

Unpacking the Key Features of a Comprehensive Counterterrorism Approach by the UN Security Council

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KEY FINDINGS

- ▶ Key features of a truly comprehensive approach to counterterrorism and preventing and countering violent extremism (P/CVE) encompass at least three aspects: serving human security, meaningful engagement with key (non-governmental) stakeholders to ensure a “whole of society” approach, and assessing the potential intended and unintended consequences on the short-, mid-, and long-term of a counterterrorism or P/CVE intervention in order to mitigate undermining consequences.
- ▶ The UN Security Council (UNSC) does not have a practice of conducting conflict sensitivity assessments and impact assessments before issuing new resolutions and has not used a “do no harm” principle to guide its policy decisions.
- ▶ The comparative advantages of the UNSC to swiftly and forcefully respond to imminent security threats related to terrorism and violent extremism are thus at odds with the features that need to be upheld when embracing a comprehensive approach.
- ▶ The UN Global Counter-Terrorism Coordination Compact offers a governance mechanism that could facilitate a comprehensive approach, if used in the right way—including by the UNSC when considering new measures—and if particularly and as a matter of policy, conflict sensitivity assessments and impact assessments are conducted when planning interventions and before adopting or implementing new policies, in order to mitigate unintended negative consequences and respect the “do no harm” principle.

Introduction

Particularly since 2001, the United Nations' (UN) response to the threat of terrorism was mainly guided by the UN Security Council (UNSC). The UN's focus in the aftermath of the 9/11 attacks was primarily on how to respond quickly and forcefully to address what was perceived to be an imminent threat to international peace and security. The backbone of the counterterrorism (CT) policy of the UNSC is formed by its landmark resolution 1373 (2001)¹ focused on criminalizing the financing of terrorism and denying safe haven to terrorist groups and their supporters, and the sanctions' regime based on UNSC resolution 1267 (1999) and its follow-up resolutions² focused on freezing the financial assets of designated terrorist organizations and their affiliates and imposing a travel ban on designated individuals and groups. To date, the UNSC's broad CT framework includes more than 40 resolutions.³

Since the General Assembly adopted the UN Global Counterterrorism Strategy (UN GCTS) in 2006,⁴ a shift has been made to adopt a more comprehensive approach,⁵ including giving attention to the conditions conducive to the spread of terrorism, and respecting human rights while countering the threat. This eventually resulted in broadening

the interventions initiated by the UN to also include preventing and countering violent extremism (P/CVE).⁶

Beyond the UN GCTS with its four pillars that include focus on conditions conducive to the spread on terrorism and respect for human rights, various references are made in UNSC resolutions⁷ adopted after 2010 that indicate the UNSC is conscious of the need for a comprehensive approach to curb the threat of terrorism, and to contribute to a sustainable solution to deal with the problem. The ambition to be comprehensive is therefore there, even though only a limited number of UNSC resolutions explicitly mention this and the Council merely "encourages" or "urges" rather than "requires" states to adopt such an approach, which is language to indicate a non-binding recommendation, rather than an obligation upon states who should implement the policy or measures.

Although it can certainly be stated that the UN, including through the UNSC, has taken action in different policy fields to address either a direct threat or an underlying condition, this in itself is not the same as truly using a comprehensive approach. In this paper, we identify some of the key features of a comprehensive approach, and ask the key question of whether the UNSC is capable of and willing to develop or contribute to comprehensive policies or interventions in the field of CT or P/CVE.

1 S/RES/1373 (2001), September 28, 2001.

2 S/RES/1267 (1999), October 15, 1999; S/RES/1333 (2000), December 19, 2000; S/RES/1363 (2001), July 30, 2001; S/RES/1388 (2002), January 15, 2002; S/RES/1390 (2002), January 16, 2002; S/RES/1452 (2002), December 20, 2002; S/RES/1455 (2003), January 17, 2003; S/RES/1456 (2003), January 20, 2003; S/RES/1526 (2004), January 30, 2004; S/RES/1617 (2005), July 29, 2005; S/RES/1699 (2006), August 8, 2006; S/RES/1730 (2006), December 19, 2006; S/RES/1732 (2006), December 21, 2006; S/RES/1822 (2008), June 30, 2008; S/RES/1904 (2009), December 17, 2009; S/RES/1989 (2011), June 17, 2011; S/RES/2083 (2012), December 17, 2012; S/RES/2161 (2014), June 17, 2014; S/RES/2170 (2014), August 15, 2014; S/RES/2178 (2014), September 24, 2014; S/RES/2199 (2015), February 12, 2015; S/RES/2214 (2015), March 27, 2015; S/RES/2253 (2015), December 17, 2015; S/RES/2347 (2017), March 24, 2017; S/RES/2368 (2017), July 20, 2017; S/RES/2379 (2017), September 21, 2017; S/RES/2388 (2017), November 21, 2017; S/RES/2396 (2017), December 21, 2017; S/RES/2462 (2019), March 28, 2019; S/RES/2560 (2020), December 29, 2020; S/RES/2610 (2021), December 17, 2021.

3 Ibid; S/RES/1373 (2001), September 28, 2001; S/RES/1624 (2005), September 14, 2005; S/RES/1805 (2008), March 20, 2008; S/RES/1963 (2010), December 20, 2010; S/RES/2129 (2013), December 17, 2013; S/RES/2178 (2014), September 24, 2014; S/RES/2195 (2014), December 19, 2014; S/RES/2242 (2015), October 13, 2015; S/RES/2322 (2016), December 12, 2016; S/RES/2331 (2016), December 20, 2016; S/RES/2341 (2017), February 13, 2017; S/RES/2354 (2017), May 24, 2017; S/RES/2395 (2017), December 21, 2017; S/RES/2396 (2017), December 21, 2017; S/RES/2482 (2019), July 19, 2019.

4 A/RES/60/288, September 20, 2006.

5 For the purpose of this paper, a comprehensive approach is understood to mean a multidisciplinary policy approach serving human security including meaningful engagement with key (non-governmental) stakeholders to ensure a "whole of society" approach addressing both underlying factors of the problem, as well as the (criminal) behavior and the security implications in a balanced manner, while respecting human rights and international law and taking a long-term perspective to ensure effectiveness and mitigating negative implications.

6 See for example the measures adopted related to CVE: S/RES/1642 (2005), September 14, 2006, on incitement to terrorism and S/RES/2129 (2013), December 17, 2013, on addressing the use of ICT for terrorist activities. See for example the policy adopted related to PVE: UN Secretary General's Plan of Action to Prevent Violent Extremism, UN Doc A/70/674, December 24, 2015; A/RES/70/291, July 1, 2016.

7 S/RES/1963 (2010), December 20, 2010; S/RES/2129 (2013), December 17, 2013; S/RES/2395 (2017), December 21, 2017.

Unpacking the Features of a Comprehensive Approach

For a truly comprehensive approach to CT and P/CVE, one needs a governance model that sets a framework of powers and capabilities, delegated to specific entities and authorities to deal with a certain problem, addressing different policy sub-goals. These sub-goals can include addressing root causes, strengthening societal resilience, improving rule of law and respect for human rights, ending conflict/occupation, improving international cooperation, strengthening border control, curbing the support and financing of terrorism, and improving effectiveness of investigation and prosecution. However, to be more than a disparate kaleidoscope of policies, each sub-goal also has to serve an overarching goal, namely the long-term and sustainable reduction of the threats of terrorism and violent extremism. All individual sub-policies should thus contribute and certainly not undermine the overall legitimate policy objective. To do so, impact assessments prior to implementation of interventions are essential to map out how the intervention might interact or influence any of the other interventions part of the comprehensive approach, and ensure the overall legitimate policy objective is not undermined due to negative side-effects.

In 2018, the UN Global Counter-Terrorism Coordination Compact framework was set up.⁸ It aims to function as a coordination framework across three pillars: peace and security, sustainable development, and human rights and humanitarian affairs. Given the number of (UN) entities that participate in the UN Global Counter-Terrorism Coordination Compact, it offers a governance model to indeed address the underlying conditions that drive radicalization by making use of interventions through, for instance, humanitarian aid, development aid, conflict mediation, and strengthening rule of law and respect for human rights. Various UN entities have authorities and capabilities to support security sector reform; strengthen early-warning and response mechanisms, international cooperation, border security, and investigative, prosecutorial, judicial, and penal capabilities; and enhance the international counterterrorism legal framework. These capabilities can be performed by the participating entities and organs that have the opportunity to consult and align their activities and interventions within this framework

in order to ensure these are in line with the overarching comprehensive objective.

The UNSC Counter-Terrorism Committee's Counter-Terrorism Executive Directorate is one of the entities that participates in the UN Global Counter-Terrorism Coordination Compact framework. The Compact framework could thus serve as a mechanism to ensure a comprehensive and inclusive design of CT and P/CVE policies at UN level. The mechanism could be used to deconflict potential contradicting or undermining policies and programs undertaken by the constituent entities in light of the overall objective of the comprehensive approach, which would thus include the activities of the UNSC. For this to materialize however, all entities, including the UNSC and its sub-organs, should thus ensure that (1) multiple stakeholders are consulted before adopting or implementing a measure or policy, (2) the objective of the measure or policy also serves the overall objective of curbing a threat and preventing violent extremism, and (3) an impact assessment is conducted that considers potential negative consequences regarding the overall objective (not just the objective of the singular measure) and mitigating measures are subsequently taken if necessary.

Furthermore, for such a governance model to be effective and comprehensive, financial resources are needed and an independent mechanism needs to be in place to ensure funds are spent on issues that merit attention. The process of allocating funds should be transparent and conducted based on professional criteria, and furthermore be void of political influence.

Hence, a true comprehensive approach regarding CT and P/CVE does not only mean that all features of the underlying threat and underlying conditions leading to radicalization toward violent extremism are touched upon or considered, it also entails that these aspects are addressed inclusively, and the potential (unintended) negative consequences are mitigated before the policy or measure is adopted or implemented. To facilitate this process, all relevant stakeholders participating in the Compact framework need to consider the concept of human security as the lens through which the security issue is assessed and potential interventions are designed. Furthermore, it means

⁸ Signed on February 23, 2018, to coordinate the activities of 43 entities. Secretariat is run by the UN Office of Counter Terrorism (UNOCT). See <https://www.un.org/counterterrorism/global-ct-compact>.

that relevant partners and stakeholders need to be involved in designing and implementing policies and programs in a manner that is also respectful of the key principles that drive their objectives.

A comprehensive approach thus assumes that a human security approach is used, as opposed to a state-centric one, which by its very nature is narrow.⁹ A human security approach ensures that a “whole of society” or people-centric lens is used and that all aspects of security—not just that of the state—are taken into account.¹⁰ However, the security concept that drives UNSC actions is mostly based on the more narrowly defined state-centric security lens. As a consequence, gender and human rights issues, for instance, although mentioned in many resolutions,¹¹ do not result in the same granular detailed instructions on *how to* ensure respect for these values while addressing the security interest discussed in the resolutions or binding obligations.¹² As a comparison, the approach of the UN Peacebuilding Commission, which is also clearly working on security issues, is based on a concept of human security, ensuring that multiple stakeholders are involved and several cross-cutting themes such as gender, human rights, and development are addressed.

Although one could argue that the Office of the High Commissioner on Human Rights (OHCHR) or UN Women are more adequately equipped to offer granular gender or human rights guidance to these issues, the key to comprehensive responses is ensuring the granular instructions on *how to* respect gender and human rights are included in the (binding) resolutions of the UNSC. This way states cannot legitimize heavy-handed CT interventions that are not respectful of gender issues and

human rights by referring to the UNSC resolutions. This abuse of the UNSC mandate potentially even fostered (new or existing) underlying causes for radicalization to violent extremism.¹³

Where the imminence and seriousness of the threat drives the UNSC to take action, other sectors, such as the humanitarian or development aid sectors, also use basic principles that are taken into account when intervening or driving the direction of actions. These principles are more grounded in a human security approach, and are often at odds with the approach taken by the UNSC on CT. This is understandable to the extent that in certain situations the threats the UNSC are addressing are imminent requiring an immediate response. However, the practice of the UNSC regarding CT shows that it is rather considering the issue to be a topic of permanent interest, allowing for ample time to consider the approach taken.

The humanitarian sector is focused on offering humanitarian aid to those who are in dire need of the most fundamental things needed to survive: food, shelter, medicine. They do that based on the principles of humanity, independence, neutrality, and impartiality. These principles are respected by these organizations under all circumstances, including in conflict zones, and hence also when dealing with humanitarian needs in regions controlled by terrorist organizations. Yet the CT measures adopted by the UNSC work on different premises, designating individuals and entities with their sanctions regime, and often demanding humanitarian organizations to screen, vet, and ensure that none of their funds fall in the hands of those designated, thus risking their impartiality and abilities to engage with multiple

9 Human Security Unit, Office for the Coordination of Humanitarian Affairs (United Nations), “Human Security in Theory and Practice,” <https://www.unocha.org/sites/dms/HSU/Publications%20and%20Products/Human%20Security%20Tools/Human%20Security%20in%20Theory%20and%20Practice%20English.pdf>.

10 UNDP, *Human Development Report* (New York: Oxford University Press, 1994).

11 References to human rights are made in the following resolutions: S/RES/1456 (2003), January 20, 2003; 1624 (2005), September 14, 2005; S/RES/1805 (2008), March 20, 2008; S/RES/2129 (2013), December 17, 2013; S/RES/2178 (2014), September 24, 2014; S/RES/2395 (2017), December 21, 2017; S/RES/2396 (2017), December 21, 2017. References to gender issues are made in the following resolutions: S/RES/2129 (2013), December 17, 2013; S/RES/2178 (2014), September 24, 2014; S/RES/2195 (2014), December 19, 2014; S/RES/2242 (2015), October 13, 2015; S/RES/2331 (2016), December 20, 2016; S/RES/2354 (2017), May 24, 2017; S/RES/2388 (2017), November 21, 2017; S/RES/2395 (2017), December 21, 2017; S/RES/2396 (2017), December 21, 2017.

12 See also the criticism of the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Report of the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, UN Doc A/74/335, August 22, 2019.

13 UNDP, “Journey to Extremism in Africa: Drivers, Incentives and Tipping Points for Recruitment,” 2017, <https://journey-to-extremism.undp.org/en>.

conflict parties.¹⁴ Although this system allows for some humanitarian exceptions, these procedures do not cover all situations and overall this system has a direct impact on the work of non-governmental organizations (NGOs) which that spend a lot of time and resources proofing their due diligence.¹⁵ This problem, for instance, plays a huge role in how humanitarian organizations can swiftly tend to the dire humanitarian needs in Afghanistan after the Taliban had retaken power. But even beyond those impediments and efforts, there is also an impact when donors become risk averse, small NGOs cannot bear the burden and stop their activities, and financial institutions handling the financial transactions are working with a model called downward re-risking.¹⁶ The latter occurs when the institutional donors to humanitarian relief actors include restrictions and requirements in their grants that ensure that the recipient of the donor funds operates in line with the sanctions and counterterrorism measures in place, making the latter the bearer of the risk, and exempting the donor from potential fines if for instance sanction regulations are not upheld.¹⁷

The development sector bases strategic decisions on factors like poverty, marginalization, vulnerability, exclusion indicators, and expected income, and furthermore takes a principled approach believing that sustainable results can only be achieved if programs focus on empowerment, partnerships, social inclusion, and equal opportunities. The development sector typically decides where to focus their interventions on criteria such as political will and aid effectiveness. Although one could argue that there is an intrinsic contradiction in the way the development sector is driven, where focus on partnerships and cost-effectiveness are not always in sync, the more important message is that the development sector has had more freedom than the humanitarian sector to decide where to operate. And

as a result, for a long time, the development sector rather steered away from the discussions on terrorism and violent extremism (VE) and choose not to be bothered by the consequences of the designations done under sanction regimes by simply focusing on other regions where these questions did not play a role.¹⁸ In other words, the concepts of ownership and partnership were thus rendered conditional on the criteria dictated by the security sector, without consulting the development sector.

A pivot in the development sector's approach that started in 2016,¹⁹ has created a change in the thinking among development actors, such as UNDP, no longer focusing uniquely on the poorest of the poor, but also realizing that perceptions of poverty are important factors that can destabilize societies, undermining stability and growth. Hence, the development sector came on board in trying to address VE by focusing more on preventing violent extremism relevant programs. However, the conditions and rules regulating their engagement were still stemming from mainly CT security policies, thus ultimately rendering their programs instrumental to the leading security agendas. For instance, interventions targeting social economic reform or entrepreneurship would be used to support communities at risk of radicalization, thus using a hard security lens to select a target group, instead of targeting broader communities and thus strengthening resilience in the community at large. The involvement of the development sector therefore did not result in a true partnership with the security sector in moving forward on comprehensive programs where the security sector would also embrace the principles and lessons learned from the development interventions.

As a final example, it is important to look at the sector of peacebuilding. A simple but very clear wisdom is

14 Emanuela-Chiara Gillard, Sangeeta Gowani, and Fulco van Deventer, "Screening of Final Beneficiaries—a Red Line in Humanitarian Operations. An Emerging Concern in Development Work," *International Review of the Red Cross*, 2021, <https://international-review.icrc.org/articles/screening-of-final-beneficiaries-a-red-line-in-humanitarian-operations-916>.

15 Agathe Sarfati, "While Afghans Wait, States and Banks Decrypt the Humanitarian Exception in the Taliban Sanctions Regime," *IPI Global Observatory*, April 14, 2022, <https://theglobalobservatory.org/2022/04/while-afghans-wait-states-and-banks-decrypt-the-humanitarian-exception-in-the-taliban-sanctions-regime/>.

16 Gillard, Gowani, and van Deventer, "Screening of Final Beneficiaries."

17 Ibid.

18 Ivan Briscoe and Bibi van Ginkel, "The Nexus Between Development and Security: Searching for Common Ground in Countering Terrorism", *ICCT Policy Brief*, March 2013, <https://www.icct.nl/app/uploads/download/file/Briscoe-van-Ginkel-Nexus-between-Security-and-Development-March-2013.pdf>.

19 Bibi van Ginkel, "Violent Extremism and Development: Witnessing a Fundamental Pivot," *Clingendael Alert*, November 2017, https://www.clingendael.org/sites/default/files/2017-11/C_Alert_Violent_extremism_and_development.pdf.

that to make peace, one should not just talk with their friends, but rather with their enemies. This has become particularly challenging in the context of conflicts driven by VE where—not unlike the impediments to delivering humanitarian aid discussed earlier—sanctions’ regimes and other CT policies have rendered it impossible or even a crime when interactions with designated individuals or organizations take place.²⁰ The approach of engagement in peacebuilding seems to be at odds with the strategy of isolation driving the security CT approach. But more importantly, and rather ironically, given the fact that research shows that among the most successful ways to end terrorist organizations is through negotiations and political processes.²¹

What these sectors have in common is that they all address potential root causes for radicalization,²² and although based on different principles in their approach, they share one important principle, namely the “do no harm” principle, meaning their interventions should not in any way create any negative side effects as a result of the impact of the intervention, for instance by forcing a shift in the power balance that might in itself become a new cause for conflict, marginalization, humanitarian disaster. Such a shift in power would for instance occur if a capacity-building intervention to strengthen democracy would only target the more mainstream political parties with particular skill training, whereas the more extremist voices are excluded. Another risk that might occur and that needs to be mitigated is the risk of labelling marginalized groups, or the fact that involvement of certain communities in intervention programs might cause risks for their security or trigger government repression as a result. The “do no harm” principle thus functions as a conflict sensitivity tool, ensuring impact assessments are regularly made, and

implies that human rights are fully respected when issuing and implementing policies.

The challenge for the Compact framework is therefore to ensure that adequate impact assessments can be conducted whenever new policies or interventions are designed, and that the Compact framework can offer the funds and qualified staff to conduct these efforts.

The Security Council’s Role in a Comprehensive Approach

The UNSC has a number of comparative advantages when dealing with terrorism. These include its ability to act swiftly when facing imminent threats, the binding nature of the resolutions ensuring all states comply with the measures, the global reach of its measures and the multilateral setting in which they are adopted. These advantages played a crucial role when the international community was faced with the unexpected attacks by al-Qaeda on 9/11 and regarding the sanction regime that targeted the Taliban based on UNSC resolution 1267 (1999). Today, however, although the threat still exists, it can no longer be considered imminent, and rather qualifies as a constant fact of life. Ideological motivation driving extremist organizations is now covering a wide spectrum of society. Polarization and anti-establishment sentiments are furthermore blurring the view on what poses an imminent threat as many of these developments tend to influence each other in a rather opaque manner. Threats are thus more diffuse and diverse than ever, begging the question regarding the effectiveness of the interventions. Furthermore, there are various reports showing that the UNSC CT policies often have had an undermining and otherwise negative impact on the ability of other sectors—as illustrated above—to contribute to addressing

20 Louise Boon-Kuo, Ben Hayes, Vicki Sentas, and Gavin Sullivan, “Building Peace in Permanent War; Terrorist Listing and Conflict Transformation,” London/Amsterdam, 2015, International State Crime Initiative and Transnational Institute, https://www.tni.org/files/download/building_peace_in_permanent_war_feb_2015_-_for_circ.pdf.

21 Seth G. Jones and Martin C. Libicki, “How Terrorist Groups End; Implications for Countering al Qaeda,” *RAND Research Brief*, 2008, <https://press.princeton.edu/books/paperback/9780691152394/how-terrorism-ends>.

22 The root or trigger causes of radicalization to VE are different in every context. Interventions can therefore never be generic. Given the complexity of the problem, it is moreover very difficult to establish causality between each individual underlying cause and radicalization. Interventions to P/CVE are therefore rather focused on diminishing push and pull factors and strengthening resilience.

the underlying factors of radicalization.²³ Because of a lack of impact assessments or policy evaluations leading to mitigating adjustments to these policies, it is clear that the “do no harm” principle that is otherwise guiding these other sectors, is not guiding the UNSC in its CT and P/CVE policies.

The “do no harm” principle is, for instance, not respected when the CT sanctions’ regime impedes humanitarians to swiftly respond to humanitarian disaster to offer relief, when every moment counts to save lives. The ultimate consequences of these measures are felt by the people in places like Afghanistan or Yemen who are not receiving the humanitarian assistance they need, leaving a vacuum for other actors to potentially fulfill the service delivery at a price. Leaving communities vulnerable, we know, could after all become a root cause for radicalization, and creates an environment where people become susceptible for recruitment. The legal and due diligence requirements that the humanitarian actors and financial institutions have to abide by are at best seriously delaying humanitarian relief.

The isolation policies and stigmatization of certain groups as a result of UNSC policies also become an impediment to engagement and partnerships to empower communities, and rather create a climate of distrust and fear, which are not the conditions for inclusiveness and ownership that are key principles of development aid interventions. This, for instance, has a direct effect on the criteria set by the EU when NGOs apply for funding under the Directorate-General for International Cooperation and Development (DEVCO) and the EU Instrument for Peace and Stability (IcSP), which demands that recipients “must ensure that there is no detection of sub-contractors, natural persons,

including participants to workshops and/or trainings and recipients of financial support to third parties” in EU sanctions,²⁴ which are based on the UN sanctions’ regime.²⁵ So, for example, if a development actor would want to set up a vocational training for women in al-Shabaab controlled territory, this would—due to these kind of clauses—become impossible.

Nor is the “do no harm” principle respected when CT measures do not fully specify how human rights need to be respected when implementing these policies, also risking that the potential abuse of the UN CT policies by certain states to legitimize harsh CT measures that do not respect human rights contribute to further radicalization.²⁶ This is, for instance, a concern in relation to the use of biometric data without proper guarantees regarding privacy rights. The lack of a definition of terrorism limiting the scope of the UNSC Resolutions, furthermore, undermines the respect for human rights, when States, for instance, excessively refer to states of emergency with negative implications for human rights.

It is important to reconsider the UNSC’s role—after two decades, it’s outsized influence on global CT policies has not contributed to a decline in terrorism but arguably rather exacerbated it. The UNSC’s comparative advantages to be able to immediately and forcefully respond to imminent threats where no other (UN) actor would be in the position to respond adequately, are perhaps less needed when one considers the plethora of actors active in the field of CT and P/CVE. The UNSC cannot effectively face terrorism in a vacuum, and continue to claim exceptional powers for exceptional problems that are no longer exceptional. It is important that the UNSC also plays

23 See L. Attree, “Blown Back: Lessons from Counter-Terror, Stabilisation and State Building in Yemen,” *Saferworld*, February 2016, www.saferworld.org.uk/resources/publications/1033-blown-back; Fionnuala NíAoláin, *Report of the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism*, A/HRC/40/52, February 18, 2019, https://www.ohchr.org/Documents/Issues/Terrorism/SR/A_HRC_40_52_EN.pdf; UN Human Rights Council, “Negative Effects of Terrorism on the Enjoyment of Human Rights,” A/HRC/AC/24/CRP.1, January 22, 2020; Sophie Haspeslagh, “Listing Terrorists’: The Impact of Proscription on Third-Party Efforts to Engage Armed Groups in Peace Processes—A Practitioner’s Perspective,” *Critical Studies on Terrorism*, 2013, 6 (1):189–208; Saferworld, “The Rise of Counter-Terrorism at the United Nations. Two Decades Later,” *Briefing*, September 2021; David Cortright, Alistair Millar, Linda Gerber-Stellingwerf, George Lopez, Eliot Fackler, and Joshua Weaver, “Friend Not Foe: Opening Spaces for Civil Society Engagement to Prevent Violent Extremism,” *A Report to Cordaid from the Fourth Freedom Foundation and the Kroc Institute for International Peace Studies at the Notre Dame University*, May 2011, <https://www.cordaid.org/en/wp-content/uploads/sites/3/2015/11/Friend-not-Foe.pdf>.

24 “Annex I: General Conditions Applicable to European Union-Financed Grant Contracts for External Actions Financed by the European Union or by the European Development Fund”, July 2019, Art. 7.4, available at: <https://www.eucap-som.eu/wp-content/uploads/2020/01/B2-Annex-I-General-Conditions.pdf>.

25 Emanuela-Chiara Gillard, Sangeeta Gowani, and Fulco van Deventer, “Screening of final beneficiaries—a red line in humanitarian operations. An emerging concern in development work”, *International Review of the Red Cross*, 2021.

26 Tom Parker, *Avoiding the terrorist trap; Why respect for human rights is the key too defeating terrorism*, World Scientific, 2018.

its role in a truly comprehensive approach, realizing it should—just as the other relevant actors in other sectors—embrace the “do no harm” principle as a key principle driving all its interactions. This is the paradigm shift we need in order to not repeat the same interventions and make the same mistakes for the coming years in countering terrorism. It calls for accountability. As Einstein stated: “Insanity is if you are doing the same thing over and over again and expecting different results.”

Recommendations

The essence of a comprehensive approach is that it includes all actors and ensures that all aspects of a solution are considered in a balanced manner. Key question is in what way can the UNSC contribute to a comprehensive approach in the future. The following recommendations are made to facilitate this:

- Member States should consider whether the UNSC is the best actor to address a certain topic, or whether any other UN organ or entity is also able or even better equipped to address the topic. The UNSC could follow the example of the European Union (EU), where the subsidiarity principle guides the way
- EU policies take form. This would entail that only if immediate, binding response is needed with a global reach, it makes sense for the UNSC to act.
- While considering whether the UNSC is the appropriate organ to take action, it is recommended that the UNSC consults multiple stakeholders, including relevant civil society actors from affected regions.
- The UNSC is furthermore recommended to cooperate in making impact assessments and mitigating potential negative consequences of proposed new CT resolutions in order to respect the “do no harm” principle.
- Member States should subsequently consider the level to which these impact assessments are conducted and taken into consideration when a mandate review is conducted and before mandating extensions.
- If such impact assessments are not made, or if these impact assessments suggest severe negative consequences that cannot be mitigated, the UNSC should respect the “do no harm” principle by *not* taking action and *not* adopting a UNSC Resolution but rather refer the matter to another (UN or other multilateral) organ or entity.

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