Counterterrorism and the United Nations Security Council Since 9/11
Moving Beyond the 2001 Paradigm

FINDINGS AND RECOMMENDATIONS

SEPTEMBER 2022
Eric Rosand, Alistair Millar, and Naureen Chowdhury Fink

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About SFI

The Securing the Future Initiative (SFI) is a joint project of the Fourth Freedom Forum and The Soufan Center. Launched in September 2021, on the occasion of the twentieth anniversary of the 9/11 attacks, SFI has focused its work, as well as this report, on providing an independent review and assessment of the United Nations Security Council’s counterterrorism activities over the past two decades.

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Our Research and Methodology

The findings and recommendations in our report are informed by desk research, surveys, and numerous off-the-record interviews with experts and practitioners, and the authors’ combined experience of working on multilateral counterterrorism issues for more than 50 years. We have also convened 14 events over the past year enabling us to interact with more than 500 stakeholders from the UN, its member states, and civil society actors from around the world. We solicited feedback on a uniform set of questions and received dozens of suggested recommendations—on good practices as well as on challenges and concerns—all of which highlighted the extent to which their views often aligned with those of the overall cohort that interacted with us. Working with the RESOLVE Network, we also commissioned a series of policy briefs and research papers during the course of the project. Covering a wide range of thematic and regional issues, the papers provided us with a wealth of valuable perspectives and data to draw from in this report. To access SFI event summaries or the commissioned policy briefs and research papers, see https://sfi-ct.org/our-work/.

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Front cover photo: Lowering of UN Flag to Half-Staff in Memory of Victims of September 11 Attack (UN Photo/Milton Grant)


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## Acronyms

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<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tr>
<td>AQ</td>
<td>al-Qaida</td>
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<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
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<td>CSO</td>
<td>Civil Society Organization</td>
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<td>CT</td>
<td>Counterterrorism</td>
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<td>CTC</td>
<td>UN Security Council Counter-Terrorism Committee</td>
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<td>CTED</td>
<td>UN Security Council Counter-Terrorism Committee Executive Directorate</td>
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<td>ECOWAS</td>
<td>Economic Community of West African States</td>
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<td>FATF</td>
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<td>Foreign Terrorist Fighter</td>
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<td>GCTF</td>
<td>Global Counterterrorism Forum</td>
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<td>ISIS</td>
<td>Islamic State in Iraq and Syria</td>
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<td>KFR</td>
<td>Kidnapping for Ransom</td>
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<td>NGO</td>
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<td>OCHA</td>
<td>UN Office for the Coordination of Humanitarian Affairs</td>
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<td>OHCHR</td>
<td>UN Office of the High Commissioner for Human Rights</td>
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<td>P5</td>
<td>Five Permanent Members of the UN Security Council</td>
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<td>PBSO</td>
<td>UN Peacebuilding Support Office</td>
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<td>UNSCR</td>
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Executive Summary

Over the past year, the Securing the Future Initiative (SFI) has focused on the United Nations (UN) Security Council’s (UNSC) Counterterrorism (CT) efforts since the terrorist attacks of September 11, 2001, as well as lessons learned in addressing the evolving terrorist threat. Drawing on wide-ranging research, analysis, and consultations, this report takes stock of the UNSC’s impact on terrorism and CT during the past two decades. It concludes with a set of policy-relevant recommendations for ensuring that the UNSC’s approach to addressing terrorist threats reflects the realities of today and is both effective and sustainable.

Summary of Findings

The UNSC’s contributions in the aftermath of 9/11 were numerous and have been well-documented during the years.1 For example:

- It quickly plugged important gaps in the international CT framework,2 which it steadily broadened in the ensuing years.
- Its engagements with countries around the globe on the implementation of this framework have helped to encourage governments to take measures that have made it more difficult for terrorists to plan, recruit, travel, and raise funds.
- As a result of these engagements, the UNSC, through its CT committees and expert groups, now possesses what is perhaps the world’s largest repository of information on countries’ CT strengths, capacities, and needs across a range of disciplines and institutions.

It successfully prodded other multilateral organizations to treat CT, particularly the implementation of relevant Council requirements and international treaties, as a priority among its members. Consequently, not only is one now hard-pressed to find a relevant multilateral organization without a counterterrorism mandate, but new, dedicated multilateral CT platforms have emerged as well.

The UNSC has also made some progress in keeping up with the evolving threat, including by focusing on new terrorist tactics, and has highlighted the important role that young people, women, and local actors play as part of a “whole of society” approach to addressing the threat.

Notwithstanding these contributions, the Council’s CT work has been subject to much criticism during this same period, including from some member states who themselves served on the Council.3 Criticisms, some of which are interrelated, largely fall into three categories: (1) processes and working methods, (2) effectiveness on addressing actual terrorist threats, and (3) adverse impacts beyond terrorism (in areas like human rights, sustaining peace, humanitarian action, and civil society space). Examples of these criticisms include:

- Lack of transparency, particularly when UNSC processes have generated obligations on all states with few, if any, opportunities for the wider UN membership to provide input and no review mechanisms or sunset clauses;4
- Countries’ use of the Council’s framework, which lacks a universally agreed-upon definition of terrorism and the necessary guardrails to prevent its misuse, to target

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political opponents and restrict civil society space.5 This has in turn legitimated in many contexts the misuse of CT measures to silence human rights defenders, political opponents, and religious or ethnic minorities;

- Consensus-based and overly deliberative working methods that can impede swift and effective action;
- The politicization of what is meant to be an expert-driven assessment process, including by Council members and states being assessed, and the Council’s unwillingness to “name and shame” poorly performing states;6 and
- Council-imposed CT measures that can undermine wider UN and wider humanitarian, peace sustaining, and development priorities, despite Council statements that they should complement and reinforce such priorities.7

Although the Council has made some progress in addressing calls for greater inclusivity and transparency, challenges remain, as even elected UNSC members remain frustrated by their circumscribed involvement in the development of UNSC CT products.8

Despite these limitations, the diverse priorities and initiatives of the approximately 90 countries that have sat on the Council during the past 21 years have contributed to the steady and significant expansion of the scope of the UNSC’s CT work, particularly during the height of the Islamic State in Iraq and Syria (ISIS) threat from 2014 to 2017.9 This expansion has prompted questions regarding the value and impact of having so many UNSC CT activities and UNSC-imposed universal requirements. This is particularly so where resolutions, tabled and drafted by UNSC members with little or no input from other states, UN bodies, civil society, or local practitioners, have overtaken the traditional, more inclusive, and more transparent—albeit more

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5 In the negotiations that concluded with the adoption of Resolution 1566, the Council came close to reaching such an agreement on a definition as a result of pressure from Russia following the Beslan school attacks. UN Security Council, S/RES/1566, 8 October 2004.
deliberate—international law-making process, treaty-making.\textsuperscript{10}

Specifically, this expansion of UNSC activity took place without any review of the impacts of its work (1) in reducing the terrorist threat itself; (2) on the communities and states most directly affected by these CT activities; (3) on the UN’s wider CT architecture; or (4) in facilitating the dramatic growth in the multilateral CT ecosystem following this period. Alongside the expansion of UNSC CT architecture and activities, this work has remained largely siloed from wider UNSC and other UN peace and security efforts. In the initial period after 9/11, some of this separation was due to the UN system’s reluctance to be associated with what they saw as part of the U.S.-led “Global War on Terror” and then demands from non-security stakeholders who wished to prevent the securitization effect of CT on other UN agenda items. However, it resulted in the proliferation of UNSC CT measures, mandates, and engagements unchecked by considerations of their impact on UN efforts to prevent and resolve conflicts, build peace, and promote human rights.

Introduction

This month marks the 21st anniversary of the terrorist attacks of September 11, 2001, which fundamentally transformed the international security and wider multilateral landscape, including by triggering the creation and proliferation of international, regional, and national counterterrorism bodies and initiatives that have attracted trillions of dollars.\textsuperscript{11} The Security Council, in large part because of its unique powers under the UN Charter and ability to act quickly and globally, was a key catalyst for this growth and, more broadly, the treatment of terrorism as an “exceptional” threat requiring an exceptional response, one that continues 21 years later. Today, terrorism must compete with a host of other global challenges for policymakers’ attention. These include climate change, food insecurity, revived “Great Power” competition, COVID-19, the unlawful Russian invasion of Ukraine, and the ascendance of autocratic governments and democratic erosion. Yet, despite a similar awareness of other pressing priorities by the UN Secretary-General, the expansion and pace of the Security Council’s and wider multilateral system’s engagement with terrorism and CT, and the volume of national legal and policy measures resulting from these engagements, has continued unabated.\textsuperscript{12} This has prompted questions on how to “right-size” the approach for addressing terrorist threats.


\textsuperscript{12} In his “Common Agenda,” the UN Secretary-General lists COVID-19, war, climate change, and people not being treated fairly and equally as the world’s top problems in 2021. His recommendations make no mention of terrorism or CT. United Nations, “Our Common Agenda: Report of the Secretary-General,” 2021, https://www.un.org/en/content/common-agenda-report/.
to ensure it is fit-for-purpose given political and security priorities today and informed by lessons from the past.13

Much like it played a central role in galvanizing the global multilateral response to 9/11, the UNSC has an essential role to play in “right-sizing” international efforts to address terrorist threats—as they exist today, rather than 20 years ago—and ensuring the approach is situated proportionally amid collective efforts to address a host of global challenges.

Since it famously first declared international terrorism a threat to international peace and security on September 12, 2001, the Council has adopted more than 40 CT resolutions and created a number of Council committees and expert bodies to oversee their implementation. The resolutions include measures that all countries are either obligated or expected to implement at a national level, and cover a range of issues, including criminalizing terrorism and its financing, enhancing border security, investigating and prosecuting suspected terrorists, countering terrorist narratives, protecting critical infrastructure, addressing the misuse of the internet, cracking down on incitement to terrorism, ensuring that terrorists cannot gain access to weapons of mass destruction, and cracking down on kidnapping for ransom (KFR) as a terrorist fundraising tactic. It has done so without ever defining “terrorism”—a still highly politicized and otherwise contested term.

Resolution 1373 remains the most far-reaching and consequential component of the Council’s response to 21st century transnational terrorism. It requires that all UN member states criminalize terrorism, prevent terrorists from crossing their borders, deny terrorists financial resources, and either bring terrorists to justice in members’ own domestic courts or extradite them to other countries where they could be tried. The resolution also created a UNSC committee (the Counter-Terrorism Committee, or CTC) to monitor states’ implementation of the 1373 mandates (and ultimately those of its follow-on resolution) and laid the foundation for both an ever-expanding international CT architecture and legal and policy frameworks. Thus, the UNSC began treating terrorism differently than other issues on its agenda, requiring a set of tools, frameworks, and institutions distinct from those already available for other international security threats. This phenomenon shows no signs of dissipating.

In 2022, the Council’s CT architecture consists of three distinct CT committees (the CTC, a committee that monitors the implementation of sanctions against ISIS, al-Qaida (AQ), and their affiliates, and one that focuses on states’ efforts to prevent weapons of mass destruction from falling into the hands of terrorists). Each committee has its own group of experts to support its work. The largest group is the CTC’s Counter-Terrorism Committee Executive Directorate—comprised of 40 staff—which the Council established in 2005 when there was little CT expertise housed within the UN Secretariat. Today, there is an entire office within the UN Secretariat (the UN Office of Counter-Terrorism, or UNOCT), led by an Under-Secretary-General and staffed by 150+ personnel, with a growing number of field offices, a trust fund worth more than $250 million, and with responsibility for leading the UN Global Counter-Terrorism Coordination Compact (which includes approximately 40 UN entities).

Beyond its own framework and architecture, the Security Council successfully prodded scores of countries to adopt CT laws and measures, create CT institutions, and develop CT expertise, ostensibly in line with the Council’s requirements. Recognizing that many states lacked the tools to implement the ever-increasing number of Council CT requirements, it helped elevate technical assistance and capacity-building as a global CT priority and identified the gaps in countries’ CT capabilities that required attention.

The Council has also helped draw attention and has responded to new threats, including most prominently the “foreign terrorist fighter” (FTF) phenomenon. Moreover, largely because of the Council’s pressure, as well as the CTC’s and its CTED’s engagement in the early period after 9/11, virtually every regional and sub-regional body now has a CT mandate and staff within their secretariats dedicated to counterterrorism, and virtually every such organization has played a role in facilitating the implementation of the Council’s CT framework among their members. Few, if any, bodies had terrorism on their agenda in September 2001.

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So long as the Council’s CT framework, architecture, and pace and scope of work remain unchanged, it will be difficult for the wider multilateral CT system and various national governments to move away from the “exceptionalized” approach to terrorism that has dominated the international peace and security landscape for nearly a quarter of a century and has arguably done more to exacerbate than mitigate the threat.

However, determining the most appropriate contours and content of a new Council approach first requires taking stock of the past two decades of its efforts. In particular, it necessitates exploring how the threat—and our understanding of its drivers and necessary responses—has evolved since the 9/11 attacks and the impacts of Council CT actions during this period. Yet, there has neither been a comprehensive review to date of the UN Security Council’s efforts nor of the impacts of all of its CT initiatives and entities, particularly on the ground through the lens of actors and communities most deeply affected by a terrorist threat that has evolved significantly over time. Among other things, the lack of any meaningful assessments of impact has contributed to an environment where CT measures (often developed to comply with Council requirements) are misused in a manner that violates human rights and civil liberties, shrinks civil society space, or otherwise subverts the rule of law; yet the Council does little to constrain this behavior.

The Securing the Future Initiative (SFI) was launched on the 20th anniversary of the 9/11 attacks to provide such an assessment and offer recommendations for what a “right-sized” Council approach could look like. Since then, the views and experiences of scores of policymakers, practitioners, and other experts from government, the UN and wider multilateral system, and civil society were gathered to ensure the SFI’s analysis and recommendations are informed by diverse and multidimensional perspectives.

The discussions featured numerous themes and surfaced a range of concerns. Five in particular stand out.

First, interlocutors pointed to the disconnect in the Council’s approach. On the one hand, rather than emanating from a centralized terrorist group with global ambitions targeting the “West” as it was on September 12, 2001, the threat today is more linked to local conflicts and local grievances, and thus is more contextualized and decentralized than before. For example, groups such as AQ, ISIS, and their affiliates are increasingly aligning with local armed groups and taking advantage of governance deficits, human rights violations, as well as marginalization, and continuing to gain strength in regions such as the Sahel and make inroads into Southern and coastal West Africa. Effectively preventing and countering these threats necessitates focusing more attention on addressing these local grievances. This involves integrating CT within wider conflict prevention, peace, and development efforts. It involves looking beyond capitals to empower local actors, and, perhaps most importantly, it involves recognizing the extent to which the behavior of national governments toward its citizens can fuel extremism that can lead to violence.

On the other hand, despite the evolution of the threat, the Council marches forward with the same siloed, globalized approach that views terrorism as an “exceptional” issue while encouraging member states to follow suit. Although it has broadened its framework somewhat during the years, the UNSC continues to prioritize the security dimensions of the response, which in turn has contributed to the over-securitization of the member states’ responses in some contexts. This anachronistic Council approach limits its ability to effectively prevent and respond to terrorist threats as they exist today.

Second, to help overcome this disconnect, several interlocutors stressed that the Council should focus more attention on the need to adapt its global framework to the different local contexts in which terrorism currently exists. The Council’s CT resolutions have prompted numerous national governments to act. However, SFI interlocutors shared that the language in the resolutions was sometimes too general for member states to implement effectively or created opportunities for governments to adopt overly broad measures that target political opponents or stigmatize certain communities. Particularly with some of the more recent resolutions, which can run more than 10 pages, some stakeholders also shared that the language is too technical to be implemented by governments whose capacities were already stretched thin.
Third, SFI stakeholders highlighted the continued human rights and transparency deficits in the Council’s approach. On the former, many reiterated the concern that UN Security Council requirements were increasingly being used to legitimize or enable the misuse of national CT measures that violate human rights. They said that the Council has shown little interest in putting in place any guardrails to mitigate the risk that its CT framework is misused by states in this way. This is not to neglect the modest progress made during the past 20 years within the CTC, and then CTED, to focus more attention on human rights. For example CTED’s development of a technical guide to implementation that recognizes the importance of human rights. However, the Council’s record speaks for itself: neither it, the CTC, nor CTED have ever publicly called out a state for violating its international human rights obligations while applying CT laws or other measures mandated by the Council.

Regarding transparency, shortly after Resolution 1373 was adopted, concerns emerged about the opaque and exclusive nature of the Council’s CT approach. This approach led to the development of a legally binding global framework with limited—if any—opportunities for non-Council members to provide input and has resulted in largely confidential assessments of each country’s progress in implementing the framework. These concerns continue to exist to this day. That said, there has been some progress in recent years in increasing the transparency of the Council’s work in this area, including opening more events in New York to the wider UN membership, the production of publicly available—but largely anodyne—CTED analytical reports, greater engagement between civil society actors and CTED and the Council’s CT architecture, and making CTED’s country assessments (although sometimes with redactions) accessible to UN entities.

However, many SFI interlocutors voiced concerns that serious challenges remain. For example, even elected UNSC members at times are frustrated by the limited opportunities granted to them by the permanent members (P5) to shape the development of UNSC CT products. Moreover, although the Council’s CT architecture may engage with civil society actors and other local actors, critics complain that the cohort with whom the Council engages as it develops and oversees the implementation of its CT framework is insufficiently diverse—for example, often limited to well-established non-governmental organizations (NGOs) with a presence in New York and overlooking smaller, grassroots organizations, including those within marginalized communities in a particular country. This can leave the Council somewhat blind to the potential and actual effects of such resolutions on the ground.

Moreover, those parts of the UN system that are increasingly impacted by the Council’s expanding CT actions, including the Office for the Coordination of Humanitarian Affairs (OCHA), Peacebuilding Support Office (PBSO), UN Women, the Office of the High Commissioner for Refugees (UNHCR), UNICEF, UN Development Programme (UNDP), and the Office of the High Commissioner for Human Rights (OHCHR), have limited opportunities to provide input into the development of CT resolutions or into CTED or other Council implementation-monitoring activities. Among other things, these lingering deficits inhibit cooperation and collaboration with those non-security actors whose involvement is needed more than ever to address the highly localized threats that are tied to local conflicts and grievances.

Fourth, interlocutors highlighted how the Council’s CT approach during the past 20 years has failed to adapt to the expansion of the multilateral CT architecture (including within the UN itself) that the Council catalyzed. We heard how the proliferation of multilateral CT bodies and their siloed natures, starting with the UN itself, has strained the engagement and absorption capacities of many stakeholders. For example, with visits from multiple UN bodies, UN programs managed by multiple actors, and the largely autonomous operating culture of many UN field-based entities, many governments and civil society actors highlighted the challenges of interacting with a fragmented UN system and partners. Moreover, we heard concerns about the lack of any agreed, let alone clear, division of roles and responsibilities among the Council’s CT bodies and other multilateral CT actors with a global remit. This includes the Global Coalition to Defeat ISIS, the Global Counterterrorism Forum (GCTF), and UNOCT.

Fifth, there were concerns that the Council devotes insufficient attention or resources to the groups, threats, and challenges identified at a local and regional level by
states and communities in much of the global South. Instead, threats identified at a distant and global level (by an exclusive, opaque body) are driving the Council’s CT body, rather than those more immediately felt on the ground. For example, it was noted that the Council’s 1267 sanctions regime targeting AQ and ISIS did not reflect the groups most responsible for local and regional violence in Africa. At the same time, the negative impacts of CT measures on the delivery of impartial humanitarian assistance and civil society engagement with non-state armed groups was also highlighted, demonstrating the tensions between global and regional perspectives. Others shared that the issues covered by Security Council resolutions reflected the priorities of the P5 or other politically influential member states and had little relevance to the security, development, and human rights challenges faced in the field in many contexts.

This report offers a menu of recommendations that seek to address these and other concerns shared during the SFI consultations—some of which are unique to the Council’s CT work, while others are relevant to the Council’s work more broadly—and build on progress made to date. Some reinforce recommendations that have previously been put forward on discrete aspects of the Council’s CT activities over the years, including by non-governmental organizations and independent experts, but are yet to be acted upon. Rather than looking at individual aspects of the Council’s CT work over the years, the intention with this report is to prompt a reassessment of the Council’s overall approach, in particular its “exceptionalized” treatment of terrorism, and ensure that it is both “right sized” and fit for purpose, while also integrating efforts to prevent and counter this form of violence and conflict into the UN’s wider peace and security work. Much as it helped shape the global CT architecture and framework that emerged after 9/11, the Council could foster a paradigm shift more than two decades later which could inspire other multilateral bodies and national governments to follow suit.

These recommendations seek to shine a spotlight on the need to place greater emphasis on assessing the effectiveness and impacts of Council CT measures as a whole and ensuring they cannot be instrumentalized to counter the very principles and purposes of the United Nations, while maintaining the international community’s commitment to collaborating on preventing and countering terrorism.

“A list of recommendations that seek to address these and other issues shared during the SFI consultations—some of which are unique to the Council’s CT work, while others are relevant to the Council’s work more broadly—and build on progress made to date. Some reinforce recommendations that have previously been put forward on discrete aspects of the Council’s CT activities over the years, including by non-governmental organizations and independent experts, but are yet to be acted upon. Rather than looking at individual aspects of the Council’s CT work over the years, the intention with this report is to prompt a reassessment of the Council’s overall approach, in particular its “exceptionalized” treatment of terrorism, and ensure that it is both “right sized” and fit for purpose, while also integrating efforts to prevent and counter this form of violence and conflict into the UN’s wider peace and security work. Much as it helped shape the global CT architecture and framework that emerged after 9/11, the Council could foster a paradigm shift more than two decades later which could inspire other multilateral bodies and national governments to follow suit.”

The Way Forward: Recalibration

Throughout the SFI consultations, interlocutors kept pointing to the limitations of the over-securitized approach that has served as the foundation of not only the Council’s approach to CT, but also of many UN member states. Interlocutors also repeatedly spoke of the need to shift the paradigm for mitigating terrorists to one that focuses more attention on addressing enabling drivers. The UN Secretary-General himself has even recognized this strategic imperative.\footnote{“Secretary-General’s Video Message to the United Nations Global Compact Leaders Summit,” (United Nations Secretary-General, 1 June 2022), https://www.un.org/sg/en/content/sg/statement/2022-06-01/secretary-generals-video-message-the-united-nations-global-compact-leaders-summit.} Rather than reinforcing the status quo, the Council needs to influence a new approach that is reflective of wider international efforts to address the drivers of the violence and that does more to hold accountable states found guilty of violating human rights in the name of CT, particularly when the Council itself is overtly used as a justification.\footnote{Aries A. Arugay, Marc Batac, Jordan Street, “An Explosive Cocktail: Counter-Terrorism Militarisation and Authoritarianism in the Philippines,” Saferworld, June 2021, https://www.saferworld.org.uk/downloads/pubdocs/an-explosive-cocktail-pages.pdf; Mary Lawlor and Fionnuala Ní Aoláin, “Defending Human Rights Is Not Terrorism: The Egypt Arrests as a Case in Point,” Just Security, 30 November 2020, https://www.justsecurity.org/73606/defending-human-rights-is-not-terrorism-the-egypt-arrests-as-a-case-in-point/.}

In regions where terrorist violence is most prominent and/or where governments misappropriate CT mandates to violate human rights, the UNSC’s impact will remain limited until it can view the problem of terrorism on the ground in a more nuanced and holistic way and encourage states to address this problem in ways that are most likely to lead to a reduction of the threat over the long-term.


The SFI team recognizes that existing tensions among some P5 members make significant reform of the Council’s CT approach unlikely in the near term. However, the list of recommendations also includes some areas where consensus may be more achievable, such as those that are more technical in nature and/or aimed at enhancing the UNSC’s efficiency and impact. Depending on the support and resources available, some recommendations can be...
taken forward in the near-term, others in the medium-term, others in the long-term; others may remain even longer-term ambitions. However, all of these recommendations are aimed at inspiring stakeholders to learn from the successes and shortcomings of more than 20 years of UNSC CT practice to ensure that the Council’s future actions aimed at preventing and countering terrorism are both effective and sustainable; that they advance the UN’s wider peace, security, development, and human rights priorities; and that they remain responsive to evolving security threats and needs.

Recommendations

Below is a set of themes that emerged during the SFI consultations. Each theme contains an array of recommendations that focus on retaining elements and good practices and also learning from missteps and challenges to improve the CT-related work of the UNSC and its interactions with relevant stakeholders inside and outside the UN.

1. Identify and apply lessons learned since September 2001.

   a. The UNSC should invite the UN Secretary-General to commission an independent review of the current set of resolutions and other relevant documents that govern the work of the UNSC and other UN CT bodies, as well as the relevant mandates, guiding principles, working methods, and frameworks of these bodies, including for CTED and Monitoring Team visits and reports. This review should be undertaken with input from the UNSC CT bodies and interested UN member states, UN entities, regional organizations, and civil society actors. Among other things, the review should ensure that the principles, working methods, and frameworks reflect lessons learned and good practices identified during the past two decades and are fit for purpose given the nature of the threat as it exists today.

   b. The UNSC, its members, and relevant UNSC CT bodies should:

      i. Make more effective use of existing opportunities to assess implementation and impacts, including through the regular CTED mid-term reviews;

      ii. Follow up in a more timely, robust, and transparent manner on assessment visits and recommendations; and

      iii. Foster a more comprehensive approach to addressing peace and security within member states’ capitals that situates CT within this approach.

2. Move from “exceptionalization” to integration. The Security Council should move away from treating terrorism as exceptional and fold it into other regional or thematic issues on its agenda and within its wider efforts to prevent and resolve conflict. This could involve:

   a. Streamlining the Security Council CT architecture, including by creating a single CT committee and expert group that, for example, integrates the Council’s terrorist sanctions work into its wider CT engagements; or, more ambitiously

   b. Transforming its multiple CT bodies into one single body with a broader peace and security mandate and incorporating relevant thematic issues from the Council’s wider agenda. This could be achieved by creating a Security Council Peace and Security Committee with an executive body that incorporates elements of CTED and the 1267 Monitoring Team, with a wider conflict resolution/prevention mandate that includes, but is not dominated by, CT.

Either of the above, to one degree or another, will help streamline Security Council CT bodies’ work programs and schedule of meetings (which are at times redundant and overlapping) while also ensuring that CT sanctions are better integrated into broader CT objectives. They will also allow for more engagement with other Security Council subsidiary bodies on relevant issues, such as country-specific sanctions regimes. There have been previous calls, including by the SFI co-leaders, for consolidating the wider UN CT architecture, including merging most of CTED’s functions into UNOCT and mandating UNOCT to support both the UNGA and the Security Council, similar to how the PBSO and other UN Secretariat offices

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operate. Although such a reform should remain a longer-term goal, the political dynamics between the Security Council and the General Assembly continue to make that unlikely in the near term.

3. **Reevaluate the Security Council’s comparative advantages in CT as they exist more than two decades after 9/11, taking into account the growth of the multilateral CT ecosystem since the Security Council created and mandated much of its CT architecture.** These advantages are more limited than they were 20 years ago, and include:

   a. Promoting the view that terrorism in any form or manifestation is best addressed through a “whole of society” approach that respects human rights, seeks to “Do No Harm,” and is underpinned by international cooperation;
   
   b. Assessing and incentivizing states’ efforts to implement the existing Security Council CT framework while strictly adhering to international human rights;
   
   c. Identifying implementation good practices and shortfalls; and
   
   d. Ensuring the necessary political and technical follow-up, as appropriate, is conducted by entities including the Council, its CT bodies, the wider UN, and/or member states in order to address gaps.

4. **Shift from a “top-down” to a more inclusive and “bottom-up” approach** to support more localized and contextualized responses. This will help ensure efforts to implement existing or future Security Council CT requirements and activities are better informed by regional and subregional bodies, as well as by frontline stakeholders most often tasked with supporting solutions. It will also help ensure that the increasingly technical global level Council CT requirements can be translated into more localized action plans and strategies.

To this end, the Council should:

   a. Create more opportunities for diverse speakers—including local practitioners and researchers from the relevant region, country, and/or locality—to brief the Council and its relevant subsidiary bodies;
   
   b. Move away from a highly centralized, New York-centered approach while working with UNOCT, UNDP, and other field-based entities to deploy to the field CT experts with expertise on prevention—either permanently or through rotations—to facilitate closer working relationships with UN Country Teams, Regional Offices, other UN entities and relevant national and local policymakers and practitioners; and
   
   c. Adhere to the principle of “subsidiarity,” whereby the Security Council is limited to performing only those tasks that cannot be performed more appropriately within or beyond the UN system (particularly at the local level). For example, development of other non-security prevention measures should be prioritized, but remain outside the Council’s (and wider UN’s) CT architecture. This would reduce the likelihood that sustaining peace and development work become securitized and redirected for CT purposes at the expense of core missions and principles. Further, where regional solutions driven by regional actors are better suited to address an emerging terrorist threat, the UNSC should encourage and support efforts by relevant regional bodies to lead the multilateral response.

5. **Prioritize a “Do No Harm” approach going forward.** This should include:

   a. Inviting the Secretary-General to commission an independent review of the impacts of all Security Council CT measures on human rights, humanitarian action, and civil society;
   
   b. Reviewing the expansive Security Council CT framework on a region-by-region basis, and in

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cooperation with relevant regional bodies, to identify the most relevant elements, as well as those which are redundant and/or outdated and should be deprioritized;

c. Drawing attention to instances where states misuse Security Council CT measures, with individual UNSC members doing so both within and outside the Council forum if one or more other members prevents the body from taking action;

d. Developing an accountability framework to allow for more robust and transparent monitoring of the implementation of Security Council CT resolutions and the prioritization of a “Do No Harm” approach; and

e. Elaborating guidelines to determine what measures and actions, e.g., those targeting journalists, political opponents, and human rights defenders, are not justifiable on the basis of Security Council CT resolutions.

6. Adopt a more strategic and restrained approach to any future Security Council CT action. This should include elaborating a set of guidelines for the development, adoption, and implementation of any new Security Council resolution that looks to further expand the body’s CT framework.

   a. Allowing for a more inclusive and transparent process to determine whether a new resolution is needed; what its content should be; and its potential impacts on other Council mandates and on UN development, peace and security, and human rights agendas;

   b. Providing guidance, in close cooperation with other relevant parts of the UN system (and with input from independent experts) to member states regarding the implementation of CT measures consistent with their obligations under international law (including international humanitarian law, international human rights law, and international refugee law);

   c. Ensuring the Council’s focus remains fixed at the strategic level. The Council should avoid including in any future CT resolutions technical requirements that might be difficult to translate into action in different local contexts, and should instead rely on and allow for practitioners and other subject matter experts to focus on technical details;

   d. Including a sunset clause in any new resolution (e.g., up to five years) after which time the measures therein no longer apply unless the Security Council decides to extend them (e.g., for another five-year period);

   e. Focusing attention on region- and country-specific dimensions of the threat, and avoiding adoption of new resolutions of a global nature that impose binding obligations on all member states; and

   f. Instituting a requirement that any resolution imposing new obligations on all member states receive sponsorship by at least two-thirds of UN members to be adopted, in the rare instances when such a resolution is considered.

7. Enhance implementation and impact of the existing Council framework.

   a. Requiring CTED country visit reports to be made public (or at least available upon request) and requiring states to report on actions taken following their dialogue with CTED;

   b. Widely disseminating (e.g., through regional bodies) specific examples of implementation progress of Council measures and good practices identified by individual states;

   c. Consulting with relevant specialized agencies, UN entities, and partners to develop contextualized guidance and other forms of international support for member states to help them better understand the scope of the Council’s requirements and to avoid excessive or otherwise unnecessary national implementation; and

   d. Increasing the Council’s focus on compliance and, more broadly, generating additional incentives for states to address implementation shortfalls identified by the Council’s CT bodies. This can be accomplished by means such as holding regular follow-up meetings with senior officials from each member state via the CTC, as outlined in
UNSCR 2395 (2017). During these meetings, officials would be required to report on and answer questions concerning their implementation gaps.

8. **Ensure Security Council CT sanctions tools are fit for purpose and properly integrated into wider Council CT efforts** (see for example recommendation 2 above) on forming a single Security Council CT body and expert group):

   a. **Implementation**
      
      i. Focus more attention on the implementation of the asset freeze, travel ban, and arms embargo (e.g., by tasking the Monitoring Team to produce an annual public report and requiring member states to report on their implementation efforts).
      
      ii. Develop clear guidance on steps needed to boost member states’ capacities to implement the asset freeze, travel ban, and arms embargo. Then, create a road map for relevant UN counterterrorism bodies (e.g., UNOCT, UNODC, and CTED) to follow, while avoiding redundancies.
      
      iii. Prioritize building the capacities of regional organizations (including the African Union, Association of Southeast Asian Nations, Economic Community of West African States, and Financial Action Task Force-style regional bodies) to support implementation of financial sanctions by their members and create opportunities for regional and sub-regional bodies to inform CTED and the Monitoring Team on threat assessments and developments.

   b. **Relevance**
      
      i. Explore the relevance of the existing sanctions regime, which has remained largely unchanged since 1999, and whether other measures beyond the traditional three (i.e., asset freeze, travel ban, arms embargo) might be more responsive to terrorist threats in the third decade since the sanctions were first rolled out.
      
      ii. Lead a reflection on who should be targeted by the sanctions (e.g., only high-profile individuals), whether listing criteria and evidentiary standards for listing proposals should be refined, and the scope and timeline for periodic reviews of the sanctions list.
      
      iii. Study the extent to which groups and individuals rely on blockchain, cryptocurrency, digital assets, and other novel forms of money exchanges to finance terrorism and/or evade sanctions. The Monitoring Team and CTED could prepare a list of recommendations as to how member states should address this threat (in areas such as coordination, capacity building, augmenting legislative frameworks, etc.).

   c. **Listings/De-listings.** Assemble more relevant metrics on the frequency of listings and de-listings, which should be made available to all UN member states as well as the general public. This process could include compiling records of listing and delisting trends from the Committee’s annual reports. This could be done by having the Secretary-General commission a report reflecting on the successes, challenges, and lessons learned from 20 years of Security Council CT sanctions’ regimes.

   d. **Strengthen the independence and institutionalization of the Office of the Ombudsperson to the 1267 Committee.** Due process enhances UN sanctions legitimacy and averts litigation before national and regional courts that can prevent states from implementing UN sanctions. Review the working methods and practices of the 1267 Committee to make them more responsive to the recommendations from the Ombudsperson.
Securing the Future Initiative
To learn more about the project and access our publications,
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“I think it’s a terrific initiative—20 years after Resolution 1373, the attacks of 9/11—to have a look at what the UN has been doing, what it’s achieved, with such enormous amount of investment over such a range of organizations, and work out what positive returns we got for that investment, and perhaps what some of the negative things about it have been, or to inform what the UN does over the next 20 years.”

–Mike Smith
Former Assistant Secretary-General & Executive Director of CTED