

**The UN Security Council: Assessing Twenty Years of Counterterrorism  
Multi-Stakeholder Perspectives from “International Geneva”  
Workshop Summary  
April 6 - 7, 2022**

## Overview

This [Securing the Future Initiative \(SFI\)](#) workshop, co-hosted by the [Geneva Centre for Security Policy \(GCSP\)](#), convened a range of stakeholders across “International Geneva”, including representatives from member states, the United Nations (UN), researchers, and civil society. The purpose was to exchange views on the impact of the UN Security Council’s (UNSC) counterterrorism (CT) activities over the past 20 years, with a particular focus on how such activities have affected development, humanitarian action, and human rights, and elicit recommendations for the future direction of UN Security Council’s counterterrorism efforts. Discussions centered on how to ensure the Council’s approach to addressing the evolving terrorist threat is fit for purpose more than two decades since the 11 September 2001 attacks that catalyzed its growth in this field. This is especially in light of an evolving terrorist threat landscape and now expansive multilateral CT architecture that includes numerous UN and other intergovernmental bodies. The Geneva workshop, which was conducted under the Chatham House Rule, was one of a series of SFI-hosted discussions aimed at capturing a diversity of global perspectives on the past and future role of the Council on counterterrorism. These roundtables will inform the SFI’s final report, which will be presented during the opening of the 77th UN General Assembly in New York in September.

*Below is a summary of key discussion points. It is not a transcript of the event and does not necessarily reflect the views of the co-hosts, the government of Switzerland or other SFI sponsors.*

## ***Systemic shocks and a changing threat landscape***

Workshop participants discussed the evolution of the terrorist threat and outlined a number of systemic shocks that would likely affect its future trajectory. These included the global COVID-19 pandemic, the Taliban takeover of Afghanistan, and the war in Ukraine. They also pointed to different ways in which the threat today was different than it was 20 years ago when the Council responded to the 9/11 attacks. These include a growing far-right threat, the possibility of “career foreign fighters”, and the establishment of regional affiliates of ISIS and al-Qa’ida.

## ***Changes to the multilateral CT architecture since 9/11: implications for the UNSC?***

Participants also discussed the sweeping changes to the multilateral CT architecture over the past two decades, including the formation of informal intergovernmental bodies like the Global Counter-Terrorism Forum (GCTF) and the mushrooming of the UN CT architecture.

Participants underscored how the mechanisms to address terrorism in the pre-9/11 era were largely designed to address the role of states. They noted how the 9/11 attacks were a crisis point that forced Security Council members to consider ways of urgently dealing with a threat that was increasingly transnational but also driven and addressed at the community level by an array of non-state actors.

Participants recognized that international terrorism was an appropriate issue for the Council to address, with some emphasizing that terrorist acts needed to be addressed within a Council framework given the threat to international peace and security as perceived on September 11, 2001. Several stressed that Council action needed to be centered on human rights and humanitarian norms and obligations and not rely purely on security-based responses. Although the Council has incorporated some human rights and humanitarian language in its resolutions adopted from 2003 onwards, participants stressed the need to place these principles at the core of the Council’s CT action.

Discussions also highlighted the need for the Council to adopt a more inclusive approach to its CT work. This includes, for example, providing more opportunities for a diversity of actors outside of the 15 Council members to be heard.

### ***Civil society, prevention, and the UNSC' CT program***

While efforts have been made to include more civil society voices in Council counterterrorism discussions, some questioned whether these were able to meaningfully shape the discourse or states' actions, stressing the importance of including such perspectives early on, and not just as add-ons when key decisions were already made.

Participants noted how the Council has gradually placed more emphasis on preventing and countering violent extremism (P/CVE), recognizing that "hard" security-based responses alone were not able to address the enabling environment for terrorism and in some cases could even contribute to it by exacerbating grievances linked to state behaviors.

Participants discussed some of the successes and challenges in P/CVE. For example, they noted the risks of a crowded and uncoordinated P/CVE space where there is a lack of partnership among stakeholders seeking to do such work and the risk of competition or duplication among entities working on similar issues. It was also noted that relabeling peacebuilding or development work as P/CVE, or introducing P/CVE language to their programs, could be contrary to the goals of such work that is usually more driven by needs- (rather than risk-) based approaches.

Discussions also underscored the importance of ensuring that a diverse array of civil society groups, including grassroots organizations, could access funding and capacity building support to address the drivers of and steer individuals away from violent extremism. To that end, the work of the Global Community Engagement and Resilience Fund (GCERF) was highlighted not only because of the number of people on the ground on whom its work has had a positive impact, but also because GCERF made use of solid evaluations (rather than "vanity metrics") to assess and calibrate its work.

Participants underscored the need to move away from relying on "vanity metrics" and focus instead on measuring the concrete outcomes and impacts of counterterrorism-related activities as part of an enhanced commitment to conducting a long-overdue comprehensive evaluation of what worked (and didn't) in addressing the the terrorist threats over the past two decades.

### ***Human rights, humanitarian action, gender and the UNSC CT program***

Participants highlighted increased efforts in the Security Council and its subsidiary bodies, e.g., the Counter-Terrorism Committee and the Executive Directorate (CTED), in integrating human rights, humanitarian principles, and gender-dimensions into their CT work, noting that modest progress has been made to bring these worlds closer together, at least on paper. There was recognition that some non-permanent UNSC members have pushed forward the human rights agenda on the Council, advocating to incorporate those principles in CT action; however, participants noted that integrating this advocacy in a way that outlasts the presence of these members on the Council poses a challenge to the sustainability of these priorities. Moreover, others questioned the extent to which such efforts could meaningfully influence the behavior of states, particularly as the dialogues and reports produced by CTED after their country visits remained largely confidential. Although an increased number of the recommendations in the reports have been made available in whole or in part to over 40 UN entities known as the “Global Compact”, they remain inaccessible to non-Council members and civil society. CTEDs in-depth engagement with states on difficult human rights topics, such as torture, law enforcement, and freedom of expression was noted, with participants (including representatives of states visited by CTED) recognizing the importance of these discussions and their role in highlighting the importance of these issues to domestic agencies and government officials. The point was also made, however, that national parliaments have adopted less human rights friendly CT laws despite this CTED engagement.

Participants also highlighted the incorporation of a gender lens in CTED visit discussions, noting the evolution of the focus from being nonexistent to fully incorporated into country assessments and CTEDs overall work. The increased engagement with civil society during country assessments and pre-resolution consultations, was noted, though some participants also recognized the limitations of such engagement since it had to be undertaken with the consent of the visited state, which could also shape and approve the final outcome report. Participants said it was important for member states to allow CTED to make their country assessments, without

weakened or removed language, in order to increase accountability on the findings and recommendations.

## **Translating UNSC resolutions in to action: guidance, good practices, and “soft-law”**

Some participants noted the development of CTED guidelines and implementation toolkits, which are public, as well as the good practice documents produced by the GCTF, as valuable frameworks for states seeking to translate Security Council resolutions into domestic laws and measures. However, others raised concerns about the development of “soft law”, e.g., in the form of “good practice documents”, through the GCTF and other informal bodies. They highlighted how these good practices then become integrated into binding Security Council resolutions, without the benefit of the kinds of deliberations and processes that underpin treaty making negotiations. However, it was also pointed out that the process of developing GCTF good practice documents was much more inclusive than that followed by the UNSC when it elaborates its resolution. This led some to argue that the process that led to the adoption of UNSCR 2178 was much more transparent and deliberate than that followed for prior UNSC CT resolutions.

### ***The UNSC’s CT program: the elusive quest for transparency and inclusivity continues***

It was recognized that further action needs to be taken to increase transparency within the UNSC CT architecture, ensure that UNSC CT resolutions and engagements do not not impede the delivery of humanitarian assistance, and that civil society organizations should have opportunities to contribute to the formulation of Security Council resolutions on counterterrorism, as they do on other issues at the UN. Participants emphasized the importance of meaningful civil society inclusion, noting that civil society groups understand when they are engaged simply to “check a box”. Participants flagged the risk of a “gravitational pull” where civil society, academics, and human rights advocates were pulled into the UNSC CT architecture and action and sometimes shaping or constraining their ability to offer critical or independent contributions.

### ***Impact of UNSC CT measures on domestic legislation and action***

Participants discussed the impact of UNSC CT efforts on member states, including their domestic legislation; some described how states had to ensure safeguards for international humanitarian law and human rights when domesticating the Council's obligations.

The absence of a definition of terrorism (and violent extremism) was highlighted by several participants as a key concern, particularly as several binding Council resolutions left the term open for each state to define. Participants highlighted how this made it easier for states to adopt CT laws that violate human rights and how the Council's inability to put in place safeguards to restrain this misuse continues to undermine the Council's credibility and the legitimacy of its CT architecture and regime.

There was recognition among participants that a Council definition of terrorism (or violent extremism) would not ensure that member state CT or P/CVE measures and actions are compliant with human rights norms. However, it was also noted that the UN should be doing more to reduce the likelihood that Council resolutions are misused by states (including for repressive purposes), warning of the unintended (or intended?) impacts that could become institutionalized. To that end, it was viewed as important that UN entities with human rights mandates and responsibilities be better resourced and further empowered to be able to engage on counterterrorism issues.

### ***Mitigating the likelihood of misuse of UNSC CT measures: the role of civil society***

Participants emphasized the important role that civil society can play in documenting misuse and abuse of counterterrorism measures, and identifying perpetrators. It was highlighted that increased documentation of how CT measures are being used for human rights violations, and to contribute to a shrinking space for civil society, could help "name and shame" states especially when UN bodies were not able to do so publicly. Underscoring this point, it was noted that, twenty years later, lack of trust in CT actors and their actions remains a serious issue that concerns CSOs and other stakeholders and therefore impedes more effective cooperation that is necessary in order to implement the whole of society approach to prevention of violent extremism.

There were calls for greater proactive engagement from civil society with the UNSC and wider UN CT architecture and a call for a more organized civil society-led coalition to catalyze this engagement. However, it was also noted that CSOs cannot be asked to bear the sole responsibility for intensifying this engagement and that civil society is not a monolith and that there could be differences of opinions and approaches among civil society groups, not all of whom might support wider UN values.

### ***Conflating IHL and CT: mitigating the consequences of conceptual confusion***

The impacts of UN Security Council measures on humanitarian responses were a key concern for many participants, who noted the risks of tension between IHL and UNSC-generated counterterrorism norms. Discussions highlighted how the tendency to too often conflate terrorism with armed conflict had prompted conceptual confusion and tensions between different norms, with risks to existing obligations under international law. Such a conflation, it was emphasized, not only obscures analysis and evaluation, but has far-reaching implications for principle-driven responses to terrorism. To mitigate the negative impact of this tendency, participants noted that stakeholders and policymakers should do a better job distinguishing between terrorist acts committed in peaceful countries and those in conflict zones, where international humanitarian law already prohibits several acts associated with terrorist groups, in order to tailor an appropriate response to those actions.

Participants shared concerns about the chilling effect on humanitarian action in conflict settings – including by slowing delivery of assistance – as a result of the expanding criminalization of behavior in the name of counterterrorism. It was noted that steps should be taken in order to address this challenge to ensure that any criminalization efforts linked to terrorism exclude humanitarian aid and its delivery. However, participants recognized the divergence on these issues among Security Council members, particularly the permanent members, and noted the role of CTED in continuing to monitor developments in this space.

While such issues were widely recognized and well understood among member states' representatives in Geneva, participants noted that this recognition and understanding were not always reflected in the same states' actions in the Security Council.

Participants highlighted how, noting the disconnect risked creating contradictory and siloed approaches.

### ***Impact of UNSC CT sanctions***

While much of the focus remained on the Council's wider counterterrorism actions and the role of the Counter-Terrorism Committee and CTED, participants also discussed the impact of the "1267" sanctions regimes on human rights and humanitarian action, with many noting the overuse and abuse of CT sanctions that can violate these principles. The need to create processes with specific obligations, evaluative measures, and sunset clauses for sanctions measures was suggested to mitigate these issues, with participants underscoring that sunset clauses are only meaningful if actually applied.

### ***Impact of UNSC CT action on peace and security, development, and other UN priorities***

Participants discussed the ongoing and potential impacts of Security Council counterterrorism efforts on wider UN objectives - even those of the Council - relating to peace and security, development, and human rights. For example, they noted the complex challenges and relative lack of discussion on the impacts of terrorism and counterterrorism on peace operations. Further, they pointed out that beyond the question of whether UN-mandated peace operations should actually conduct counterterrorism operations, there was little to no UN doctrine or consensus on how UN missions should operate in terrorism contexts, leaving UN personnel and missions vulnerable.

It was also noted that while there were several challenges with P/CVE programs, in some contexts it could also provide an opening to engage states and security actors on issues such as prevention, human rights, gender equality, and multi-stakeholder approaches. For some states, this was a more palatable entry point than peacebuilding, for example. However, others noted this risked distorting attention away from traditional development issues to ones that helped create enabling environments for terrorism risks. Participants cautioned that this could draw resources and attention away from development priorities such as climate change, human rights, food security, among others, which will in fact contribute to addressing many of the drivers of terrorist or violent extremist recruitment.

## ***Be sensitive to labeling***

Labeling was a key issue, and it was noted that for some development and peacebuilding actors, engaging with counterterrorism actors posed a problem. CTED, for instance, has met with some resistance when trying to work with some development and civil society actors, because of its counterterrorism mandate, though in recent years there have been more positive developments in terms of CTED engaging with UN teams in the field.

Participants highlighted how the opportunities for engagement between CT and non-CT actors have increased in recent years in part due to the proliferation of counterterrorism meetings and platforms - such as UN Security Council open meetings, UN inter-agency working groups, or UN capacity building measures - which allowed for the participation of non-security actors. Reducing or cutting back on these CT activities, it was argued, could also reduce opportunities for such actors to participate in, and influence the shape of multilateral counterterrorism efforts which, in the absence of non-security actors, could become even more focused on kinetic measures. For some UN agencies, it was noted, it had proved beneficial to join counterterrorism and P/CVE efforts in order to be able to influence the activities.

## **UNSC Action and Foreign Terrorist Fighter Phenomenon**

Participants reflected on the “foreign terrorist fighter” (FTF) phenomenon, which was catalyzed by with the UNSC’s adoption of resolution 2178. Some saw it as emblematic of all the problems surrounding UNSC counterterrorism action more broadly. Many highlighted the governmental overreach that was borne out of the FTF phenomenon, emphasizing the unintended consequences on human rights and failure of governments to often recognize their obligations to their own citizens. Participants noted that many states had initially been quite happy for citizens to travel abroad to conflict zones, rather than perpetrate violence at home, or to support allies on the battlefield. It was also emphasized how the main concern of some states is often centered on the potential risk of FTFs committing violence or terrorist acts on their return, rather than ensuring justice for the acts they may have committed in conflict zones, raising concerns of real accountability. The lack of progress on any meaningful accountability for the

overwhelming majority of FTFs associated with ISIS, and the humanitarian conditions in the camps in Northeast Syria, were highlighted as key challenges.

Participants also pointed to the inconsistent approach among states in labeling “FTFs”, and the impact this has on human rights and rule of law. It was also highlighted how the lack of clarity regarding the terminology (such as “foreign”, “fighter”, and “terrorist”) has resulted in legal ambiguity and led to violations of human rights and international humanitarian law.

Participants discussed the problematic nature of the concept of FTFs from a human rights perspective, underscoring the challenges of repatriation and reintegration when returnees are viewed as a security threat and sometimes defined as an enemy of the state, in part because of the application of the FTF moniker. It was also highlighted that many of those who are caught up in the FTF phenomenon might have been misled to join the conflict or trafficked, further complicating repatriation and human rights. The cases of children in particular warranted attention as states are obligated to treat children as victims and ensure that their treatment is in line with treaty obligations, which is not currently the case for all children associated with ISIS. Participants discussed how some countries, particularly in Central Asia, have seen success in their reintegration and rehabilitation programs by working with civil society, noting that these actors play a crucial role in these programs.

Participants underscored how the good practices emerging from experiences in regions like Central Asia need to be better understood and highlighted globally to help states in other regions manage the challenges of returning FTFs and associated family members who may have traveled involuntarily or been born in the region.

## ***The Russian invasion of Ukraine and the impacts on the multilateral CT landscape***

Participants discussed how, for nearly two decades, Security Council members were able to achieve some measure of consensus on counterterrorism. They noted how this contributed to the proliferation of counterterrorism activity in the UNSC and the inclination of many elected Council members in search of a “legacy” resolution, to choose this topic. Participants highlighted how the push for a consensus within the Council has tended to dilute priorities, such as human rights, gender, and humanitarian



aid, resulting in resolutions that do not - from the perspective of like-minded Western countries, adequately integrate or address these priorities. Yet some pointed to the mutual dilution of priorities in the current multilateral landscape, noting that just as principled action can be diluted, so can the priorities of states who want to abuse CT legislation. Some participants shared the belief that there is in fact a global consensus on a principled approach to CT and P/CVE – at least on paper – and that this consensus will eventually prevail in the multilateral landscape. Others noted, however, that the intense politicization of the Council was likely to remain a lasting feature, underscoring the value of ensuring that counterterrorism-related activities be managed by the relevant specialized agencies and bodies, including outside of the UN system.

Discussions focused on how Russia's invasion of Ukraine will now create a more challenging political environment within the Council, including for counterterrorism and how the political isolation of Russia as a result of its invasion of Ukraine, was going to make it difficult to achieve meaningful change in UNSC counterterrorism efforts let alone maintain the consensus. Some noted that there is now an opportunity for like-minded states to work together on a more principled prevention focused approach to terrorism and violent extremism outside of the Council, thus bypassing Russia's recalcitrance and obstructionism in the Council. Other participants noted, however, that it was also important for Western states to remain engaged in some measure with the Council, rather than cede the space to Russia and China and to be able to continue to advocate for values such as human rights, gender equality, and civil society engagement.

Some highlighted that the Council had experienced several conflicts involving permanent members and the decade long civil war in Syria, and that there needed to be some planning for how to manage relations among permanent members in the medium - if not near - term. It was noted that the Council could be an important forum for reaffirming international norms, with participants underscoring that Russia's narrative of the war in Ukraine had been drowned out by other member states who have been able to isolate Russia politically; Ukrainian President Zelensky's speech to the Council just preceding the workshop in Geneva was highlighted as an example.

## **Recommendations**



During the discussions, participants put forward a range of recommendations aimed ensuring a sustainable and effective Security Council approach to addressing terrorist and violent extremist threats in 2022 and beyond. For example:

- The Council should increase transparency by: making the CTED country assessments public; by encouraging CTED to compile trends reports that reflect instances where member states are justifying ongoing human rights abuses in the name of implementing UNSC CT Resolutions; and by considering an Office of Internal Oversight Services audit of CTED
- The Council should ensure that the Office of the High Commissioner for Human Rights regularly briefs the Council on the impact of the implementation of Council CT resolutions on human rights.
- Member states and the UN system should consider channeling increased investment in prevention and local grassroots initiatives, with a particular focus on local civil society, academics, and universities impacted by CT.
- The Council should consider changing the structure and mandate of the Counter-Terrorism Committee, including, for example, by expanding its membership, having it meet on a quarterly basis at the level of national counterterrorism coordinators, and having it focus more attention on implementation shortfalls.
- Member states should call for the development of UN training institutions that focus on enabling local actors in P/CVE work.
- Like-minded member states should work together to ensure that human rights and humanitarian principles are at the center of P/CVE action at the UN and that guidance is developed and disseminated to states on how P/CVE can be implemented in a principled manner.
- Like-minded Council members should work together to effectively advocate for principled CT and identify “red lines” beyond which the Council should not take counterterrorism action.



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For more information on the SFI please see [www.sfi-ct.org](http://www.sfi-ct.org) or contact:

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