the Strategy. In addition, the report discusses the negative impact that certain CTMs adopted by some states have had on CSOs and explores possible ways to mitigate this impact going forward. Further, the report addresses the limited efforts made so far by the United Nations to engage with CSOs on the Strategy (or on counterterrorism more broadly) and the few attempts made by CSOs to proactively interact with the United Nations on these issues. Throughout, the report identifies the challenges to deeper engagement between CSOs and the UN system in the context of the Strategy and how to overcome them, as well as the benefits that might accrue to CSOs as a result of their more active support for implementation of the Strategy. The report concludes with a series of recommendations, many of which are discussed and expanded on in the report itself, focused on concrete steps that the UN system, states, and CSOs should take, alone or in partnership with each other, to address these challenges.

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### **Summary of Key Recommendations**

- Raise awareness of the UN Strategy among CSOs around the world.
- Governments and the United Nations need to gain a better understanding of the diversity of ways in which CSOs can contribute to the implementation of the Strategy.
- The counterterrorism label should not unnecessarily be placed on the ongoing work of CSOs that is contributing to the implementation of the Strategy.
- More efforts are needed to address the tension between governments and CSOs in the context of fighting terrorism, starting with the recognition by governments of the important role civil society plays in supporting both security and good governance.
- States need to provide CSOs with sufficient space to allow them to help build local support for the UN Strategy.
- Governments and the United Nations need to pay more attention to the impact of counterterrorism measures on CSOs.
- Both the United Nations and CSOs need to take steps to stimulate more interaction between them. For example, a) the secretary-general should create a CSO advisory committee to provide input to the UN Counter-Terrorism Implementation Task Force on Strategy issues; b) UN agencies and bodies need to proactively reach out to civil society groups; and c) CSOs should map the various entry points for engagement with the United Nations and determine where certain groups may have a comparative advantage and/or particular interest in engagement and could take the lead.

- CSOs should a) establish local civil society networks on Strategy implementation; b) develop an on-line directory of Strategy-relevant CSO activity; c) convene a wide range of government and nongovernment stakeholders to develop Strategy implementation plans; and d) seek to engage more with the UN system on Strategy issues.
- More attention should be paid to building the capacities of civil society and empowering it in the context of efforts to support implementation of the Strategy.
- Governments should outsource technical assistance and other capacity-building work to CSOs more regularly.
- Counterterrorism capacity-building initiatives should be carried out wherever possible within the more politically palatable rule of law framework.
- Coordination and collaboration among capacity-building providers, including the United Nations and CSOs, should be improved.
- The Strategy should be used as a hook for human rights and security-focused CSOs to join together to develop and promote human rights-compliant counterterrorism policies.



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## I. The UN Global Counter-Terrorism Strategy

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The UN Strategy should be welcomed as a breakthrough on several fronts. For example, it broadened support for the UN counterterrorism program to include the entire UN membership, thus shifting the focus from the Security Council, which had dominated the UN program since 2001. In addition, for the first time the United Nations' global membership has agreed that long term efforts to address conditions conducive to the spread of terrorism are an essential part of an effective and comprehensive strategy to combat and prevent terrorism, thus moving beyond the Council's emphasis on law enforcement and other security measures. The Strategy is also clear about the imperative for respecting human rights and promoting the rule of law across every element of the document and throughout its implementation. Further, it acknowledges the wide range of stakeholders, beyond states, that have a role to play in its implementation and is the first UN document on counterterrorism to include a role for CSOs.

Part of the Strategy's significance lies in the fact that it is an "instrument of consensus" on an issue where unanimous consent has been difficult to achieve within the United Nations General Assembly. Although it does not add anything not already contained in pre-existing UN counterterrorism resolutions, norms, and measures, the Strategy pulls them together into a single, coherent, and universally adopted framework. Contributions from a wide range of stakeholders, including not only member states and the relevant parts of the UN system, but also civil society, will be needed to implement that framework.

For decades CSOs have been recognized by the United Nations for having an indispensable role to play in furthering the objectives of the UN Charter. As the Chair of the UN Secretary General's Panel of Eminent Persons on United Nations–Civil Society Relations noted, CSOs are "the prime movers of some of the most innovative initiatives to deal with emerging global threats."<sup>2</sup>

The UN Strategy specifically encourages "non-governmental organizations and civil society to engage, as appropriate, on how to enhance efforts to implement the Strategy." A September 2008 General Assembly resolution on the occasion of the first formal review of strategy implementation efforts is expected to go slightly further and specifically encourage them to "engage, as appropriate, on how to enhance efforts to implement the Strategy, including through interaction with member states and the UN System."<sup>4</sup> The inclusion of the clause "as appropriate," however, leaves it to states to determine the role (if any) to be given to civil society organizations, thus reflecting the range of views on CSOs among the UN membership. This diversity was reflected during the September 2008 negotiations, where a number of countries objected to the inclusion of the proposed language encouraging more CSO engagement.

Despite this ambiguity in the Strategy itself, as will be discussed in greater detail below, CSOs can play important roles in promoting implementation of a number of its discrete elements. The Strategy has been hailed as a "living document" that will evolve over time. CSOs, with their long-term presence in the field and often deep

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<sup>2</sup> Ibid.

<sup>3</sup> United Nations General Assembly, *United Nations General Assembly Resolution 60/288, A/RES/60/288*, New York, 8 September 2006, para. 3(e).

<sup>4</sup> "Letter to all Permanent Missions and Permanent Observer Missions to the United Nations transmitting the draft resolution on the United Nations Global Counter-Terrorism Strategy," 18 August 2008, <http://www.un.org/ga/president/62/letters/CTS180808.pdf>.

understanding of the local context in which the Strategy needs to be implemented, can play an important role in ensuring that implementation keeps pace with the changing realities on the ground. For any comprehensive counterterrorism strategy to be effective, civil society needs to be part of its development and implementation, as broad-based engagement between the state and CSOs can help serve as a medium for addressing concerns between the state and the public in the context of specific counterterrorism actions.

Two prerequisites to increasing the involvement of NGOs and other CSOs in efforts to promote UN Strategy implementation, however, are raising awareness of it among CSOs and more clearly identifying how the UN Strategy is relevant to their concerns and interests, while providing reassurance that supporting implementation will not just further narrow government interests. So far, neither of these has been satisfied.

Awareness of the Strategy among CSOs remains low, with informal surveys by some CSOs indicating that only a small percentage of stakeholders with whom they are interacting report having any previous knowledge of the Strategy. Efforts to spread the word should come from many directions: the United Nations, member states, regional or subregional bodies, and CSOs themselves. At the level of the United Nations, as will be elaborated on in Section VI, largely due to a lack of resources, the UN Counter-Terrorism Implementation Task Force (Task Force)<sup>5</sup> has yet to seek ways to involve CSOs in its work or develop an outreach plan, but it needs to do so. Further, the traditional UN counterterrorism actors within the United Nations, for example the Security Council's Counter-Terrorism Committee (CTC), its Executive Directorate (CTED), and the UN Office on Drugs and Crime's (UNODC) Terrorism Prevention Branch (TPB) have generally not sought to engage with CSOs in their work. This attitude likely reflects the state-centric view of counterterrorism that has tended to dominate UN policymaking over the years and is not surprising, given the ambivalence of some member states and parts of the United Nations toward civil society, particularly when dealing with what are often sensitive national security issues. In addition, targeting civil society is challenging, particularly in a framework as broad as the Strategy, not least because civil society represents a multiplicity of actors with often divergent concerns and interests and includes many elements that will be reluctant to reciprocate.

The crucial message that articulates what the Strategy offers CSOs in return for their engagement has not been developed or disseminated either by the United Nations or its member states. Although such a message will need to be tailored to take into account the interests and concerns of the particular group of CSOs being targeted, there are some benefits that may have broad applicability. For example, the Strategy may offer CSOs new networking opportunities with other CSOs, intergovernmental bodies, and states on the range of issues that are now linked in the framework of the Strategy. In addition, the Strategy's explicit reference to the role of civil society may lend an

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<sup>5</sup>The 24 different entities represented on the UN Counter-Terrorism Implementation Task Force are: the Counter-Terrorism Committee's Counter-Terrorism Executive Directorate, the Department for Disarmament Affairs, the Department of Peacekeeping Operations, the Department of Political Affairs, the Department of Public Information, the Department for Safety and Security, the Expert Staff of the 1540 Committee, the International Atomic Energy Agency, the International Civil Aviation Organization, the International Maritime Organization, the International Monetary Fund, the International Criminal Police Organization, the Monitoring Team of the 1267 Committee, the Office of the High Commissioner of Human Rights, the Office of Legal Affairs, the Organization for the Prohibition of Chemical Weapons, the Special Rapporteur on the promotion and protection of human rights while countering terrorism, the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization, the United Nations Interregional Crime and Justice Research Institute, the United Nations Office on Drugs and Crime, the World Customs Organization, the World Bank, and the World Health Organization.

added degree of legitimacy to CSOs, which have previously been treated by some governments as subversive for working on terrorism and counterterrorism issues. Further, the Strategy, by enabling CSOs to link their existing work with counterterrorism and the larger pools of funds often connected with it, may open up new resource flows for CSOs from donors, including governments. Moreover, the adoption of the Strategy may make it easier for CSOs to have access to and a dialogue with the “harder edges” of the national security apparatus. Finally, and perhaps most significantly, the UN Strategy, with its holistic, human rights-based approach, offers a counter-narrative to less inclusive approaches, such as the U.S.-led “war on terror,” which could help bring coherence and balance to national and UN counterterrorism efforts and create more space for civil society to operate.

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## II. Measures to address the conditions conducive to the spread of terrorism

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NGOs and other CSOs around the world have been actively engaged in long-term efforts to address the conditions conducive to the spread of terrorism well before the Strategy labeled those efforts as such. For example, CSOs have been working to support sustainable development, realize the Millennium Development Goals (MDGs), provide humanitarian relief, empower marginalized communities, promote dialogue, protect human rights, improve governance, expand political participation, empower women, and prevent and resolve violent conflict. They are working to give voice to marginalized and vulnerable groups and provide a constructive outlet for the redress of grievances.<sup>6</sup> In many instances, CSOs have access to and have engaged with groups that states have little contact with or limited influence over. More broadly, CSOs can serve as a stabilizing force in communities when governments are temporary, changing every few years, or even completely absent.

CSOs are helping to build networks of moderate Muslim leaders by working with religious, education, government, and media leaders on projects aimed at promoting a pluralistic, tolerant Islam. For example, one CSO is working with a major Indonesian popular music star to create an album promoting Islam as a religion of peace. This work is an important contribution to efforts to counter distortions of Islam being propagated by terrorists and discredit the notion that Islam or any other religion justifies terrorism.<sup>7</sup> Yet some cite language in the UN Strategy stating that terrorism should not be associated with any religion to discourage CSOs from working on such issues.<sup>8</sup> The United Nations, member states, and CSOs need to acknowledge and discredit such “connections” between religion and terrorism, rather than pretending they do not exist.

As a significant element of civil society, religious leaders can also contribute to addressing conditions conducive to the spread of terrorism through their work within and among different communities of faith. Religious leaders at all levels representing different faiths have an essential role to play in promoting inter- or intra-religious dialogue, tolerance, and understanding among religions—all of which are identified in the Strategy as important. For example, compared with other segments of civil society, the clergy is often in the unique position of both having access to those in high-level government positions and engaging with the masses on the ground.

Civil society is also essential to promoting good governance, the lack of which is often cited as a cause conducive to the spread of terrorism. For example, government corruption within the ruling Fatah party in the Palestinian territories was a principal factor behind the political rise of Hamas and their ultimate election victory.<sup>9</sup> Similarly, dissatisfaction with the Mubarak regime in Egypt has contributed to the popularity of the Muslim Brotherhood in Egypt,<sup>10</sup> and in Somalia, lawlessness, corruption, and fractional violence led many to welcome the relative stability

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<sup>6</sup> Felicity Harrison, “In Search of a Counter-Terrorism Strategy: The Role of Civil Society,” in Wafula Okumu and Anneli Botha, eds., *Understanding Terrorism in Africa: In Search for an African Voice*, Institute for Security Studies, Seminar Report, 6 and 7 November 2006, p. 127–130.

<sup>7</sup> LibForAll Foundation, <http://www.libforall.org/home.html>.

<sup>8</sup> According to the President and Founder of the LibForAll Foundation, the Organization for Security and Co-operation in Europe’s (OSCE) Office of Democratic Institutions and Human Rights cited the language in the UN Strategy in this manner, thereby causing the OSCE to withdraw from a European Commission-sponsored counterterrorism project involving LibForAll. Email communication from C. Holland Taylor to the Center on Global Counterterrorism Cooperation, 3 August 2008.

<sup>9</sup> See e.g., Steven Erlanger, “Hamas: Rivalry Breeds Extremes,” *New York Times*, 2 July 2006.

<sup>10</sup> See e.g., Michael Slackman, “Stifled, Egypt’s Young Turn to Islamic Fervor,” *New York Times*, 17 February 2008.

and order afforded by the Islamic Courts Union.<sup>11</sup> In addition to the important work of CSOs such as Transparency International and Freedom House in combating corruption, civil society generally is essential to democracy promotion and demanding accountability from politicians.

These CSO activities have significant intrinsic benefits in their own right and need not be specifically labeled as or identified with “counterterrorism.” Such labeling or identification can undermine that work and have a negative impact on relationships on the ground with groups that may be suspicious or concerned about real or perceived connections to a security-led agenda.

Without asking or expecting CSOs to become “counterterrorism” actors, there needs to be a greater recognition and understanding within governments, the UN system, and CSOs themselves of the unique contribution that CSOs make, particularly with regard to long term efforts to address conditions conducive to the spread of terrorism. Governments and the United Nations need to recognize that as a result of the range of activities CSOs are involved in, often with years of experience working with local actors and communities, they can provide governments and the United Nations with a clearer understanding of the conditions in a particular country or region that need to be addressed. Perhaps more fundamentally, however, both governments and the United Nations need to better understand that a strong, independent, and lively civil society is in itself an essential ingredient not only for democratic governance and sustainable development, but also for countering and preventing terrorism over the long term.

It is the holistic approach of the UN Strategy, including both preventive measures and long-term measures to address conditions conducive to the spread of terrorism, that distinguishes it from previous UN counterterrorism resolutions. In fact, the inclusion of these two elements in a single document was the key compromise that allowed the General Assembly to adopt the Strategy by consensus. According to the Strategy, conditions conducive to the spread of terrorism include: “poverty, prolonged unresolved conflicts, dehumanization of victims of terrorism, lack of rule of law and violations of human rights, ethnic, national and religious discrimination, political exclusion, socio-economic marginalization and lack of good governance.” More specifically, in the Strategy states reiterated their “commitment to the realization of the Millennium Development Goals and their determination to pursue and reinforce development and social inclusion agendas at every level as goals in themselves, recognizing that success in this area, especially on youth unemployment, could reduce marginalization and the subsequent sense of victimization that propels extremism and the recruitment of terrorists.”<sup>12</sup>

For their part, CSOs should continue pursuing progress in their areas because this work is important in its own right, but they should be more aware of the benefits of this work to the implementation of the Strategy and, more broadly, to countering terrorism. Those CSOs that are already aware of the Strategy need to speak out about how it is different from the “war on terror” and how the broad-based UN Strategy can be viewed as a response to the growing dissatisfaction among the wider UN membership with the narrow Security Council-led approach that focuses on law enforcement and other security-related issues. This approach has contributed to the adoption of

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<sup>11</sup> John Prendergast and Colin Thomas-Jensen, “Blowing the Horn,” *Foreign Affairs*, March/April 2007.

<sup>12</sup> United Nations General Assembly, *United Nations General Assembly Resolution 60/288*, A/RES/60/288, New York, 8 September 2006, Pillar I.

some of the post-9/11 CTMs that have had a negative impact on CSOs around the globe, including by “threaten[ing] the spaces for civil society to flourish and act.”<sup>13</sup>

Although CSOs are sometimes seen as potential allies of the state in promoting development, good governance, and human rights and other issues that help prevent terrorism and other forms of violence, too often they have been viewed with suspicion because they might be working among marginalized populations or be perceived as supporting political opponents of sitting governments. The result is that governments are increasingly reluctant to seek partnerships with CSOs. Rather than stimulating greater CSO support for government counterterrorism initiatives and “using social development—and other ‘soft’ measures—as a means of countering terrorism, CSOs are being pushed into a highly defensive position about carrying out social development work with marginalized groups.”<sup>14</sup> Furthermore, CSOs are growing increasingly cautious of their own association with governments as it might undermine their own legitimacy within constituencies and other vital partners.

As mentioned, in a number of instances, measures adopted by states to counter terrorism have also restricted the operational space and otherwise limited the ability of CSOs to continue with their existing work, which undermines prospects for both development and security. The negative impact of these CTMs on the ability of CSOs to carry out their work (and thus contribute to the implementation of the UN Strategy) has been well documented in recent years.<sup>15</sup>

For example, new financial reporting rules and validation requirements by donor governments and agencies designed to ensure that CSOs are not inadvertently or otherwise providing financing to terrorists have created administrative burdens for some CSOs, obligating them to screen their staff, partners, and aid recipients, which creates a disincentive for CSOs to operate in some volatile areas where conditions for violent radicalization and the recruitment to terrorism exist. In some cases, where CSOs are unable to vouch for groups they intend to work with or support, they are being asked to hand over information, including names of staff members, to the donor government authorities for investigation. In the end, the need for donors and partners to “vouch” for groups they intend to support or work with tends to favor better established CSOs and have a chilling effect on the willingness of these CSOs to partner with small or newer groups that may bring a voice to otherwise isolated, and perhaps more vulnerable communities.

Further, a number of governments have adopted overly expansive counterterrorism legislation and used it to clamp down on political opponents and, more broadly, freedom of association, speech, and assembly. The lack of

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<sup>13</sup> Jude Howell, Armine Ishkanian, Ebenezer Obadare, Hakan Secklinegin, and Marlies Glasius, “The Backlash against Civil Society in the Wake of the Long War on Terror,” Civil Society Working Paper, no. 26, 2006, p.8, [http://www.lse.ac.uk/collections/CCS/pdf/CSWP/CCS\\_WP\\_Howell\\_26.pdf](http://www.lse.ac.uk/collections/CCS/pdf/CSWP/CCS_WP_Howell_26.pdf).

<sup>14</sup> INTRAC, “Overview Report on CTM Workshops: Redefining Development for National Security: Implications for NGOs and CSOs,” 2007, p. 3, [http://www.intrac.org/pages/CTM\\_analysis.html](http://www.intrac.org/pages/CTM_analysis.html).

<sup>15</sup> See, e.g., INTRAC, “Overview Report on CTM Workshops: Redefining Development for National Security: Implications for NGOs and CSOs,” 2007, [http://www.intrac.org/pages/CTM\\_analysis.html](http://www.intrac.org/pages/CTM_analysis.html); Nolan Quigley & Belinda Pratten, “Security and Civil Society: The Impact of Counter-Terrorism Measures on Civil Society Organizations,” National Council for Voluntary Organizations, 11 January 2007, <http://www.civicus.org/new/media/Security-CivilSociety-Areport-NCVO.pdf>; CIVICUS, “Impact of Counter-Terrorism Measures on Civil Society,” 2007 [Copy on file with Center on Global Counterterrorism Cooperation]; and Jude Howell, “The Global War on Terror, Development and Civil Society,” *Journal of International Development* 18, no. 1 (2006), pp. 121–135.

a common definition of terrorism consistent with international human rights standards has made it easier for governments to act this way. This practice has had the effect of limiting the ability of civil society groups to raise funds, and hindering efforts to support development and relief activities in marginalized communities.<sup>16</sup> Some countries have implemented or are proposing onerous restrictions on CSO financing, such as Ethiopia, which is considering draft legislation that would limit foreign funding for groups working on human rights and good governance to no more than 10 percent.<sup>17</sup>

Moreover, with military forces becoming more involved in humanitarian relief and development work, such as the building of schools, hospitals, and wells, and delivering food, particularly in Afghanistan, Iraq, and the Horn of Africa, the work of humanitarian and development CSOs has become “more complicated and ambiguous,” as they are often no longer seen as neutral, independent, and impartial.<sup>18</sup>

More broadly, there has been an increasing convergence of development, foreign policy, and security agendas since 9/11, with bilateral aid donors linking their development assistance programs to counterterrorism and other security and foreign policy objectives. The OECD’s Donor Assistance Committee has helped to stimulate this shift by endorsing “A Development Co-operation Lens on Terrorism Prevention: Key Entry Points for Action” 2003 policy statement.<sup>19</sup> Parts of the paper have been interpreted as allowing for a new definition of aid to include expenditures relating to a donor-driven counterterrorism agenda,<sup>20</sup> the result being that more donor funds are being diverted toward security objectives with questionable development purposes, with some going so far as to say the ODA funds are now “being used to support military budgets at the expense of help to poor people.”<sup>21</sup> This so-called “securitization of aid” has tended to increase the tensions between governments and development and humanitarian CSOs and thus created an additional barrier to deeper engagement among these stakeholders on

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<sup>16</sup> See, e.g., “Discussion Paper,” South and Southeast Asia Working Conference on Counterterrorism Measures and Development, Davao City—Manila, Philippines, 25–30 May 2008 [Copy on file with Center on Global Counterterrorism Cooperation]; International Center for Not-for-Profit Law, “Recent Laws and Legislative Proposals to Restrict Civil Society and Civil Society Organization,” *International Journal of Not for Profit Law*, vol. 8, issue 4, August 2006, [http://www.icnl.org/knowledge/ijnl/vol8iss4/art\\_1.htm](http://www.icnl.org/knowledge/ijnl/vol8iss4/art_1.htm); and Tim Morris, “The Impact of Counter-Terrorism Measures on Civil Society,” INTRAC, 2006, <http://www.timorris.info/cairo%20CTM%20presentation.pdf>.

<sup>17</sup> According to Human Rights Watch, Ethiopia’s draft Charities and Societies Proclamation “would effectively close down the few independent domestic NGOs that continue to work on human rights- and governance-related issues by stripping them of access to foreign funding. The draft law defines as ‘foreign’ any Ethiopian NGO that receives more than 10 percent of its funding from foreign sources or has any members who are foreign nationals, and then bars ‘foreign’ NGOs from working on human rights and governance issues. This would hit hard, given the lack of obvious fundraising and development opportunities inside Ethiopia, one of the poorest countries in the world.” “Ethiopia: Government Prepares Assault on Civil Society—Repressive New Legislation Should Be Amended or Scrapped,” Human Rights Watch, 1 July 2008, <http://www.hrw.org/english/docs/2008/06/30/ethiop19228.htm>.

<sup>18</sup> Jude Howell, “The Global War on Terror, Development and Civil Society,” *Journal of International Development*, 18, no. 1 (2006), p. 134.

<sup>19</sup> “Conflict Security, and Official Development Assistance (ODA): Issues for NGO Advocacy,” BOND (British NGOs for Development), 2007, <http://www.bond.org.uk/pubs/advocacy/gsdpaper.pdf>.

<sup>20</sup> “A Development Co-operation Lens on Terrorism Prevention: Entry Points for Action,” DAC Guidelines and Reference Series, 2003, <http://www.oecd.org/dataoecd/17/4/16085708.pdf> (noting that “[d]evelopment co-operation does have an important role to play in helping deprive terrorists of popular support ... and donors can reduce support for terrorism by working towards preventing the conditions that give rise to conflict in general and that convince disaffected groups to embrace terrorism in particular ... this may have implications for priorities including budget allocations and levels and definitions of ODA eligibility criteria”).

<sup>21</sup> Christian Aid, “The Politics of Poverty: Aid in the New Cold War,” 2004, <http://www.un-ngls.org/politics%20of%20poverty.pdf>.

how to cooperate in addressing the commonly shared terrorist threat in a manner that does not interfere with ongoing CSO activities.

Professor Shahrbanou Tadjbakhsh of the Program for Peace and Human Security at the Centre d'études et recherches internationales in Paris states: "issues of security and development in an international context need to be re-examined in terms of their mutual interaction rather than as distinct and separate areas of analysis and policymaking."<sup>22</sup> Further, CSOs should help design and encourage support for counterterrorism policies and measures that link security "with respect for social justice, respect for human rights and pursuit of peace processes and realization of effective development practice."<sup>23</sup>

For their part, government and nongovernment donors need to pay more attention to the impact of CTMs on CSOs in those countries where they are funding civil society activities. Thus, for example, donors should include a CTM impact assessment in the relevant country when reviewing CSO project proposals. The impact of CTMs should be factored into the project monitoring as well. Further, the criteria by which the United Nations and other relevant actors evaluate each state's implementation of the Strategy should include the extent to which CTMs are having a negative impact on civil society in that state. This is far from the approach being adopted by the Security Council's CTC. As part of its efforts to monitor each state's efforts to implement Security Council Resolution 1373, which imposed binding obligations on all states to adopt a series of counterterrorism measures, the CTC is monitoring the extent to which states have the necessary laws and regulations in place to ensure that charities and other non-profits are not being used to finance or otherwise support terrorism without any regard to the impact of those measures.

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<sup>22</sup> Shahrbanou Tadjbakhsh, "Human Security: Concepts and Implications," *Les Etudes du CERI*, No. 117–118, September 2005, 35, [http://www.ceri-sciencespo.com/publica/etude/etude117\\_118.pdf](http://www.ceri-sciencespo.com/publica/etude/etude117_118.pdf).

<sup>23</sup> Chair's Report, Cordaid Conference on Counterterrorism Measures, Security and Development, Maastricht, the Netherlands, 10–11 January 2008, para. 17. [Copy on file with Center on Global Counterterrorism Cooperation]

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### III. Measures to prevent and combat terrorism

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Partnerships involving governments, civil society, and CSOs on their own also make important contributions to shorter-term preventive counterterrorism and related efforts. For example, interaction between governments and CSOs on the issue of small arms and light weapons (an issue that is explicitly mentioned in the Strategy) has developed into an effective partnership over the past 15 years.<sup>24</sup> Similar efforts have also flourished between government and nongovernment experts seeking to address the threat of illicit transfers of biological, chemical, and nuclear materials to potential terrorists.<sup>25</sup>

CSOs are also making conscious and significant contributions to measures to prevent terrorism in the implementation and monitoring of security sector reform activities, which are linked to a state's ability to carry out effective law enforcement and other security-related counterterrorism measures. Some CSOs, especially research organizations, also foster closer, cooperative initiatives involving states and other stakeholders to improve and raise awareness of threats and encourage collective action to address vulnerabilities. The UK Department for International Development, for example, has noted that:

Improving civic awareness of security issues is a starting point for improving relations between the security forces and the public, creating a national consensus on a reform programme, and building political coalitions to sustain the process. Civil society can also play more specific roles by facilitating dialogue, monitoring the activities of the security forces, and expressing views on security policy as well as providing policy advice. This may be particularly useful where state capacity is weak: the role of legislatures or other government departments in analysing security issues, for instance, can be greatly enhanced by assistance from specialist external campaigning groups or think tanks providing research and analytical support.<sup>26</sup>

In addition to long-term efforts to address causes conducive to the spread of terrorism, the Strategy in its second pillar reaffirms states' existing UN mandated counterterrorism obligations to implement security-focused measures to address the terrorist threat, including judicial, police, and other forms of law enforcement cooperation, and comprehensive counterterrorism legislation.

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<sup>24</sup> For example, CSOs were instrumental in the formulation of the Nairobi Declaration on the Problem of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa that ultimately became the basis for the establishment of the Nairobi-based Regional Centre on Small Arms and Light Weapons. Other regions in Africa have similar networks. For example, in West Africa, the West African Action Network on Small Arms is a loose network of some 50 civil society organizations established in May 2002 in Accra, Ghana, which serves as a forum for sharing information and strategies on combating illicit small arms and light weapons in that region.

<sup>25</sup> Initiatives involving NGOs have been created to enhance political and financial support from governments for efforts to reduce the dangers from nuclear, biological, and chemical weapons. Led by the Center for Strategic and International Studies, the Strengthening the Global Partnership project is a consortium of 24 research institutes in 19 European, Asian, and North American countries working to bolster G8 commitments to address WMD issues in the former Soviet Union and beyond. See: <http://www.sgpproject.org>.

<sup>26</sup> UK Department for International Development, "Understanding and Supporting Security Sector Reform," <http://www.dfid.gov.uk/Pubs/files/supportingsecurity.pdf>.

Pillar II issues are therefore perhaps the most difficult area of the Strategy for civil society engagement because states generally consider such measures (e.g., border control and combating terrorist financing) to be within their exclusive purview. Because of sensitivities surrounding much of the security-related counterterrorism activity, partnerships between governments and CSOs in law enforcement and other security-related fields are few and far between.

Nevertheless, civil society engagement on this pillar is particularly valuable, as civil society participation lends credibility to preventive counterterrorism measures and can provide a counterpoint perspective to those of governments and inter-governmental bodies.

Unfortunately, counterterrorism measures are often implemented without consultation with CSOs. In fact, as discussed above, there is growing concern that, as a result, civil society's space to operate is in many cases being reduced. In some instances, counterterrorism measures are being used to justify state repression of innocent civilians, particularly from minorities and marginalized communities. Even when it is not feasible or prudent to work alongside the state, CSOs have an invaluable role to play in the realm of monitoring state actions to protect civil liberties and maintain and enhance space for a diversity of views and participation.

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#### IV. Measures to build states' capacity to prevent and combat terrorism

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Professional associations, international NGOs, and local CSOs are critical sources of technical expertise and can act as independent contractors and carry out on-the-ground implementation of much counterterrorism-related capacity building. Increasingly, CSOs are seen by many donor states and other assistance providers as independent and reliable partners and serve as implementing agencies for much technical and other counterterrorism-related assistance.

The capacity-building efforts of CSOs and the capacity-building assistance channeled through them offer many advantages over government-to-government assistance. For example, the political sensitivities may be fewer between an independent CSO and a recipient government than between two national governments. CSOs, which can pull in experts from different cultural backgrounds and linguistic expertise, are often better suited to overcoming the culture and language barriers that can complicate state-to-state training. CSOs are also more flexible, independent, and quicker on their feet than governments and thus are better able to respond to the sometimes changing needs of the recipients.

Capacity-building assistance on many counterterrorism-related matters is enhanced by bottom-up approaches, rather than top-down strategies, and local CSOs can help build support for the capacity-building efforts of other actors and ensure that they receive the necessary follow-up attention to ensure they are sustainable. Effective capacity-building efforts require local ownership and a long-term commitment from both the assistance provider and the recipient. Here, CSOs, which are often permanently based in the field, have a comparative advantage over, for example, foreign donors or UN technical assistance providers, which tend to have a limited field presence.

Some of the most visible counterterrorism-related capacity-building assistance being undertaken by CSOs relates to strengthening respect for human rights and the rule of law and on promoting democratic accountability.<sup>27</sup> Philanthropic foundations such as the Open Society Institute, the Ford Foundation, and the Heinrich Böll Foundation provide millions of dollars a year and technical support to improving respect for human rights and the rule of law and promoting democratic governance in countries world wide. Professional associations are similarly working to strengthen the rule of law in countries around the world. The American Bar Association, for example, conducts relevant rule of law programs worldwide on, among other things, anti-corruption, criminal law reform, human rights and conflict mitigation, and legal education reform. The International Legal Assistance Consortium (ILAC), an umbrella organization for associations of legal and human rights experts with experience in rebuilding justice systems, for example, works to conduct assessments of the legal and judicial systems in war-torn countries and to implement programs to help rebuild those systems. ILAC has recently carried out counterterrorism-specific training on behalf of the government of Sweden.

CSOs also perform an advisory function for governments. They can provide input on specific technical questions, help guide policy with independent research, and engage directly with legislators regarding the potential impact of planned CTMs or the actual impact of existing ones. Local CSOs can work with authorities to increase their awareness and understanding of minority communities to assess the impact of community policing efforts and

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<sup>27</sup> "The Role of Civil Society in Preventing Terrorism," Organization for Security and Co-operation in Europe, Office for Democratic Institutions and Human Rights, Informal Working Level Meeting, Barcelona, Spain, 14–16 March 2007.

improve their effectiveness, and help to combat stereotypes and prejudices that may compromise the effectiveness of those efforts. And they can help supplement the oversight capacity of governments by monitoring security services, conducting investigations into abuses, drafting guidelines, and scrutinizing counterterrorism legislation.

In addition to these more traditional capacity-building functions, CSOs are increasingly contributing to building state capacity on “hard security” matters as well. The IGAD Capacity Building Program against Terrorism (ICPAT) program, launched in June 2006, is an example of an innovative partnership between civil society (the Pretoria-based Institute for Security Studies [ISS]) and government (the member states of IGAD and interested donor states) on counterterrorism capacity building.<sup>28</sup> Funded by European and other donors and administered by ISS, ICPAT is overseen by a steering committee made up of IGAD member states. Working closely with partners at the regional and global level, the program focuses on capacity- and confidence-building measures in five areas: 1) enhancing judicial measures; 2) working to promote greater inter-agency coordination on counterterrorism within individual IGAD member states; 3) enhancing border control; 4) providing training and sharing information and best practices; and 5) promoting strategic cooperation.<sup>29</sup> ICPAT member states appreciate its technically focused apolitical work and are deeply engaged in the program.

The ICPAT model also illustrates innovative ways in which CSOs can help build the capacities of regional and subregional organizations, which are essential mechanisms for improving counterterrorism cooperation but are also frequently under-resourced. As is currently being done with the ICPAT in East Africa and soon to be initiated with the Southern African Development Community, CSOs can support the work of the often understaffed regional or subregional organization secretariat, with the ownership over the counterterrorism program remaining with the organization and its members.

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<sup>28</sup> ICPAT was launched some three years following the development of the IGAD “Draft Implementation Plan to Combat Terrorism in the IGAD Region” and a subsequent vulnerability assessment of terrorism in the IGAD region. IGAD’s “Draft Implementation Plan to Combat Terrorism in the IGAD Region” is available at [http://www.iss.co.za/AF/RegOrg/unity\\_to\\_union/pdfs/igad/confjun03plan.pdf](http://www.iss.co.za/AF/RegOrg/unity_to_union/pdfs/igad/confjun03plan.pdf).

<sup>29</sup> Examples of the capacity-building training and other assistance ICPAT has delivered since its establishment include a one-month counterterrorism training course designed in conjunction with EAPCCO for law enforcement officials in each IGAD member state. The training has already been provided to 25 Ugandan and 25 Somali police officers. ICPAT has launched assessments on interdepartmental cooperation in countering terrorism in Djibouti, Kenya, and Uganda. It has commissioned border management and control field research on both sides of the borders in neighboring states in the region (Djibouti–Ethiopia, Kenya–Uganda, and Sudan–Kenya) and made recommendations to relevant states on steps that need to be taken to strengthen border management. ICPAT has also started to research and compile information on terrorism cases in the courts of IGAD states (over the past 10 years), as well as on the effectiveness of laws relating to money laundering, organized crime, corruption, drugs, and arms trafficking in three states in the region. Working in close cooperation with UNODC’s TPB, ICPAT has organized national legislative drafting and judicial training workshops in five of the seven IGAD states (including one in Ethiopia for Somali officials) aimed at promoting the ratification and the implementation of the international conventions and protocols related to terrorism. “IGAD Capacity Building Programme against Terrorism (ICPAT),” Institute for Security Studies, [http://www.iss.org.za/index.php?link\\_id=21&slink\\_id=2507&link\\_type=12&slink\\_type=12&tmpl\\_id=3](http://www.iss.org.za/index.php?link_id=21&slink_id=2507&link_type=12&slink_type=12&tmpl_id=3).

Finally CSOs can help to inform needs assessments that are critical to effective capacity building. If the assessments are of poor quality, then the priority needs may not be addressed.

The UN Strategy recognizes that “capacity-building in all States is a core element of the global counterterrorism effort.”<sup>30</sup> Although typically the purview of bilateral assistance providers and other donors, CSOs increasingly have a role to play in helping build the capacity of states to prevent and combat terrorism across the full range of measures outlined in the UN Strategy, from combating conditions conducive to the spread of terrorism to ensuring respect for human rights, and increasingly even in the realm of actual security and prevention.

Ironically, one the most significant challenges to the role of civil society in counterterrorism-related capacity building may in fact be the diminishing space afforded to them and the restrictions placed on their work, in some cases ostensibly as part of efforts by states to combat terrorism. Although frequently seen by Western donor states as independent and in many ways preferable partners for the provision of assistance, CSOs in many countries are perceived as unaccountable interest groups, surrogates for external actors, and/or representing foreign interests. As discussed in section II, some states have responded by imposing restrictions on the amount of funding domestic CSOs can receive from abroad, which in states with few domestic sources of funding effectively cuts off this important source of capacity-building assistance. Further, while the role of civil society in promoting respect for human rights and the rule of law is controversial in some states, there is even greater reluctance on the part of states to grant CSOs a role in the realm of security-related capacity building.

Lack of coordination, collaboration, and information sharing among capacity-building providers (e.g., the United Nations, states, and CSOs) also hampers the contribution of CSOs to counterterrorism-related capacity building. Although it may be unrealistic to bring all UN actors and CSOs together under the leadership of the United Nations to establish more formalized cooperation in this area, at the very least increased information sharing among assistance providers might help to reduce overlap and stimulate additional cooperation and coordination. To improve the situation among CSOs and between CSOs and the United Nations, consideration might be given to: 1) inviting relevant CSOs to participate on a regular basis in the work of the UN’s Rule of Law Assistance Coordination and Resource Group; and 2) creating a database to log all the relevant Strategy-related capacity building activities being undertaken by CSOs, which could be replicated at the regional and country level involving a wider range of stakeholders (e.g., the United Nations and governments).

Finally, the capacity shortages of CSOs place a limit on the extent to which they can contribute to counterterrorism capacity-building efforts. In most cases, CSOs are themselves reliant on donors (be they philanthropic foundations, individuals, or donor states and multilateral bodies) for resources, or are themselves recipients of capacity-building assistance. Therefore, the degree to which they can contribute to building the capacity of states to prevent terrorism is in large part dependent on the extent to which their donors make such efforts a priority. Although the UN Strategy is a state-centric document, with its capacity-building pillar focused on building state capacity, there should be recognition of the importance of an empowered and developed civil society to sustained implementation of the Strategy and the need therefore to also build civil society capacity.

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<sup>30</sup> United Nations General Assembly, *United Nations General Assembly Resolution 60/288*, A/RES/60/288, New York, 8 September 2006, Pillar III.

Despite these challenges, CSOs are making substantial contributions to building the capacity of states to prevent terrorism not only in their more traditional roles as development partners and in promoting human rights and the rule of law, but also in the realm of security and prevention. Key to maximizing their potential is raising awareness of the contributions that CSOs can make to building states' capacity to prevent terrorism and ensuring that such work is given priority treatment by donors. In this regard, donor states and agencies have a particularly important role to play, but more needs to be done to build this awareness within recipients and to promote the space afforded to CSOs generally.<sup>31</sup>

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<sup>31</sup> Conference Recommendations, INTRAC Conference on Civil Society and Capacity Building, 2006. Available at: <http://www.intrac.org/pages/CBconference.html>.

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## V. Measures to ensure respect for human rights and the rule of law as the fundamental basis of the fight against terrorism

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CSOs often have a wealth of knowledge concerning the human rights situations in different countries, some of which may be otherwise unavailable to states and international organizations. They provide critical input to the work of relevant UN human rights bodies and help inform their findings. They can be instrumental in strengthening respect for human rights in international and national counterterrorism frameworks and to the establishment and effective functioning of national human rights mechanisms and institutions. As advocates, CSOs play an important role in condemning attacks against civilians, disappearances, unlawful detentions, and other human rights abuses that may occur under the guise of combating terrorism and can help to put into perspective the consequences of “special” or “emergency” counterterrorism measures.

In addition to “assess[ing] the implications of national and international definitions of terrorism and build[ing] cross-sectoral coalitions,”<sup>32</sup> NGOs and other civil society groups also help increase public awareness and understanding of human rights issues in the context of waging an effective campaign against terrorism, including by undertaking research and action at the local and international levels. By promoting the rule of law, engaging the media, sharing best practices, and disseminating other information, they help to bring attention to human rights abuses and encourage governments to improve their own adherence to human rights norms. As acknowledged in the “Club de Madrid Series on Democracy and Terrorism,” “[h]uman rights organizations continue to monitor the situation on the ground in most countries, and the information at their disposal can form a valuable database for analyzing the long-term repercussions of momentarily devaluing respect for human rights in favour of short-term security.”<sup>33</sup>

Independent and impartial nongovernmental human rights monitors play a critical role in ensuring that CTMs respect human rights and the rule of law by monitoring the actions of the military, law enforcement, and other security services, laying down guidelines, conducting investigations into alleged abuses, scrutinizing counterterrorism legislation, and generating awareness of unlawful practices and other human rights and Strategy-related issues. CSOs also can and do play an important role in promoting the work of human rights defenders and in helping to protect them. Their role is even more important in weak states and areas where the credibility and impartiality of formal monitoring mechanisms may be in doubt.

Civil society actors can articulate how respect for human rights and the rule of law is an essential part of any effective strategy to address the complex terrorist threat and its different forms and manifestations. For example, in 2005, the International Commission of Jurists launched the Eminent Jurists’ Panel on Terrorism, Counter-Terrorism, and Human Rights “to consider the nature of today’s human rights threats and the impact of new and old counterterrorism measures on human rights. The [eight-member] Panel is also exploring how considered counter-terrorism measures and policies can produce effective results while also assuring the necessary respect for human rights and the rule of law.”<sup>34</sup>

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<sup>32</sup> OSCE/ODIHR, “The Role of Civil Society in Preventing Terrorism,” ODIHR.GAL/34/07, 16 May 2007, p. 14, [http://www.osce.org/documents/odhr/2007/05/24495\\_en.pdf](http://www.osce.org/documents/odhr/2007/05/24495_en.pdf).

<sup>33</sup> Asma Jahangir and Fateh Azzam, “Human Rights,” in *Towards a Democratic Response: The Club de Madrid Series on Democracy and Terrorism*, vol. III (2005), p. 29, <http://www.safe-democracy.org/docs/CdM-Series-on-Terrorism-Vol-3.pdf>.

<sup>34</sup> Web site of the The Eminent Jurists Panel on Terrorism, Counter-Terrorism, and Human Rights: [http://ejp.icj.org/article.php?id\\_article=6](http://ejp.icj.org/article.php?id_article=6).

Finally, CSOs can and in many cases do provide a voice for victims of terrorism and highlight the fact that terrorism is itself one of the most fundamental violations of human rights. Many CSOs, such as Human Rights Watch, have adopted an approach that highlights both the human rights impact of terrorism, including on its victims, as well as the human rights implications of the counterterrorism policies of governments.

Through the Strategy, all UN member states have committed to adopting measures to ensure respect for human rights and the rule of law as the fundamental basis of the fight against terrorism. They further resolve to ensure that any measures taken to counter terrorism comply with their obligations under international law, in particular human rights law, refugee law, and international humanitarian law. One of the Strategy's achievements is that it prioritizes "respect for human rights for all and the rule of law as the fundamental basis for the fight against terrorism." As Sweden's counterterrorism ambassador has stated, "[h]uman rights law is, in effect, key to all counterterrorism.... If we do not take this into account in our daily efforts to counter terrorism, we will become counterproductive."<sup>35</sup> The challenge is finding ways to ensure that this human rights-based approach, which is reflected in the Strategy, is translated into action at the global, regional, and national levels. CSOs can contribute in a number of ways to ensuring that it is. Human rights NGOs and civil society can make a valuable contribution by engaging in dialogue with states, the United Nations, and other intergovernmental bodies. Active engagement by the academic and research communities with expertise in human rights can help infuse fresh ideas into formal governmental or intergovernmental settings.

Challenges to the work of human rights-related civil society and NGOs at the national level, however, are serious. As the "Club de Madrid Series on Democracy and Terrorism" notes, for example, "[H]uman rights groups and their allies have not been able to disseminate their point of view effectively and, in some countries, they have come under sharp attack. Yet at no other time has the monitoring function of human rights groups been so indispensable to the democratic process, as well as in ensuring accountable and transparent governance."<sup>36</sup> In some cases, human rights activists have been depicted by state authorities as enablers and defenders of terrorists. Consequently, harassment and the disruption of fundraising, particularly at the local level, has ironically placed human rights defenders in physical danger and suppressed their rights to affect policies through nonviolent and democratic means. This point was reinforced at a March 2007 OSCE/ODIHR meeting on the role of civil society in countering terrorism involving representatives from some 30 civil society organizations.<sup>37</sup> International civil society groups may be less vulnerable to intimidation by governments, and participation with these groups may afford domestic organizations some degree of protection. CSOs in many countries are under heavy scrutiny from the states in which they work.<sup>38</sup> Unlike their national or local counterparts, however, international CSOs can continue to work on an issue even if they are shuttered in a country because they have the ability to operate outside the country in question. All civil society actors, however, face challenges in getting access to information in matters that even

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<sup>35</sup> Keynote Address, Symposium on Advancing the Implementation of the United Nations Global Counter-Terrorism Strategy, Vienna, 17–18 May 2007.

<sup>36</sup> Mary Kaldor and Miguel Darcy, "Civil Society," in *Towards a Democratic Response: The Club de Madrid Series on Democracy and Terrorism*, vol. III (2005), p. 33, <http://www.safe-democracy.org/docs/CdM-Series-on-Terrorism-Vol-3.pdf>.

<sup>37</sup> OSCE/ODIHR, "Role of Civil Society in Preventing Terrorism," p. 8. This meeting also produced a set of recommendations aimed at states, the OSCE, and civil society on how to strengthen the role of civil society and NGOs in preventing terrorism.

<sup>38</sup> The general closure of NGOs in Uzbekistan after the massacre in Andijan in 2005 is an example. For a discussion of the treatment of human rights defenders in Uzbekistan, see, e.g., HRW, "Under Siege and Working for Justice: Human Rights Defenders in Uzbekistan," April 2007, [http://hrw.org/campaigns/uzbekistan/portraits\\_0407.pdf](http://hrw.org/campaigns/uzbekistan/portraits_0407.pdf).

in the most democratic of countries are often viewed as highly sensitive issues of national security. These challenges are exacerbated in countries where there is little political pluralism and where civil society structures are weak.<sup>39</sup>

The challenges that CSOs face at the national level engaging with and seeking to modify the behavior of states with poor human rights records are mirrored at the international level, where engagement with international and regional bodies is complicated by the extent to which intergovernmental bodies include such states. International and regional bodies and initiatives nevertheless provide important fora for pressuring states to improve their human rights records in relation to counterterrorism. For example, CSOs have had considerable success in working with international and regional human rights mechanisms to get them to speak out against the use of diplomatic assurances by states as a safeguard against torture. While engaging with such bodies, CSOs can and must remain independent, impartial, and willing to be critical of all governments that abuse human rights in the name of countering terrorism, including the powerful.

CSOs have been somewhat more successful in their efforts to engage with the human rights elements of the UN system than in engaging other Strategy-related parts of the United Nations. In fact CSOs have built strong relationships with and help to inform the work of many of the key human rights elements in the UN system such as the UN High Commissioner for Human Rights, the UN Human Rights Council, and the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. This engagement could be viewed as a model for CSO engagement with other parts of the United Nations on Strategy issues.

Despite this engagement and important contributions from the UN High Commissioner for Human Rights, there has been some lack of leadership on the importance of respecting human rights while countering terrorism. The last UN secretary-general, Kofi Annan, made this one of his signature issues. However, his successor has been largely silent on an issue which merits more attention from the senior leadership within the UN system.

Although it may not be their responsibility and they have so far proven reluctant to do so, human rights groups are also well positioned to offer constructive human rights-based alternatives for counterterrorism policymakers. The Strategy, which combines both preventive counterterrorism measures with the imperative of respecting human rights, could provide a useful framework for human rights and security-focused CSOs to join together to develop such alternatives.

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<sup>39</sup> Ibid., para. 21.

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## VI. The UN system's engagement with CSOs on the UN Strategy

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As the discussion in Sections II-V shows, CSOs can contribute to the implementation of the UN Strategy (and counterterrorism mandates more generally) in a variety of ways. This underscores the importance of developing effective, balanced partnerships with different elements of the UN system. Yet because parts of the system are accountable to states, many of which are ambivalent if not outright hostile to civil society, the system is frequently of two minds on the notion of engagement with civil society: on the one hand lauding the role of civil society, but obstructed from pursuing any meaningful engagement on the other.

As a result, although CSOs have managed to build strong relationships with many of the relevant UN human rights bodies and mechanisms as well as UNDP, there has historically been limited engagement between the United Nations and the more traditional UN counterterrorism actors within the UN system, and this has remained the case since the Strategy was adopted in September 2006.

For example, neither the Security Council's CTC/CTED nor its Al-Qaida/Taliban Sanctions Committee and Monitoring Team have engaged with local NGOs and other civil society groups, in part because of the general reluctance of some Council members to involve non-state actors in what they perceive as state-focused activities and the difficulties in choosing which non-state actors to engage with in a particular country or region. Apart from international human rights CSOs such as Amnesty International and Human Rights Watch, which continue to press the Council to ensure its counterterrorism measures are consistent with and implemented in conformity with international human rights norms, CSOs have generally not sought to lobby or otherwise engage with these Council mechanisms.

In addition, UNODC's TPB, which assists countries with the drafting and implementation of their counterterrorism legal framework, often via national and regional training workshops, has made few attempts to involve either international or local CSOs in its work, despite the technical expertise that some CSOs have to offer in this field, as mentioned in Section IV.

The traditional UN counterterrorism actors need to do a better job of sharing information with and otherwise reaching out to civil society, including by considering information provided by respected NGOs as they develop strategies for furthering implementation of their respective UN mandates and consulting with local civil society groups as they seek to understand the environment in which they are assessing compliance with UN norms or providing assistance to implement them. For example, CSOs can often provide useful information on why national counterterrorism legislation might be stalled in parliament or on abuses being committed by the police and other government officials while implementing counterterrorism measures.

In contrast to the general reluctance of UNODC's TPB, the CTC/CTED, and the Al-Qaida/Taliban Sanctions Committee and its Monitoring Team to engage with NGOs and other civil society actors, however, the 1540 Committee and its group of experts have succeeded in reaching out to some. Avoiding what would likely have been protracted debates among the 15 members of the Committee over which ones to engage with and on what issues, the Committee chairman asked UNODA to convene a meeting in July 2007 with the participation of several NGOs and in cooperation with the Committee. The NGOs invited included only those with well-established programs that directly foster the implementation of Resolution 1540 by states, such as through training programs, sharing expertise, providing funding, or conducting education and awareness-raising activities. The

purpose of the meeting was to examine and receive feedback on how NGOs can help to contribute to the implementation of the resolution.<sup>40</sup>

While the 1540 Committee's successful efforts to engage with NGOs could serve as a model for other parts of the UN system, this situation is somewhat unique. In the end, given the technical focus of both the resolution at issue and the NGOs involved, as well as the long-standing involvement and contributions of NGOs in the non-proliferation field, which pre-date the adoption of Resolution 1540, it may prove difficult to transfer some of the lessons learned here to other Strategy-related fields.

Nevertheless, the United Nations needs to find ways to engage with respected NGOs and other civil society groups on a broad range of Strategy issues, as two of the keys to the Strategy's success will be exporting it from New York to different regions around the world, down to the local level, and drawing on the creativity, energy, and expertise of civil society groups and NGOs to develop innovative and effective implementation plans and programs. Yet, simply inviting CSOs to contribute to UN efforts is not sufficient, as this is unlikely to attract broad interest from CSOs, many of whom are already leery of being co-opted to further government agendas.

Instead, UN agencies and bodies need to proactively reach out to civil society groups and determine what they are doing on the ground, what their interests are, and how the United Nations can support those efforts. Among other things, therefore, the Task Force should establish an informal mechanism for engaging with NGOs and civil society groups from different regions to help raise awareness of the Strategy, learn more about what their concerns and interests are and how the United Nations can assist in addressing them, and encourage them to play leading roles in their respective communities and regions in promoting the virtues of the Strategy. To launch this outreach effort, the Task Force should convene a meeting to highlight the role of CSOs in the implementation of the Strategy, providing an opportunity for CSOs from different regions to share experiences and show member states the diversity of ways in which CSOs can contribute, both directly and indirectly, to the implementation of the UN Strategy.

The first report of the secretary-general on the role of the UN system in implementing the UN Strategy, released in July 2008, notes that requests for the Task Force to become more engaged with civil society on the implementation of the Strategy have increased and that "civil society can provide a resource that has not been tapped by the United Nations system to its greatest advantage."<sup>41</sup> The report goes on to say that "the United Nations system, through the Task Force, if staffed and resourced to do so, could provide a strategic interface with ... civil society on the Strategy."

If the Task Force is able to garner the necessary staff and resources, there are precedents from which it could draw as it considers how best to tackle this important, although politically sensitive, issue. For example, the United Nations has succeeded in reaching out to CSOs in the context of its anticorruption work, including by involving them in its International Group for Anti-Corruption Coordination, which attempts to coordinate the anticorruption efforts of donors, multilateral anticorruption enforcement officials, and NGOs to help facilitate

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<sup>40</sup> Report from the meeting of the 1540 Committee on the Role of NGOs, New York, 12 July 2007 [On file with Center on Global Counterterrorism Cooperation]. Also, on the ground, the Monterey Institute's Center for Nonproliferation Studies convened a workshop in Central Asia to raise awareness among states in the region of the technical requirements for implementing Resolution 1540.

<sup>41</sup> Report of the Secretary-General: United Nations Global Counter-Terrorism Strategy: Activities of the United Nations System in Implementing the Strategy, 7 July 2008, UN Doc. A/62/998, para. 92.

their work by avoiding duplication of efforts and leveraging resources.<sup>42</sup> On the issue of small arms and light weapons, the United Nations has worked closely with the International Action Network on Small Arms, whose members have been invited to participate in the UN Open-Ended Working Group meetings on Tracing Illicit Small Arms and Light Weapons. This partnership has helped to sustain awareness and action on the issue. In addition, both international and local NGOs and civil society groups played pivotal roles in lobbying the United Nations and its member states on issues surrounding the negotiation of the Mine Ban Treaty and the Rome Statute of the International Criminal Court. These groups continue to play active roles on monitoring the implementation of these agreements. For example, the International Campaign to Ban Land Mines is a network of more than 1,400 NGOs in 90 countries working locally, nationally, and internationally to eradicate anti-personnel mines. With a diverse membership that includes human rights, humanitarian, children, peace, disability, veterans', medical, humanitarian, mine action, development, arms control, religious, environmental, and women's groups, it offers an example of the broad-based, multidisciplinary coalition that those interested in promoting a more holistic, coordinated response to the global terrorist threat, which safeguards human rights and the rights of victims, might wish to replicate.<sup>43</sup>

The need to reach out to civil society applies not only to the UN's traditional counterterrorism actors, but to UNDP, which has a network of CSO partners and the most experience engaging with civil society. As the UN global development network, UNDP engages with CSOs at all levels to promote the MDGs, which receive explicit mention in the Strategy, and recognizes that "substantive partnership with CSOs is of greater strategic importance than ever given the integral role of civil society actors in development"<sup>44</sup> and has civil society advisers placed in its local and regional offices. It has also established a CSO advisory committee composed of civil society leaders from around the world to provide advice to senior management on program and policy directions, advocacy efforts, and strategic CSO/UNDP initiatives and activities.<sup>45</sup>

Despite the significant UNDP engagement with CSOs in the context of promoting its development agenda and the important contribution that UNDP, particularly through its rule of law and access to justice program, and its field presence in over 160 countries, can make to the implementation of the Strategy, there is a continuing reluctance within UNDP to promote the implementation of the UN Strategy or actively participate in the Task Force. So long as this continues, it will be difficult for the Task Force to leverage any UNDP expertise, resources, or build on the partnerships it has with local CSOs around the world. Finding ways to get UNDP, and the wider development community, to be less reflexively "anti-counterterrorism" is crucial not only to deepening the engagement between the Task Force and CSOs, but also to encouraging the United Nations to become more active at the country level, where UNDP is the most prevalent actor and where CSOs are most active.

In addition, if UNDP were to become more engaged with the Task Force and in promoting the Strategy—and if there were more collaboration and coordination between UN's rule of law machinery and the Task Force—there would likely be increased opportunities to use the often more politically palatable rule of law framework through which to pursue cooperation on many Strategy-related issues, and to engage CSOs. Given the political sensitivities surrounding the use of the "counterterrorism" label, such an approach may prove more fruitful. The newly established Rule of Law Assistance Coordination and Resource Group in the Secretariat, which gathered a number of CSOs involved in legal capacity building in 2007 as part of an effort to enhance cooperation and

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<sup>42</sup> For information regarding the United Nations' anticorruption awareness-raising activities, see <http://www.unodc.org/unodc.org/unodc/en/corruption/index.html>.

<sup>43</sup> See [http://www.icbl.org/tools/faq/campaign/what\\_is\\_icbl](http://www.icbl.org/tools/faq/campaign/what_is_icbl).

<sup>44</sup> "UNDP and civil society organizations," <http://www.undp.org/partners/cso>.

<sup>45</sup> For more information on the UNDP advisory committee see <http://www.undp.org/partners/cso>.

information sharing among the many UN actors and CSOs involved in this area was a promising start, but unfortunately turned out to be a one-off meeting, and there have been limited further attempts to engage with CSOs on this issue.

The way that the United Nations has organized itself has further complicated things, with separate coordinating task forces within the Secretariat for the rule of law, security sector reform, and counterterrorism. While there is limited coordination and cooperation between the first two, there is none involving the third. This silo approach within the United Nations on this set of interrelated issues has limited information sharing both within the United Nations and between the United Nations and outside actors. It also has led to some confusion from those CSOs who see the issues as inextricably linked and may better understand the value of framing Strategy-related capacity building activities in the context of promoting the rule of law and security sector reform, rather than counterterrorism.

Despite the promise that greater UNDP involvement offers, the resistance within the organization to engaging on the Strategy and the Task Force has only increased in the aftermath of the recent killings of UNDP staff in Algeria and Somalia. In addition, the Task Force is unlikely to be provided the resources or staff to allow it to become a “strategic interface” with civil society as proposed in the secretary-general’s July 2008 report. This situation underscores the importance of getting CSOs to seize the initiative and become more proactive in reaching out to the UN system on issues related to the implementation of the Strategy.

For example, CSOs could do more to make their views heard at the United Nations in New York and to try to influence the implementation of the Strategy. This could involve demonstrating their usefulness to states and the United Nations; educating and informing sympathetic governments to take up the CSO cause at the United Nations; and approaching the Task Force Secretariat and the different Task Force working groups expressing their desire to be engaged in a constructive dialogue with states and UN officials on Strategy issues.

To facilitate the interface between CSOs and the Task Force, an appropriate CSO could serve as a link among the range of CSOs working on discrete aspects of the Strategy (often without knowing it) and between them and the Task Force, serving as a CSO/Strategy information hub.

In addition, CSOs could take another important step toward greater interaction with the United Nations on the breadth of Strategy issues by mapping the various entry points for engagement with the UN system on issues related to the Strategy and determine where and which CSOs may have a comparative advantage and/or particular interest in engagement and could take the lead.

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## **Conclusion: Further ideas for deepening UN–CSO engagement on UN Strategy implementation**

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As highlighted in this report, CSOs are already doing a lot and can do more to contribute to implementation of the UN Strategy. However, the challenges to building the necessary trust between individual states and their respective civil societies to develop state–CSO partnerships to facilitate further contributions are significant. In addition, there are a number of hurdles to overcome in building partnerships between CSOs and the United Nations itself on Strategy-related issues. For example, the lack of a common definition of terrorism leaves CSOs without a shared understanding of the problem and sows confusion regarding the limits of their operations and interactions. Second, the lack of transparency and information-sharing by the United Nations leaves civil society unsure of what it is signing up to support and without a sense of how it is in its interest to do so. Third, the continuing problem of serious human rights violations being perpetrated by some states in the name of counterterrorism contaminates the larger effort and makes some groups reluctant to align themselves with the UN endeavor. Fourth, civil society does not speak with one voice, but rather reflects a range of concerns and interests, which makes targeting civil society in a framework as broad as the Strategy a particular challenge. Encouraging a division of labor among CSOs with comparative advantages could help to enhance implementation. It is important to note that diversity and independence of action is a valuable component of good governance that should be strengthened. Related to this, as noted above, most groups are not working under a “counterterrorism” label and may see little benefit to being connected with a UN counterterrorism framework. Thus, more work is needed to articulate what is meant by “counterterrorism” and how the Strategy provides an international framework to push existing advocacy and other work.

In addition to identifying ways in which these challenges can be addressed, among the goals of this report has been to identify how the Task Force, its constituent entities, and CSOs can work together to further both the work of CSOs, as well as the implementation of the UN Strategy. In general, the United Nations cannot passively expect civil society engagement on Strategy-related issues; it needs to be more proactive in raising awareness of the Strategy among civil society groups and develop a channel for engagement with them. To get the ball moving in the right direction, states should seek to ensure that the Task Force has the necessary resources to allow it to appoint a focal point for such engagement.

As noted, given the diversity of interests, perspectives, and even definitions of “civil society” in different parts of the world, and the challenges this diversity presents the United Nations, it will also be important for interested CSOs to reach out to the United Nations on these issues. To this end, in addition to ideas enumerated in Section VI, consideration could be given to establishing local civil society networks, perhaps using the African Research Network on Terrorism and Counter-Terrorism (ARNTACT)<sup>46</sup> as a model, and/or focal points on Strategy implementation or using existing appropriate networks in regions. In addition, thought could be given to the creation of an on-line directory of ongoing civil society activity around the world that is relevant to the Strategy. Such a tool could prove useful not only in enhancing the sharing of information and experiences of CSOs in the context of counterterrorism, but also in encouraging collaboration among CSOs within and across regions on Strategy-related work.

Consideration could also be given to the development of a “Track II” process to provide the Task Force with outside, expert perspectives on a variety of Strategy issues and help foster interaction among academic and research

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<sup>46</sup> For more information on the ARNTACT, see [http://www.iss.co.za/dynamic/administration/file\\_manager/file\\_links/CAIROTERROREP.PDF?link\\_id=32&slink\\_id=4540&link\\_type=12&slink\\_type=13&tmpl\\_id=3](http://www.iss.co.za/dynamic/administration/file_manager/file_links/CAIROTERROREP.PDF?link_id=32&slink_id=4540&link_type=12&slink_type=13&tmpl_id=3).

institutions and CSOs from different regions, as well as key UN and UN member-state officials. In addition to engaging a broad range of civil society actors in promoting the Strategy, such a process could help foster the development of partnerships and coalitions of governments, multilateral institutions, NGOs, and other parts of civil society to enable them to work together better on the wide range of Strategy issues.

At the end of the day, however, a prerequisite to deepening UN–CSO engagement on the implementation of the UN Strategy may be addressing the tension between states and CSOs that too often exists in the context of fighting terrorism more generally. As a member-state organization, it may be unrealistic to expect the United Nations to make too much progress in this area unless this tension is eased. To this end, governments need to recognize the important contributions that CSOs of different shapes and sizes can make in strengthening both security and governance; seek to create a supportive environment for a strong and independent civil society; engage in a dialogue with civil society on issues related to the Strategy; and allocate resources and adopt laws to protect the space afforded to CSOs. The United Nations should generally work to improve confidence among states, intergovernmental bodies, and civil society and should encourage states to expand the space for CSOs to operate. It could even promote benchmarks for civil society, freedom of association, and access to information, all of which are essential to a well functioning civil society.

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## Recommendations

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1. **Raise awareness**
  - a. Awareness of the UN Strategy among CSOs around the world needs to be raised. CSOs should be made more aware of how their ongoing work contributes to implementing the Strategy and to countering terrorism more broadly.
  - b. Governments need to be made more aware of the different ways in which CSOs can contribute to the implementation of the Strategy, beyond simply acting as service providers.
2. **Avoid labeling:** The counterterrorism label should not unnecessarily be placed on the ongoing work of CSOs that is contributing to the implementation of the Strategy. Instead, CSOs should continue with this important work and communicate their progress to relevant UN Task Force members, without connecting it to or labeling it “counterterrorism.”
3. **Identify and articulate what the UN Strategy offers CSOs:** More clearly articulating what the Strategy offers CSOs in return for their engagement is a prerequisite to getting CSOs to become more involved in supporting the implementation of the Strategy.
4. **Provide CSOs space:** States need to provide CSOs with sufficient space to allow them to help build local support for the UN Strategy. At the same time, CSOs should not wait for governments to create this space for them, but engage governments in dialogue to enable both parties to explain their positions and explore the benefits of working more closely together.
5. **Establish local civil society networks:** Consideration should be given to establishing local civil society networks and/or focal points on Strategy implementation or using existing appropriate networks in regions. The Center on Global Counterterrorism Cooperation could serve as a link among CSOs contributing to the UN Strategy and between them and the Task Force, serving as a CSO/Strategy information hub for CSOs working on different aspects of the Strategy.
6. **Develop an on-line directory of Strategy-relevant CSO activity:** The Center could develop an on-line directory of ongoing civil society activity around the world relevant to the Strategy, which could be useful for enhancing the sharing of information and experiences of CSOs in the context of counterterrorism and in encouraging collaboration among CSOs within and across regions on Strategy-related work.
7. **Convene the wide range of government and nongovernment stakeholders to develop Strategy implementation plans:** CSOs should convene the wide range of stakeholders at the national, subregional, and/or regional levels to facilitate the development of comprehensive Strategy implementation action plans.
8. **Address the tension between governments and CSOs in the context of fighting terrorism.** To this end, governments should:
  - a. Officially recognize the important role that civil society plays in supporting and building both security and good governance;
  - b. Seek to create a supportive environment for a strong and independent civil society;
  - c. Engage in a dialogue with civil society on issues related to the implementation of the UN Strategy;

- d. Ensure that efforts to establish “whole of government approaches to counterterrorism also include avenues for regular interaction and dialogue with CSOs; and/or
  - e. Allocate resources and adopt laws protecting CSOs’ space.
9. **Pay greater attention to the impact of counterterrorism measures on CSOs:**
- a. Government and nongovernment funders should pay greater attention to the impact of counterterrorism measures on CSOs in those countries where they are funding CSO projects. For example, governments should include an assessment of the impact of CTMs in the relevant country when they review CSO project proposals.
  - b. Impact of CTMs on CSOs should be factored into the project monitoring.
  - c. More broadly, the criteria by which the United Nations and other relevant actors evaluate each state’s implementation of the Strategy should include the extent to which CTMs are having a negative impact on the ability of CSOs to operate in a particular state.
  - d. Governments should engage in dialogue with CSOs on the rationale and implementation of laws that could have an impact on CSOs and allow CSOs to register their concerns about those laws.
  - e. The criteria by which the United Nations and other relevant actors evaluate each member state’s implementation of the Strategy should include the extent to which CTMs are having a negative impact on civil society in that state. For example, the CTC/CTED should ensure that legislation concerning CSOs conforms with international human rights standards so that independent and informed civil society is strengthened and can contribute to the implementation of the Strategy.
10. **Encourage CSO efforts to counter the distortion of religion being propagated by terrorism**, as it will be detrimental to the actual task of countering terrorism if only religious extremists are able to “connect” terrorism with religion (by using religion to justify their acts). Thus, the United Nations, member states, and CSOs should acknowledge and discredit such “connections” between religion and terrorism, rather than pretending they do not exist.
11. **Maximize the influence of CSOs on the implementation of the UN Strategy.** CSOs should, among other things,
- a. Bring their work to the attention of the United Nations and demonstrate their usefulness in the field;
  - b. Engage with and educate governments they know are sympathetic to their cause, i.e., contributing to the implementation of the Strategy; and
  - c. Deepen their engagement with the UN Secretariat and member states in New York, including for the purpose of ensuring that New York is fully aware of the contributions CSOs of different stripes are making to the implementation of the Strategy and their desire to be engaged in a constructive dialogue with states and UN officials on Strategy issues.
12. **Engage CSOs based on their local interests and concerns**, which in many cases may mean approaching the issues covered in the Strategy through the lens of transnational crime, rule of law, or good governance rather than counterterrorism per se.
13. **The United Nations should establish benchmarks for civil society freedom and work to ensure freedom of association and access to information, which are essential to a well functioning civil society.**

14. **Outsource technical assistance and other capacity-building work to CSOs more regularly**, as CSOs can contribute to building the capacities of states, regional and subregional organizations, and civil society itself.
15. **Build the capacities of civil society and empower it**—something that is not included in the UN Strategy, with its state-centric focus. CSOs should highlight this gap and explain the importance of an empowered and developed civil society to sustained implementation of the Strategy.
16. **Carry out counterterrorism capacity-building initiatives where possible within the more politically palatable “rule of law” framework.**
17. **CSOs should bring to the attention of the United Nations the advantages of looking at counterterrorism, rule of law, and security sector reform issues, which are addressed in separate silos within the United Nations, in a cross-cutting manner and design capacity-building programs to maximize the synergies among them.**
18. **Coordination and collaboration among capacity-building providers, including the United Nations and CSOs, needs to be improved.** Steps that should be taken include:
  - a. Inviting relevant CSOs to participate on a regular basis in the work of the United Nations’ Rule of Law Assistance Coordination and Resource Group; and/or
  - b. Creating a database to log all the relevant Strategy-related capacity-building activities being undertaken by CSOs—this could be replicated at the regional and country level involving a wider range of stakeholders (e.g., the United Nations and governments).
19. **Gain a better understanding of the diversity of ways in which CSOs can contribute to building capacities to implement the Strategy and, more broadly, to combat terrorism.**
  - a. CSOs should map out what they are doing that contributes to implementation of the UN Strategy and provide concrete examples of civil society’s contributions to Strategy implementation; and/or
  - b. The United Nations should offer more opportunities for CSOs to show how they can contribute, both directly and indirectly, to the implementation of the UN Strategy.
20. **Invite CSOs to contribute to UN assessments of national Strategy implementation efforts, to take advantage of their technical expertise and understanding of the local context in which states are seeking to implement the Strategy.** In addition to or in lieu of this, CSOs should undertake their own assessments, which can more easily cut across all four of the Strategy’s pillars than the UN assessments carried out within often narrow and rigid mandates.
21. **CSOs should remain independent, impartial, and willing to be critical of all governments that abuse human rights and ensure that they highlight and promote a human rights-based approach to Strategy implementation that emphasizes accountability and empowerment.**
22. **Use the Strategy as a hook for human rights and security-focused CSOs to join together to develop and promote constructive policy alternatives in situations where the existing counterterrorism policy contravenes international human rights norms.**
23. **Stimulate more interaction between the United Nations and CSOs on the implementation of the UN Strategy.** For example,

- a. UN agencies and bodies need to proactively reach out to civil society groups, determine what they are doing on the ground relevant to the Strategy, and how they can support those efforts.
  - b. The Task Force should establish an informal mechanism for engaging with NGOs and civil society groups from different regions to help raise awareness of the Strategy, learn more about their concerns and interests and how the United Nations can assist in addressing them, and encourage them to play leading roles in their respective communities and regions in promoting the virtues of the Strategy.
  - c. The secretary-general should establish a CSO advisory committee to provide input to the Task Force on Strategy issues.
  - d. The Task Force should be provided with the resources necessary to allow it to engage systematically with CSOs, both from the UN in New York and in the field.
  - e. The Security Council's counterterrorism bodies and UNODC's TPB should share more information with and otherwise reach out to civil society.
  - f. CSOs should take steps to engage with the UN system on all areas of the Strategy. For example,
    - i. CSOs should map the various entry points for engagement with the United Nations (e.g., the Human Rights Council, the Counter-Terrorism Committee, etc.) and determine where certain groups may have a comparative advantage and/or a particular interest in engagement and could take the lead;
    - ii. CSOs should identify focal points within regions or on discrete Strategy issues, such as conflict resolution, to raise awareness of the Strategy among their partners and networks. These focal points could also be useful points of contact for CSOs to communicate with the Task Force and share information with relevant Task Force workgroups; and/or
    - iii. Consideration could also be given to the development of a "Track II" process to provide the Task Force with outside, expert perspectives on a variety of Strategy issues and help foster interaction among academic and research institutions and CSOs from different regions, as well as key UN and UN member-state officials.
24. **UN member states, in particular those on UNDP's Executive Board, should call for that organization to engage fully with the Task Force and in all relevant Strategy implementation efforts.**

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## Appendix: Illustrative Survey of CSO Activities

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*The purpose of this survey is to indicate that CSOs are undertaking important work in different regions that is relevant to the implementation of the UN Strategy.<sup>47</sup> It is not intended to be a comprehensive overview, as there are many CSOs doing important work in a variety of regions and locales too numerous to mention in this brief sampling. Much of the work of these organizations is not and should not be labeled as counterterrorism per se but nevertheless relates generally to implementation of the Strategy.*

### **Pillar I: Measures to address the conditions conducive to the spread of terrorism**

#### **Americas**

**ActionAid**, in partnership with a local organization, has engaged nearly 1,500 youth (at least 30 percent of whom are women) in a project titled the “National Youth Association of Guatemala.” The project focused on strengthening and improving the organization of youth in the country as well as pushing for “social political intervention to press government in improving youth conditions of living.” A major success for the program includes the passage of national laws and adoption of public policies for the “Integral Development of Youth” by the government.

**Web site:** <http://www.actionaidguatemala.org/english>

#### **Europe**

The **Kvinna till Kvinna Foundation** supports women’s organizations in conflict regions. It collaborates with organizations in countries such as Iraq, Afghanistan, and Bosnia, which play an active part in peace and rebuilding processes. Specific examples of fieldwork include: safeguarding and lobbying for women’s legal rights, supporting of women’s organizing, and education of women in democratic organizational and working methods as well as working on issues for “conflict resolution, dialogue, and reconciliation between ethnic, religious and national ethnic groups” in the Balkans and South Caucasus.

**Web site:** <http://www.iktk.se>

#### **Middle East/North Africa**

**World Vision**, a Christian relief and development organization, is working on a project in Lebanon titled, Building Peace for the Children of War. This conflict transformation project targets Lebanese village children of school age from different ethnic and religious backgrounds from 40 schools throughout the country, with the goal of “promot[ing] peace, encourag[ing] reconciliation and build[ing] bridges between children and young people from different backgrounds.” The project has three main components: (1) peace education; (2) conflict resolution in schools; and (3) sports for peace.

**Web site:** [http://www.meero.worldvision.org/index\\_country.php?countryID=16](http://www.meero.worldvision.org/index_country.php?countryID=16)

#### **South Asia**

The **KASHF Foundation** is dedicated to “providing quality and cost effective microfinance services to low income households, especially women, to enhance their economic role and decision-making capacity.” Operating

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<sup>47</sup> Unless otherwise noted, quotations in this appendix correspond to information quoted from the Web site for the organization or project listed at the end of each entry. The authors are grateful to Liat Shetret for her research assistance in compiling this appendix.

in Pakistan, its services include: (1) general loans; (2) emergency loans; (3) home improvement loans; (4) business loans for small entrepreneurs rejected for loans by charter banks; and (5) insurance.

**Web site:** <http://www.kashf.org>

### **Southeast Asia**

The **LibforAll Foundation** has developed grassroots programs in Indonesia aimed at reducing religious extremism and encouraging tolerance. For example, its Global Counter-Extremism Network brings together Muslim leaders in an “informal global network of like-minded civil and religious organizations, individual opinion-leaders, and supporters to promote the culture of liberty and tolerance worldwide.” Networking events have included a religious summit in June of 2007 in Bali to promote a moderate and pluralistic interpretation of Islam. LibForAll also has an initiative titled, “Musical Jihad” against religious hatred and terrorism. This project includes working with Muslim pop celebrities from different linguistic, cultural, and commercial traditions to disseminate music and videos by celebrities from Islamic and Western cultures that present a tolerant narrative.

**Web site:** <http://www.libforall.org>

### **Sub-Saharan Africa:**

**Africa Center for Constructive Resolution of Disputes (ACCORD)**, which is based in South Africa but works continent-wide, has as a primary aim “to influence political developments by bringing conflict resolution, dialogue and institutional development to the forefront as an alternative to armed violence and protracted conflict.” It specializes in “conflict management, analysis and prevention and intervenes in conflicts through mediation, negotiation, training, research and conflict analysis.” Since 1992, ACCORD has trained over 15,000 people in conflict management and conflict resolution skills, focusing on the government, the public service, business, military and police, and civil society.

**Web site:** <http://www.accord.org.za>

## **Pillar II: Measures to prevent and combat terrorism**

### **Americas:**

The **Transnational Threats Project (TNT)**, initiated by the Center for Strategic and International Studies, examines the relationship between terrorism and Islamist extremism. “The project brings together the public and private sectors to exchange information and improve practical efforts to increase awareness and knowledge of the terror threat. TNT’s network includes key intelligence and law enforcement agencies all over the world whose insights become part of the U.S. national security debate.”

**Web site:** <http://www.csis.org/TNT>

### **Europe:**

The **Geneva Centre for the Democratic Control of Armed Forces** has helped to develop a tool kit for security sector practitioners and policymakers on issues of Security Sector Reform and Gender, Defense Reform and Gender, as well as Civil Society Oversight of the Security Sector and Gender. The tool highlights how CSOs and the security sector can practically integrate gender issues and “consolidate local ownership by ensuring that both men and women are engaged and have a stake in the development or reform of the security sector as it affects their communities and countries.”<sup>48</sup>

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<sup>48</sup> Karen Barnes and Peter Albrecht, *Civil Society Oversight of the Security Sector and Gender*, 2008.

**Web site:** [http://www.dcaf.ch/dcois/\\_index.cfm](http://www.dcaf.ch/dcois/_index.cfm)

#### **Middle East/North Africa:**

The **International Counter-Terrorism Academic Community (ICTAC)** is a networked community of academic experts and researchers in fields related to counterterrorism. Unique to the community is a threat assessment consultancy model that offers risk assessment model estimates and legal services, claiming that “the courtroom has become the newest challenge for counter-terrorist experts as an active front in the war on terror. Battles are being won through convictions holding terrorists and their organizations legally accountable for their crimes and through punitive sentences rendering them inoperable.”

**Web site:** <http://www.ICT.org.il>

#### **South Asia:**

The **South Asia Small Arms Network** is a civil society network focused on addressing the threat posed by small arms proliferation in South Asia and its impact on people in the region. As part of this program, national coalitions were formed in most countries of South Asia during the period of 2003–2004.

**Web site:** <http://www.sapint.org/List.php?type=Projects&CategoryID=46#>

#### **Southeast Asia:**

The **Philippine Institute for Political Violence and Terrorism Research** has undertaken or is undertaking a range of Strategy-relevant initiatives including looking at responses to terrorist threats at various levels and from various perspectives such as the local, national, regional, global, ideological, military, and legislative.

**Web site:** <http://www.pipvtr.com>

#### **Sub-Saharan Africa:**

The **Institute for Security Studies (ISS)** Program on International Crime and Terrorism in Africa assesses the threat of terrorism in various sub-regions and across the continent. It examines existing legislation relating to the combating of terrorism. ISS has convened an array of workshops and seminars on subjects ranging from police training and common threat assessments, including a seminar on the African Union’s Perception of the Threat of Terrorism and Measures to Prevent and Combat Terrorism. ISS also produces numerous monographs and reports on counterterrorism at the national, subregional, and regional levels in Africa.

**Web site:** [http://www.iss.co.za/index.php?link\\_id=32&link\\_type=12&tmpl\\_id=2](http://www.iss.co.za/index.php?link_id=32&link_type=12&tmpl_id=2)

### **Pillar III: Measures to build states’ capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard**

#### **Americas:**

The **American Bar Association’s** Rule of Law Initiative is working in some 40 countries to provide technical assistance and training to legal practitioners, including lawyers, judges, prosecutors, and law professors. It focuses on issues such as anti-corruption, criminal law reform, human trafficking, gender issues, human rights and conflict mitigation, judicial reform, legal education reform, and legal profession reform. In January 2007, for example, the Initiative launched a program in Lebanon focused on legal education. The program aims to introduce

a “new generation of advocates to the core concepts of human rights and application of those rights.” The program offers hands-on practical legal experiences through an innovative curriculum: The Lebanese Human Rights Clinical Legal Education project.

**Web site:** <http://www.abanet.org/rol>

### **Europe:**

The **International Legal Assistance Consortium**, a Swedish-based CSO, is a worldwide consortium of legal and human rights organizations, providing technical legal assistance to post-conflict countries. In addition, it has trained criminal justice officials on the implementation of the international counterterrorism legal framework in countries such as Algeria and Morocco.

**Web site:** <http://www.ilac.se>

### **South Asia:**

The **Human Rights Commission of Pakistan** promotes human rights and democratic development in Pakistan. The Commission holds workshops, fact-finding missions, seminars, surveys, and protest rallies. Workshops on political education and elections are designed to increase awareness about the importance of the electoral process. A number of workshops, fact-finding missions, and visits focus on the “rights of segments of [the] population with additional vulnerabilities, including women, children, IDPs [internally displaced persons] and refugees.”

**Web site:** <http://www.hrcp-web.org>

### **Southeast Asia:**

**SUARAM** is a Malaysia-based human rights group that campaigns, advocates, lobbies, and organizes on issues such as police accountability, the right to trial, documentation and monitoring, and protection of refugees and asylum-seekers. Part of its police accountability project includes the handling of cases of abuse of police powers, “including violent police reaction to peaceful assembly, arbitrary detention of protestors, deaths in custody, and police shootings.” SUARAM is currently leading a campaign to push for the formation of an Independent Police Complaints and Misconduct Commission in an effort to make the police force more accountable and curb abuses of police powers.

**Web site:** <http://www.suaram.net>

### **Sub-Saharan Africa:**

The **Centre for the Study of Violence and Reconciliation** is a South Africa-based research and policy institute engaged in research, education, policy work, and grass roots advocacy on issues of reconciliation, democracy, human rights, and violence prevention in southern Africa and across the continent. Among other things, its criminal justice program is working to promote criminal justice systems that simultaneously promote respect for the rule of law while promoting a human rights culture.

**Web site:** <http://www.csvr.org.za>

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