

SFI Securing the
Future Initiative

Counterterrorism and the United Nations Security Council Since 9/11

Moving Beyond the
2001 Paradigm

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 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

| | |
|----------|---|
| APEC | Asia-Pacific Economic Cooperation |
| AQ | al-Qaida |
| ASEAN | Association of Southeast Asian Nations |
| AU | African Union |
| CSO | Civil Society Organization |
| CT | Counterterrorism |
| CTC | UN Security Council Counter-Terrorism Committee |
| CTED | UN Security Council Counter-Terrorism Executive Directorate |
| DDR | Disarmament, Demobilization, Reintegration |
| ECOWAS | Economic Community of West African States |
| EU | European Union |
| FATF | Financial Action Task Force |
| FTF | Foreign Terrorist Fighter |
| GCTS | UN Global Counter-Terrorism Strategy |
| GCTF | Global Counterterrorism Forum |
| GIS | Global Implementation Survey |
| ISIS | Islamic State in Iraq and Syria |
| INTERPOL | International Criminal Police Organization |
| KFR | Kidnapping for Ransom |
| ICAO | International Civil Aviation Organization |
| IHL | International Humanitarian Law |
| IOM | International Organization for Migration |
| NATO | North Atlantic Treaty Organization |
| NGO | Non-Governmental Organization |
| OAS | Organization of American States |
| OCHA | UN Office for the Coordination of Humanitarian Affairs |
| OHCHR | UN Office of the High Commissioner for Human Rights |
| OSCE | Organization for Security and Cooperation in Europe |
| P5 | Five Permanent Members of the UN Security Council |

| | |
|-------|---|
| PBSO | UN Peacebuilding Support Office |
| PVE | Preventing Violent Extremism |
| P/CVE | Preventing and Countering Violent Extremism |
| SFI | Securing the Future Initiative |
| SPM | Special Political Mission |
| UN | United Nations |
| UNDP | UN Development Programme |
| UNGA | UN General Assembly |
| UNHCR | UN Office of the High Commissioner for Refugees |
| UNOCT | UN Office of Counter-Terrorism |
| UNSC | UN Security Council |
| UNSCR | UN Security Council Resolution |
| WPS | Women, Peace and Security |
| YPS | Youth, Peace and Security |

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 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

1 Peter Romaniuk, *Multilateral Counter-Terrorism: The Global Politics of Cooperation and Contestation* (Abingdon, UK: Routledge, 2009).

2 Eric Rosand, “The Security Council as ‘Global Legislator’: Ultra Vires or Ultra Innovative?” *Fordham International Law Journal* 28, no. 542 (2004), <https://ir.lawnet.fordham.edu/ilj/vol28/iss3/2>.

3 As the Security Council commemorated the 20th anniversary of the CTC's establishment, Norway's representative commented “we are deeply concerned about the increasing global misuse of counter-terrorism measures” and a UK minister of state said “counter-terrorism is too often used to justify egregious human rights violation and oppression.” United Nations Security Council, “Letter Dated 14 January 2021 from the President of the Security Council Addressed to the Secretary-General and the Permanent Representatives of the Members of the Security Council,” S/2021/48 (15 January 2021), <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/013/17/PDF/N2101317.pdf?OpenElement>; Permanent Mission of the Federal Republic of Germany to the United Nations, “Statement by Germany at the Special Meeting of the Counter-Terrorism Committee Commemorating the 20th Anniversary of the Adoption of Security Council Resolution 1373 (2001) and the Establishment of the Committee, November 4” (speech, 4 November 2021), <https://new-york-un.diplo.de/un-en/news-corner/-/2494384>; United Nations Meetings Coverage and Press Releases, “Concerned by Unintended Negative Impact of Sanctions, Speakers in Security Council Urge Action to Better Protect Civilians, Ensure Humanitarian Needs Are Met,” SC/14788 (7 February 2022), <https://press.un.org/en/2022/sc14788.doc.htm>; United Nations Meetings Coverage and Press Releases, “Security Council Renews Arms Embargo, Travel Ban, Asset Freeze Imposed on Those Threatening Peace in Yemen, by 11 Votes in Favour, None Against, 4 Abstentions,” SC/14810 (28 February 2022), <https://press.un.org/en/2022/sc14810.doc.htm>.

4 Fionnuala D. Ní Aoláin, interview by Bruno Demeyere, *International Review of the Red Cross* (February 2022): 916–917, <https://international-review.icrc.org/articles/interview-with-fionnuala-ni-aolain-916>.

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



Then Secretary-General Ban Ki-moon visits 9/11 Memorial in New York City on the 10th anniversary of the attacks (UN Photo/Evan Schneider)

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

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 Resolution, S/RES/1566, 8 October 2004.

6 Luis M. Hinojosa-Martínez, "A Critical Assessment of the Implementation of Security Council Resolution 1373" (Pre-print version, n.d.), <http://digibug.ugr.es/bitstream/10481/31650/1/SC%20Res%201373%20Chapter.pdf>.

7 Working Groups, "Mandate of the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism," n.d., https://www.ohchr.org/sites/default/files/Documents/Issues/Terrorism/SR/31012020_SR_CT_comments_on_AC_draft_report.pdf; Sarah St. Vincent, "Statement of Rights & Security International to the UN Counter-Terrorism Committee on the Occasion of the Special Meeting Commemorating the 20th Anniversary of the Adoption of Security Council Resolution 1373" (speech, 5 November 2021), <https://www.rightsandsecurity.org/impact/entry/rsi-addresses-special-meeting-of-the-un-counter-terrorism-committee-on-the-20th-anniversary-of-the-adoption-of-security-council-resolution-1373>; United Nations Human Rights Special Procedures Special Rapporteurs, Independent Experts and Working Groups, "The Impact of Counter-Terrorism Targeted Sanctions on Human Rights," 2021, <https://www.ohchr.org/sites/default/files/2021-11/position-paper-unsrct-on-unsc-use-of-ct-targeted-sanctions.pdf>; and Jordan Street and Larry Attree, "The Rise of Counter-Terrorism at the United Nations: Two Decades Later," Saferworld, September 2021, <https://www.saferworld.org.uk/downloads/the-rise-of-counter-terrorism-at-the-un-pages-hq.pdf>.

8 Securing the Future Initiative, "The UN Security Council: Assessing Twenty Years of Counterterrorism" (workshop, Manhasset, New York, 30 November–2 December 2021), <http://sfi-ct.org/wp-content/uploads/2022/05/Greentree-Event-Summary-1.pdf>.

9 Teun van Dongen, Matthew Wentworth, and Hanna Rigault Arkhis, "Terrorist Threat Assessment 2019–2021," International Centre for Counter-Terrorism, 2022, <https://icct.nl/app/uploads/2022/02/Terrorist-Threat-Assessment-2019-2021.pdf>.

more deliberate—international law-making process, treaty-making.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.

Core Recommendations

This project has looked at how the UNSC can be more effective and lead the way in shaping a more tailored approach to addressing today's terrorist threats and ensuring it is situated proportionally amidst collective efforts to address a host of global challenges including terrorism. It concludes with a number of such recommendations. Here are six core ones.

► **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 the UN Security Council Counter-Terrorism Executive Directorate (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 the UN Office of Counter-Terrorism (UNOCT) and mandating UNOCT to support both the UN General Assembly (UNGA) and the Security Council, similar to how the UN Peacebuilding Support Office (PBSO) and other UN Secretariat offices operate.¹¹ 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.

- **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'

10 David McKeever, "Revisiting Security Council Action on Terrorism: New Threats; (A Lot Of) New Law; Same Old Problems?" *Leiden Journal of International Law* 34, no. 2, (2021): 441–70; Fionnuala Ní Aoláin, "The Massive Perils of the Latest U.N. Resolution on Terrorism," *Just Security*, 8 July 2019, <https://www.justsecurity.org/64840/the-massive-perils-of-the-latest-u-n-resolution-on-terrorism/>.

11 See Eric Rosand, "UN Counterterrorism Reform: Now It's the Security Council's Turn," *Global Observatory*, 15 September 2017, <https://theglobalobservatory.org/2017/09/terrorism-counterterrorism-guterres/>.

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.

- ▶ **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 sub-regional 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, UN Development Programme (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).¹² 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.

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

12 As Bibi van Ginkel has noted, “This would entail that only if immediate, binding response is needed with a global reach, it makes sense for the UNSC to act.” Bibi Van Ginkel, “Unpacking the Key Features of a Comprehensive Counterterrorism Approach by the UN Security Council,” Securing the Future Initiative, 1 September 2022, https://sfi-ct.org/wp-content/uploads/2022/08/Van-Ginkel_SFI-Brief.pdf.

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) attaching a sunset clause to 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.

- ▶ **Enhance implementation and impact of the existing Council framework by** (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



UN Security Council renews CTED's mandate, UNSCR 2395 (2019)
(UN Photo/Eskinder Debebe)

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 UN Security Council Counter-Terrorism Committee (CTC), as outlined in UN Security Council Resolution (UNSCR) 2395 (2017). During these meetings, officials would be required to report on and answer questions concerning their implementation gaps.

I. 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.¹³ 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.¹⁴ This has prompted questions on how to “right-size” the approach for addressing terrorist threats to ensure it is fit-for-purpose given political and security priorities today and informed by lessons from the past.¹⁵

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

13 Neta C. Crawford, “United States Budgetary Costs and Obligations of Post-9/11 Wars Through FY2020: \$6.4 Trillion,” Watson Institute for International and Public Affairs, 13 November 2019.

14 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/>.

15 See Robert Malley and Jon Finer, “The Long Shadow of 9/11: How Counterterrorism Warps U.S. Foreign Policy,” *Foreign Affairs*, July/August 2018, <https://www.foreignaffairs.com/articles/2018-06-14/long-shadow-911>.

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.

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 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



Meeting convened by SFI in London

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.¹⁶ 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

¹⁶ Alistair Millar, "Blue Sky IV: Clouds Dispersing?" Global Center, May 2018, <https://www.globalcenter.org/publications/blue-sky-iv-clouds-dispersing/>; Jordan Street and Ali Altiok, "A Fourth Pillar for the United Nations? The Rise of Counter-Terrorism," Saferworld, June 2020, <https://www.saferworld.org.uk/resources/publications/1256-a-fourth-pillar-for-the-united-nations-the-rise-of-counter-terrorism>.

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

“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.”

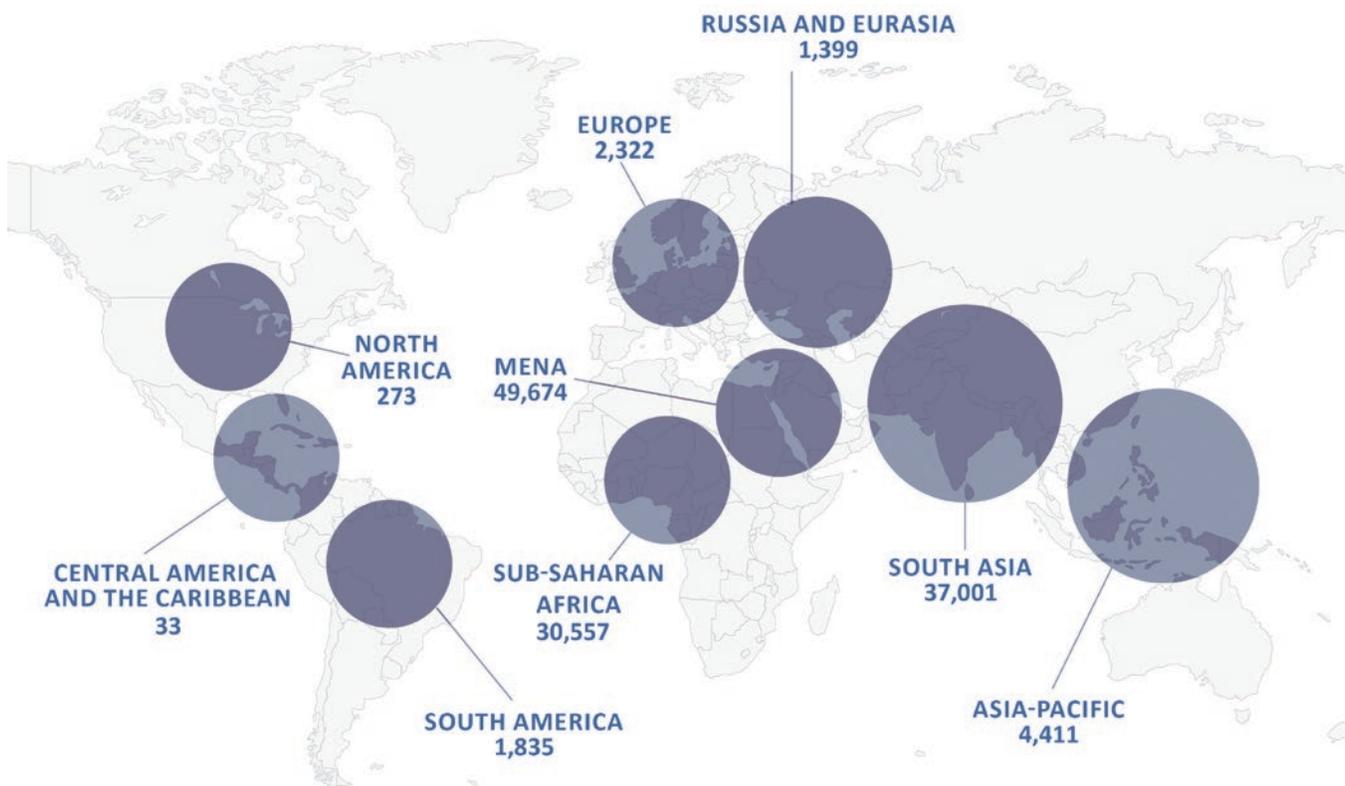
to place greater emphasis on assessing the effectiveness and impacts of Council CT measures as a whole and ensuring they cannot be instrumentalized to counter the very principles and purposes of the United Nations, while maintaining the international community's commitment to collaborating on preventing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

II. The Threat and Evidence Landscape: Then and Now

The evolution of the terrorist threat during the past 20-plus years—in terms of the types of groups or individuals involved and their fundraising, tactics, targets, and modus operandi—has been well documented.¹⁷ Appreciating this evolution is critical to any review of UNSC CT efforts during this period and to ensuring this approach is fit-for-purpose heading into the future. Four aspects of the changing dynamics are particularly relevant to this report.

- **The threat is more geographically and ideologically diverse and localized than before.** For example, in 2018, 71 countries recorded at least one death from terrorism (the highest figure since 2002), and whereas the Middle East and South Asia were the epicenters of the threat in 2002, in 2021 that role was usurped by sub-Saharan Africa, which accounted for 48 percent of deaths attributed to terrorist groups globally (Figure 1).¹⁸

Figure 1. Map of Regional Terrorism Deaths, 2007–2021



Source: Global Terrorism Index 2022

17 See UN Security Council, “Fourteenth Report of the Secretary-General on the Threat Posed by ISIL (Da’esh) to International Peace and Security and the Range of United Nations Efforts in Support of Member States in Countering the Threat,” S/2022/63, 28 January 2022, <https://digitallibrary.un.org/record/3957700?ln=en#record-files-collapse-header>; and UN Security Council, “Twenty-ninth Report of the Analytical Support and Sanctions Monitoring Team Submitted Pursuant to Resolution 2368 (2017) Concerning ISIL (Da’esh), Al-Qaida and Associated Individuals and Entities,” S/2022/83, 3 February 2022, <https://www.un.org/securitycouncil/sanctions/1267/monitoring-team/reports>.

18 Institute for Economics and Peace, “Global Terrorism Index 2022: Measuring the Impact of Terrorism,” March 2022: 30, <https://www.visionofhumanity.org/resources/global-terrorism-index-2022/>.

- **The threat today is deeply connected to local conflicts and local armed groups.** In 2021, “[a]ll 10 of the countries most impacted by terrorism were also involved in an armed conflict. Of the 120,359 deaths attributed to terrorism between 2007 and 2020, 92 percent (111,191) occurred in countries involved in conflict.”¹⁹ Groups such as AQ, ISIS, and their affiliates are increasingly aligning with local armed groups and taking advantage of governance deficits, human rights violations, and marginalization; they are continuing to gain strength in the Sahel and make inroads into Southern and coastal West Africa, two parts of the African continent where the terrorist threat was considered quite low two decades ago.²⁰ Thus, understanding how terrorist threats manifest in and through local armed conflicts and other situations of violence contexts is much more relevant today than in the years closely following 2001.
- **The individuals and groups involved in terrorist activity are more diverse (e.g., in terms of ideological, religious, and political views) than before.** Islamist terrorism is no longer the primary concern of many counterterrorism policymakers and practitioners. Far-right terrorism, which has long existed, is on the rise, particularly in Europe, Oceania, and North America. In South Asia, another form of racially and ethnically motivated violent

extremism is steadily increasing: Hindu nationalism. Much of this trend, whether in the West or South Asia, is owed to the growing political, economic, and social polarization and rise in misinformation and disinformation, and the spread of conspiracy and distrust.

- **The tactics of groups labeled as terrorists have evolved considerably since 9/11.** For example, the focus shifted from well-coordinated, “spectacular” mass casualty attacks against high-profile Western targets to low-cost, smaller-scale attacks more focused on success than on scale.²¹ “Soft” infrastructure, including restaurants, hotels, and public transportation, are increasingly targeted, with terrorists often using trucks, cars, as well as knives or other small arms to target large public gatherings. As the use of the internet increased and social media platforms developed and grew, groups began exploiting them to accelerate the spread of terrorist propaganda and training materials to inspire and recruit individuals. Moreover, with the intense scrutiny placed on the international banking system following the 9/11 attacks, groups have turned to other means to raise and transfer money, including KFR, oil sales, agricultural harvests, taxation of local populations, illegal extraction of natural resources like gold, cryptocurrency, and other new financial technologies, as well-established informal remittances (hawala).²²

¹⁹ Ibid.

²⁰ Tricia Bacon and Jason Warner, “Twenty Years after 9/11: The Threat in Africa—The New Epicenter of Global Jihadi Terror,” *CTC Sentinel* 14, no. 7 (September 2021), <https://ctc.usma.edu/twenty-years-after-9-11-the-threat-in-africa-the-new-epicenter-of-global-jihadi-terror>.

²¹ Lauren B. O’Brien, “The Evolution of Terrorism Since 9/11,” *FBI Law Enforcement Bulletin*, United States Department of Justice, 1 September 2011, <https://leb.fbi.gov/articles/featured-articles/the-evolution-of-terrorism-since-9-11>.

²² Financial Action Task Force, “Terrorist Financing,” 29 February 2008, <https://www.fatf-gafi.org/media/fatf/documents/reports/FATF%20Terrorist%20Financing%20Typologies%20Report.pdf>.

III. The Evolving Evidence Base

As with its manifestations, the understanding of what drives terrorism—and thus what strategies, tactics, and programs are most likely to reduce it—has evolved considerably among practitioners, researchers, and many government officials. Although numerous reasons exist for this evolution, two in particular stand out.

First, the primarily securitized approach to countering terrorism has progressed into a more multifaceted one. U.S.-led responses to the emergence of groups like AQ and ISIS were initially oriented heavily toward using military and intelligence assets to kill or capture terrorist leaders, to remove thousands of terrorists from the streets and the battlefield, and to deny terrorists' safe haven. These and other security-oriented measures, including those initially prioritized by the UNSC such as enhanced law enforcement cooperation and border security, generated numerous, often high-profile successes involving killing or capturing terrorist leaders, and no doubt helped thwart numerous large-scale attacks. However, they did little to reduce the overall threat or the appeal of the ideologies that underpinned it.²³ Some have argued that these tools have often exacerbated the drivers of terrorist recruitment, including when they have been misused by the United States or its partners, and thus generated more terrorists than they eliminated.²⁴ As early as 2003, U.S. military and other counterterrorism officials, among others, recognized that military measures

alone would not be sufficient to address the terrorist threats in Iraq and Afghanistan, that more needed to be done to win the “hearts and minds” of the local populations, and that violations of human rights and torture would be counterproductive to wider security and foreign policy priorities.²⁵

Despite this recognition, military, intelligence, and other security tools and expertise remain the stock and trade of traditional national security actors leading in the design and implementation of CT policies and programs. However, as research and practice evolved to focus more on prevention, both the toolkit and stakeholders involved

“At a strategic level, the concept of a ‘whole of society’ approach that includes both security and nonsecurity actors increasingly gained traction, particularly as states confronted the rise of ISIS and its efforts at recruiting members for its ‘state.’”

have diversified considerably. At a strategic level, the concept of a “whole of society” approach that includes both security and non-security actors increasingly gained traction, particularly as states confronted the rise of ISIS and the group’s efforts at recruiting members for its “state.” For example, amid heightened global concern around how to stem the flow of FTFs into Syria and Iraq, the UNSC recognized in

Resolution 2178 (September 2014) with heightened global concern around how to stem the flow of FTFs into Syria and Iraq, the UNSC recognized the importance of local actors—including civil society groups; families; religious, youth, and community leaders; front-line workers; and researchers—in preventing and countering terrorism and violent extremism.²⁶

23 See Aki Peritz, “How the U.S., U.K. and Pakistan Teamed Up to Stop Another 9/11,” *Politico*, 2 January 2022, <https://www.politico.com/news/magazine/2022/01/02/liquid-bomber-plot-counterterrorism-international-cooperation-526246>. However, the State Department’s list of foreign terrorist organizations includes more than four times as many Islamist groups today as it did 20 years ago. Bruce Hoffman, “How Has the Terrorism Threat Changed Twenty Years After 9/11?” Council on Foreign Relations, 12 August 2021, <https://www.cfr.org/in-brief/how-has-terrorism-threat-changed-twenty-years-after-911>.

24 Lana Baydas, “Counterterrorism Measures and Civil Society: Changing the Will, Finding the Way,” Center for Strategic and International Studies, 22 March 2018, <https://www.csis.org/analysis/counterterrorism-measures-and-civil-society>; and W. James Antle III, “Do Drone Strikes Create More Terrorists Than They Kill?” *The Week*, 17 September 2021, <https://theweek.com/afghanistan/1005020/do-drone-strikes-create-more-terrorists-than-they-kill>.

25 Donald Rumsfeld memorandum to Gen. Dick Myers, Paul Wolfowitz, Gen. Pete Pace, and Doug Feith, re: “Global War on Terrorism,” 16 October 2003, <https://fas.org/irp/news/2003/10/rumsfeld101603.pdf>.

26 UN Security Council Resolution 2178, S/RES/2178, 24 September 2014, paras. 16–19.

A second factor behind the evolution of the collective understanding of what drives terrorist radicalization and recruitment, and thus of how best to address the threat, relates to the ever-growing body of research on terrorism and violent extremism that has developed across the globe.²⁷ By discovering multiple pathways to violent extremism ideology, focused instead on social networks, this research pointed to an evermore nuanced and complex threat.²⁸ It also debunked numerous theories concerning recruitment and radicalization and countering stereotypes regarding the role of religious actors, youth, and women.²⁹

For example, 20 years ago, the prevailing view among international policymakers was that a “twisted” or “radical” violent ideology, informed by a perverse interpretation of Islam, was at the root of the terrorist violence that captured the attention of the Security Council.³⁰ Yet the evidence suggests cognitive conversion and ideological indoctrination is often retrospective, occurring only after individuals have

“This research points to an evermore nuanced and complex threat by discovering multiple pathways to violent extremism beyond ideology, in large part focused instead on social networks, while debunking numerous theories concerning recruitment and radicalization and countering stereotypes regarding the role of religious actors, youth, and women.”

already subscribed to a terrorist organization.³¹ Perceptions of social exclusion and marginalization, human rights abuses, corruption, unmet expectations, and a lack of political accountability and trust between government and its constituents are among the most significant drivers (or “conditions conducive to the spread,” per the terminology of the UNGA Global Counter-Terrorism Strategy) of terrorist violence.³²

There is also mounting evidence that, in far too many cases, CT measures and operations have exacerbated rather than mitigated the threat after being applied against political opponents, journalists, or human rights’ defenders; implemented in an overly aggressive manner by poorly trained security forces; or by resulting in large number of civilian casualties.³³ The UN’s own research recognizes that inappropriate applications of CT measures have been a key driver of radicalization and violence, and the situations in Afghanistan, the Sahel, Somalia, and Yemen have laid bare how more CT measures have failed to reduce terrorism.³⁴

27 William Stephens, Stijn Sieckelinc, and Hans Boutellier, “Preventing Violent Extremism: A Review of the Literature,” *Studies in Conflict and Terrorism* 44, no. 4 (2 January 2019): 346–361.

28 James Khalil, “The Three Pathways (3P) Model of Violent Extremism,” *The RUSI Journal*, <https://doi.org/10.1080/03071847.2017.1365463>.

29 See for example the Prevention Project, <https://www.rusi.org/explore-our-research/projects/prevention-project/> and Naureen Chowdhury Fink, Sara Zeiger, and Rafia Bhulai, *A Man’s World? Exploring the Roles of Women in Countering Terrorism and Violent Extremism* (Hedayah and The Global Center on Cooperative Security, 2016) https://www.globalcenter.org/wp-content/uploads/2016/07/AMansWorld_FULL.pdf.

30 Shmuel Bar, “The Religious Sources of Islamic Terrorism,” Hoover Institution, <https://www.hoover.org/research/religious-sources-islamic-terrorism>; Hearing before the Select Committee on Intelligence of the United States Senate One Hundred Tenth Congress First Session: Terrorist Ideology, S. Hrg. 110-348 (12 June 2007), <https://www.govinfo.gov/content/pkg/CHRG-110shrg40579/html/CHRG-110shrg40579.htm>.

31 Manni Crone, “Radicalization Revisited: Violence, Politics and the Skills of the Body,” *The Royal Institute of International Affairs* 92, no. 3 (6 May 2016); Sarah Ladbury, *Testing Hypotheses on Radicalization in Afghanistan* (Kabul: Cooperation for Peace and Unity, 14 August 2009).

32 Institute for Economics and Peace, “Global Terrorism Index: Measuring the Impact of Terrorism,” March 2022: 64, <https://www.visionofhumanity.org/resources/global-terrorism-index-2022/>; UNODC, “Drivers of Violent Extremism,” <https://www.unodc.org/e4j/en/terrorism/module-2/key-issues/drivers-of-violent-extremism.html>.

33 See Haroro J. Ingram, “How Counterterrorism Radicalizes: Exploring the Nexus Between Counterterrorism and Radicalization,” August 2019, http://dx.doi.org/10.1007/978-3-319-95237-6_10; “Counter-terrorism and Human Rights,” (United Nations Geneva Multimedia Newsroom, 15 March 2022), <https://www.unognewsroom.org/story/en/1207/counter-terrorism-and-human-rights>; Office of the United Nations High Commissioner for Human Rights, *Human Rights, Terrorism and Counter-Terrorism: Fact Sheet No. 32*, DPI/2439B/ (December 2007), <https://www.ohchr.org/sites/default/files/Documents/Publications/Factsheet32EN.pdf>.

34 United Nations Development Programme, “Journey to Extremism in Africa,” 65.

IV. The Security Council's Response to the Threat

The emergence of the UN Security Council as a central figure in the CT field after September 2001 was unprecedented. Whether due to Cold War paralysis in the UNSC or its narrow focus on specific acts of state-sponsored terrorism in the 1990s (e.g., involving Afghanistan, Libya, and Sudan), the Council did not previously consider terrorism as such to be a threat to *international* peace and security.³⁵ This changed following the 9/11 attacks when the UNSC moved from adopting coercive measures against individual states to a generic, law-making, norm-setting, and institution-building approach underpinned by its assessment that international terrorism as such presented a global threat. In addition, with the United States in the victim role following 9/11, there was now a powerful P5 member who could push for a more robust role for the Council. Buoyed by an environment in which governments around the globe were eager to show solidarity with the United States, the resolution was hastily drafted and unanimously adopted with little debate in a meeting that lasted less than five minutes.³⁶

A. Acting as the Global Legislator

UNSC Resolution 1373 remains the most far-reaching and consequential component of the Council's response to 21st century transnational terrorism. It required that all UN member states criminalize terrorism, prevent terrorists from crossing their borders, deny them financial resources, and either bring them to justice in their own domestic courts or extradite them to other countries where they could be tried.³⁷ The resolution also created a new UNSC subsidiary body, the Counter-Terrorism Committee, to monitor states'

implementation of the 1373 mandates (and ultimately those of its follow-on resolutions) 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. In doing so, it established a set of tools, frameworks, and institutions distinct from those already available for other international security threats, a phenomenon that shows no signs of dissipating.

In the early period after 9/11, critiques of the Council's CT work centered primarily on its unprecedented use of legal authority to uniformly obligate member states to take action against terrorism without time limits, and for its lack of attention to human rights in this context.³⁸ Never before had the UNSC circumvented the traditional treaty-making process and required all countries to adopt legal and operational measures to address a threat—terrorism—that it did not define, and without imposing any geographical and temporal limits.³⁹

B. Side-Stepping the Definition of Terrorism and Overlooking Human Rights

Speaking shortly after 9/11, Jeremy Greenstock, the UK's ambassador in New York and the first CTC chair, explained the lack of a definition for terrorism in Resolution 1373: “[I]et us be wise and focused about this: terrorism is terrorism...What looks, smells, and kills like terrorism is terrorism.”⁴⁰ The UNSC has never publicly called out the

35 In the 1990s, the Council adopted Chapter VII resolutions to impose sanctions against Libya, Sudan, and Afghanistan for their alleged involvement in various terrorist attacks. These attacks included the bombings of Pan Am Flight 103 and the U.S. embassies in Kenya and Tanzania. UN Security Council Resolution 748, S/RES/748, 31 March 1992; UN Security Council Resolution 1189, S/RES/1189, 13 August 1998.

36 Eric Rosand, Alistair Millar, and Jason Ipe, “The UN Security Council's Counterterrorism Program: What Lies Ahead?,” International Peace Academy, October 2007, <https://www.ipinst.org/wp-content/uploads/2015/06/cter.pdf>.

37 UN Security Council Counter-Terrorism Committee Executive Directorate “CTC 20th Anniversary | A Conversation with Mike Smith, Former Assistant-Secretary General and Executive Director of CTED,” <https://www.un.org/securitycouncil/ctc/content/ctc-20th-anniversary-conversation-mike-smith-former-assistant-secretary-general-and->

38 See “UN Rights Expert Says Security Council's Counter-Terrorism Measures Lack Legal Basis,” UN News, 26 October 2010, <https://news.un.org/en/story/2010/10/357182-un-rights-expert-says-security-councils-counter-terrorism-measures-lack-legal>; Andrea Bianchi, “Assessing the Effectiveness of the UN Security Council's Anti-terrorism Measures: The Quest for Legitimacy and Cohesion,” *European Journal of International Law* 17 (2006): 880–919; Eric Rosand, “The Security Council as ‘Global Legislator’: Ultra Vires or Ultra Innovative,” *Fordham International Law Journal* 28, no. 542 (2004), <https://ir.lawnet.fordham.edu/ilj/vol28/iss3/2>; Matthew Happold, “Security Council Resolution 1373 and the Constitution of the United Nations,” *Leiden Journal of International Law* 16, no. 3 (2003): 593–610.

39 V. Popovski and T. Fraser, eds., *The Security Council as Global Legislator* (1st ed.) (London: Routledge, 2014), <https://doi.org/10.4324/9781315813677>.

40 Alex Schmid, “Terrorism—The Definitional Problem,” *Case Western Reserve Journal of International Law* 375 (2004), <https://scholarlycommons.law.case.edu/jil/vol36/iss2/8>.

practice of specific countries, and has left it to each country to determine what qualified as terrorism; neither the Council nor its CTC have ever publicly questioned any such determination, and there is no evidence to suggest that it has done so behind closed doors.

Besides side-stepping the definitional questions, a practice owed to divergent positions among regional groups and states that continue to this day,⁴¹ the UNSC also barely mentioned human rights in the text in order to respond quickly and decisively to the 9/11 attacks.⁴²

Much has been written about the absence of any mention in Resolution 1373 of states' obligations to respect human rights in the design and implementation of their CT measures—except in the context of granting refugee status—and the resulting lack of attention (initially) paid to human rights' issues as the Council monitors states' implementation efforts through its CTC.⁴³ Yet, with the smoke of the burning World Trade Center buildings still visible from UN Headquarters, global solidarity toward the United States was at its peak. Then-President George W. Bush raised the prospect of Osama bin Laden using weapons of mass destruction and warned world leaders “you're either with us or against us in the fight against terror.”⁴⁴ Given this environment, it was inconceivable that any state would propose including



Sir Jeremy Greenstock as the Security Council meets to discuss terrorism issues (UN Photo/Evan Schneider)

potentially controversial human rights language in the draft of Resolution 1373,⁴⁵ lest they be perceived as trying to restrain governments' CT actions, and risk being seen as hobbling the Washington-led global response to 9/11.

The Council's seeming indifference to promoting human rights norms was underscored in January 2002, when CTC Chair Greenstock asserted that assessing compliance with such norms was “outside the scope” of the CTC's mandate; moreover, it was argued that this was a role for the UN human rights machinery. Although the Council, under pressure from some European and Latin American states and international human rights organizations, added generic language in 2003 about the need to ensure national

41 Trying to reach agreement on a definition risked injecting sharp differences among UN members—largely centered on the age-old adage, “one man's terrorist is another's freedom fighter”—into the debate. Such differences had stymied the UN General Assembly legal committee's work on a comprehensive convention against terrorism since the mid-1990s. In particular, members of the Organization of Islamic Cooperation were unlikely to support a UNSC resolution that could be used to label as “terrorists” those they perceived to be legitimately fighting against Israeli occupation of the Palestinian Territories. One commentator at the time went so far as to say that the passage of the resolution “was possible only because member states did not have to tackle the issue of defining terrorism.” Many among those voting for the resolution did not see eye to eye with the United States on such a definition. Shibley Telhami, “Conflicting Views of Terrorism,” *Cornell International Law Journal* 35, no. 3, art. 8, <https://scholarship.law.cornell.edu/cilj/vol35/iss3/8/>.

42 Some SFI interlocutors have voiced concerns that OP 3(f) of UNSCR 1373, which mentions human rights, could be criticized from a human rights perspective, as it goes beyond what is expected in refugee law.

43 See Human Rights Watch, “Hear No Evil, See No Evil: The UN Security Council's Approach to Human Rights Violations in the Global Counterterrorism Effort,” *Human Rights Watch Briefing Paper*, 10 April 2004, <http://www.hrw.org/backgrounder/un/2004/un0804/un0804.pdf>.

44 “You Are Either with Us or Against Us,” CNN, 6 November 2001, <https://edition.cnn.com/2001/US/11/06/gen.attack.on.terror/>.

45 Rosemary Foot, “The United Nations, Counter Terrorism and Human Rights: Institutional Adaptation and Embedded Ideas,” *Human Rights Quarterly* 29, no. 2 (May 2007): 489–514.

CT measures complied with international human rights law in its CT resolutions,⁴⁶ this did little to shift the Council's CT focus. In fact, more than two years later, the head of the CTC's expert group, CTED, insisted that the "protection of human rights cannot be construed as the priority of the CTC."⁴⁷ Instead, he argued that this was the responsibility of human rights bodies and institutions.

Thus, armed with its Chapter VII authorization, the CTC began reviewing states' implementation of UNSC CT requirements without any meaningful policy guidance or other guardrails limiting states' misuse of the security apparatus, and without incentives to comply with human rights law.

Shortly after the adoption of UNSCR 1373, UN human rights experts began voicing concerns over both the scope of the measures promoted by the resolution and the alacrity with which some states used them in "targeting groups such as human rights defenders, migrants, asylum-seekers and refugees, religious and ethnic minorities, political activists, and the media."⁴⁸ Before long, widespread concerns were raised by human rights organizations that CT actions were proving more effective in undermining human security than thwarting terrorist attacks.⁴⁹

C. Expanding Terrorist Sanctions

In parallel to its elaboration of an expansive, globally binding CT framework, the Council decided to broaden the sanctions originally imposed on Taliban-controlled Afghanistan following the 1998 bombing of U.S. Embassies in Kenya and Tanzania.⁵⁰ With AQ deemed a global threat, the

widening scope of the sanctions was intended to incentivize the Taliban to cease their support for bin Laden while also targeting those supporting the organization through donations and other kinds of financial support. Consequently, in 2002, the UNSC required all states to impose asset freezes, arms embargoes, and travel bans on the individuals and entities listed by the AQ/Taliban Sanctions Committee, most of the names (more than 200) were put forward by the United States with limited evidence in the immediate aftermath of the 9/11 attacks, and received little pushback from the other committee members.⁵¹ In 2004, the Council also asked the Secretary-General to establish a group of independent experts known as the Monitoring Team to track state implementation of this expanded regime.⁵²

Through a series of subsequent resolutions, the Council has sought to strengthen and refine the sanctions regime, although the core requirements remain largely unchanged. The Monitoring Team's regular reports offer some indication of the state of sanctions' implementations, although the quality of those reports is undermined by the fact that few countries report on their implementation efforts, despite repeated requests from the UNSC to do so. (Moreover, according to SFI interlocutors, with few countries sharing information on implementation, the reports are increasingly focused on the Team's assessment of the evolving AQ and related threats.) Although the Committee does undertake a regular review of each of the listings, this does not constitute a comprehensive assessment of the impacts and effectiveness of the sanctions regime itself.

Three aspects of the regime have received considerable scrutiny. The first concerns the evidentiary and procedural

46 Paragraph six in the declaration attached to Resolution 1456 (2003) provides that "States must ensure that any measure taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee, and humanitarian law." The Council has included this paragraph in all subsequent CT resolutions.

47 C.S.R. Murthy, "The U.N. Counter-terrorism Committee: An Institutional Analysis," *Jahrbuch Terrorismus* 2, (2007): 217–38, <http://www.jstor.org/stable/24916899>.

48 UN Office of the High Commissioner for Human Rights, *Digest of Jurisprudence of the UN and Regional Organizations on the Protection of Human Rights While Countering Terrorism*, September 2003: 8, <https://www.ohchr.org/>.

49 See Irene Khan, "A Year in Perspective: A Glass Half Full," in *Amnesty International Report 2006: The State of the World's Human Rights*, <https://www.amnesty.org/en/documents/pol10/0001/2006/en/>; Paul Hoffman, "Human Rights and Terrorism," *Human Rights Quarterly* 26, no. 4 (November 2004): 933; "Opportunism in the Face of Tragedy: Repression in the Name of Anti-terrorism," <https://www.hrw.org/legacy/campaigns/september11/opportunismwatch.htm>.

50 UN Security Council Resolution 1390, S/RES/1390, 28 January 2002.

51 Eric Rosand, "The Security Council's Efforts to Monitor the Implementation of Al Qaeda/Taliban Sanctions," *American Journal of Law* 98, no. 4 (October 2004): 745–763, <https://doi.org/10.2307/3216698>.

52 Howard Wachtel, "Assessing the Utility of the UN's Terrorism Sanctions Regime 20 Years after 9/11," *Securing the Future Initiative*, 5 August 2022, http://sfi-ct.org/wp-content/uploads/2022/08/Wachtel_Final-Design.pdf; "Lessons Learned from the 1267 Sanctions Regime against Al-Qaeda and Islamic State in Iraq and Syria (ISIS)," *The Soufan Center*, 28 July 2022, <https://thesoufancenter.org/research/lessons-learned-from-the-1267-sanctions-regime-against-al-qaeda-and-islamic-state-in-iraq-and-syria-isis/>.

requirements for adding and removing names from the list of individuals and groups that are subject to the sanctions measures. The second involves mitigating the negative impact that the sanctions regime has on humanitarian action, given that aid is often provided in areas that are under *de facto* control of non-state armed groups that are sometimes listed under the Council's sanctions regime.⁵³

Although detailed treatment of both issues is beyond the scope of this project, a few points are worth highlighting. First, member states' support for the regime has waxed and waned over the years as a result of concerns over both the quality of information used to justify adding names to the list and the lack of fully transparent procedures for adding and removing names from the list. The European Union (EU) and its member state courts, as well as human rights groups and international lawyers, were among the most vocal critics of the original process, which offered no opportunities for individuals or groups to challenge their listing and did not require the Committee to disclose more than cursory information on why names were being added.⁵⁴ According to the first Coordinator of the Monitoring Team, national governments had "misgivings about the fairness of a tool which can freeze people's assets without telling them why."⁵⁵ With respect to improving procedures for removing names from the list, the Council has for years tried to strike the right balance between its general membership, which favors greater transparency and more rights for those on the list, and its less progressive members.

Faced with the prospect of public support for the regime collapsing as a result of mounting due process concerns, including from national and EU courts, the UNSC took the unprecedented step of creating an office (of the Ombudsperson)⁵⁶ to enhance the fairness and transparency of the regime. The office was to "consider petitions from individuals seeking to be removed from the Committee's consolidated list that freezes the assets and limits the travel of key al-Qaida and Taliban figures...with the intention of making the sanctions regime fair and effective."⁵⁷

Second, awareness of the adverse impacts that CT and sanctions measures can have on humanitarian action, particularly in conflict zones, has grown during the past 20 years.⁵⁸ Similar to the divide over due process, some Council members have advocated for stronger safeguards to protect and facilitate humanitarian action, while others have largely continued to prioritize the security-driven approach to counterterrorism that has typically prevailed over the past two decades. As a result, much as it approached the issue of due process, the Council has moved incrementally to address these concerns. For example, the most recent renewal of the Taliban sanctions regime includes an exception for humanitarian assistance.⁵⁹ However, SFI interlocutors shared that these lingering concerns threaten to undermine member states' and wider support for the regime.

The third point of dissatisfaction for some states centers on the fact that the Council's 1267 sanctions regime only applies to two terrorist groups—AQ and ISIS—and their

53 See Emma O'Leary, "Principles Under Pressure: The Impact of Counterterrorism Measures and Preventing/Countering Violent Extremism on Humanitarian Action," Norwegian Refugee Council, 12 June 2018, <https://www.nrc.no/resources/reports/principles-under-pressure/>; Kristina Roepstorff, Charlotte Faltas, and Sonja Hövelmann, "Counterterrorism Measures and Sanctions Regimes: Shrinking Space for Humanitarian Aid Organisations," Centre for Humanitarian Action, 27 February 2020, <https://www.chaberlin.org/en/publications/counterterrorism-measures-and-sanction-regimes-shrinking-space-for-humanitarian-aid-organisations>.

54 The driving force behind many of the proposals to enhance the fairness and transparency of UN sanctions stemmed from the so-called "Group of Like-Minded States on Targeted Sanctions" led by Germany, Sweden, Switzerland, and other European states. The Group engaged Council members repeatedly and submitted documents with recommendations for enhancing due process. The Group's most prominent effort, in June 2011, occurred during the months leading up to the Council's adoption of what would become Resolution 1989. The Group offered its recommendations in "Improving Fair and Clear Procedures for a More Effective UN Sanctions System," submitted to the UN Security Council by Switzerland and the Group of Like-Minded States, April 2011, <http://www.news.admin.ch/NSBSubscriber/message/attachments/22759.pdf>.

55 Mark Tevelyan, "U.N. Al Qaeda Sanctions in Need of Reform," Reuters, 26 July 2007.

56 "Ombudsperson to the ISIL (Daesh) and Al-Qaida Sanctions Committee," United Nations Security Council, <https://www.un.org/securitycouncil/ombudsperson>.

57 "Press Conference to Present Ombudsperson of Security Council's 1267 Committee," United Nations, 15 July 2010, https://press.un.org/en/2010/100715_1267.doc.htm; Howard Wachtel, "Assessing the Utility of the UN's Terrorism Sanctions Regime 20 Years after 9/11," Securing the Future Initiative, 5 August 2022, http://sfi-ct.org/wp-content/uploads/2022/08/Wachtel_Final-Design.pdf; Emma O'Leary, "Politics and Principles: The Impact of Counterterrorism Measures and Sanctions on Principled Humanitarian Action," *International Review of the Red Cross*, February 2022, <https://international-review.icrc.org/articles/politics-and-principles-the-impact-counterterrorism-measures-on-principled-humanitarian-action-916>.

58 Agathe Sarfati, *An Unfinished Agenda: Carving Out Space for Humanitarian Action in the UN Security Council's Counterterrorism Resolutions and Related Sanctions* (New York: International Peace Institute, March 2022), <https://www.ipinst.org/wp-content/uploads/2022/03/Humanitarian-Action-in-UN-Sanctions-Regimes-PDF.pdf>.

59 Ibid.

members and affiliates. As a result, the Council has created a two-tier system, in which all countries must impose specific measures against these two groups, but which otherwise allows the countries to decide which other groups or individuals to target with CT measures. This concern has not been limited to countries, particularly in Africa, affected by local armed groups that lack the requisite ties to AQ or ISIS to be added to the sanctions list. In other regions, like South Asia, states have argued that groups posing some of the most direct terrorist threats to the region are not listed.⁶⁰ In fact, two permanent members of the Council—China and Russia—have been among the most vocal critics of the two-tiered system, which they have argued contributes to the perception that the Council has a double standard when it comes to addressing terrorism. For example, following the attack in Beslan in 2004, Russia pushed the Council to consider expanding the scope of its “terrorist” list beyond AQ and ISIS to include groups like the one responsible for Beslan. Consensus within the Council on this was and on this remains elusive given the lack of an agreed definition of terrorism.

To appease the Russians, the Council agreed to create an additional CT body, which would, *inter alia*, look at this issue. However, the differences among Council members (e.g., with the United States advocating for the inclusion of Hezbollah on any such expanded list) surfaced during the meetings of the Working Group, which has rarely convened and, not surprisingly, has been unable to reach consensus on any meaningful recommendations.⁶¹

D. Exceptionalization of the Threat Response Intensifies: The Creation of CTED

The Council’s 2004 decision to establish the Counter-Terrorism Executive Directorate as a unique Special Political Mission (SPM) based in New York, with what is now approximately 45 regular staff (up from the original 40), reinforced the perception that the Council viewed

terrorism differently from other threats to international peace and security. Although the Council continues to rely on independent expert groups (staffed by consultants on short-term contracts) to help monitor the implementation of different sanctions regimes, CT remains the only issue on the Council’s agenda where it has felt the need to establish a regular-budget-funded office of full-time staff that sits outside of the UN Secretariat and reports directly to the Council (and not the Secretary-General), with a budgetary and administrative structure akin to political missions in the field rather than headquarters-based offices. The establishment of CTED sent the not-so-subtle message to UN member states that they should adopt this exceptionalist view, as well.

The Council decided to establish CTED for several reasons. First, shortly after adopting Resolution 1373, the enormity of the task of monitoring its implementation became clear. Second, the Council could not expect support from the UN Secretariat, which had no dedicated resources for CT and became largely a bystander to the evolution of the Council’s framework and architecture. One senior UN official at the time even stated that “some in the UN community, in fact, seem to view counter-terrorism as more of a threat to the UN than terrorism itself.”⁶² Moreover, the United States and UK—in large part because of fallout from the 2003 Iraq invasion—did not fully trust the Secretariat to handle what they saw as the politically sensitive issue of terrorism.

Recognizing the extraordinary (and, according to some UN lawyers at the time, *ultra vires*) step taken by establishing CTED as an SPM, Council members agreed to include a sunset clause of less than four years in the founding resolution. Without setting a hard and fast deadline, this “would provide member states with a target to work toward... [and would] convey a sense of both urgency as well as an end to the process...to focus the attention of member states.”⁶³ In addition, the resolution establishing CTED explicitly states that although the creation of such a body is needed to help the Council address the extraordinary terrorist

60 “The UN Security Council: Assessing Twenty Years of Counterterrorism Roundtable Discussion with Members of the Organization for Islamic Cooperation Event Summary,” Securing the Future Initiative, 7 June 2022, <https://sfi-ct.org/wp-content/uploads/2022/06/OIC-Event-Summary.docx-3.pdf>.

61 Eric Rosand, Alistair Millar, and Jason Ipe, “The UN Security Council’s Counterterrorism Program: What Lies Ahead?,” International Peace Academy, October 2007, <https://www.ipinst.org/wp-content/uploads/2015/06/cter.pdf>.

62 United Nations Women, *Programmatic Note: UN Women Countering Terrorism (CT) and Preventing Violent Extremism (PVE) Support within the Framework of Women, Peace and Security* (New York: UN Women, 2022), <https://www.unwomen.org/en/digital-library/publications/2022/05/brief-un-women-countering-terrorism-and-preventing-violent-extremism-wps>.

63 Eric Rosand, “Counterterrorism at the UN Security Council: Has Proactive Become Pro Forma?” Global Observatory, 23 December 2021, <https://theglobalobservatory.org/2021/12/counterterrorism-at-the-un-security-council-has-proactive-become-pro-forma/>.

threat (calling attention to “the special nature of resolution 1373”),⁶⁴ it should not set a precedent for the Council to address other issues on its agenda.⁶⁵ More than 18 years later, the Council has renewed CTED’s mandate (often expanding it along the way) four times—without any independent assessment of its impact, and without reflecting on whether the exceptional circumstances that existed (and justified) it at the time of its creation still exist. Even the required mid-term evaluation in the middle of every mandate renewal—every two years—has become a pro forma exercise with little substantive debate about CTED’s role and impact. Further, despite the growing number of other global challenges the UNSC now grapples with, terrorism remains the only item on its agenda that benefits from this type of resource, the level of which has largely remained constant over the past 18 years despite the fact that the Council continues to add to CTED’s mandate.

There is some tangible evidence of CTED’s achievements since it was established. Through on-the-ground country visits and other interactions with capitals, CTED has gathered perhaps more information on different national civilian CT capabilities and gaps than any other organization in the world.⁶⁶ These data have informed the development of numerous CTED public-facing research assignments and products, including Trend Reports, Trend Alerts, and Analytical Briefs on a host of issues, such as the intersection of CT frameworks and international humanitarian law, the lawful use of digital evidence, the potential risks of terrorists’ use of unmanned aircraft, and the impact of COVID-19 on the terrorist threat.⁶⁷ Global surveys conducted by CTED on the implementation of some of its foundational resolutions, including 1373, have highlighted where progress and



Then-UN Secretary-General Ban Ki-moon commemorates 10th anniversary of UNSCR 1373 (2001), flanked by then-CTED Executive Director Mike Smith (left) and then-CTC Chair (India), Ambassador Hardeep Singh Puri (right) (UN Photo/Lou Rouse)

gaps exist on a regional and sub-regional basis. However, as discussed below, the CTC’s refusal to allow CTED to single out countries for implementation shortfalls, as well as the general nature of these surveys and other CTED analyses, have significantly limited these products’ practical utility.

CTED has also produced an array of technical guidance to assist practitioners with the implementation of various UNSC CT resolutions, which have become increasingly complex over the years. Many of these guides are produced in consultation with other UN entities or specialized agencies focused on those technical issues, though some interlocutors voiced concerns that addressing these issues through a “CT” lens narrows the scope or approach taken. On an issue like International Humanitarian Law (IHL) in particular, there are concerns among some states and practitioners that an entity like CTED does not have the requisite depth of expertise to weigh in. Moreover, CTED’s global mandate and its need to develop tools that are applicable to all regions and contexts have limited the utility of these tools for some practitioners, who typically need

64 UN Security Council Resolution 1535, S/RES/1535, 26 March 2004.

65 Ibid.

66 United Nations Security Council Counter-Terrorism Committee (CTC), “Assessments,” <https://www.un.org/securitycouncil/ctc/content/assessments>.

67 “Publications,” UN Security Council Counter-Terrorism Committee Executive Directorate, <https://www.un.org/securitycouncil/ctc/>.

guidance more tailored to their local context than CTED products can offer.⁶⁸

Region-wide interactions facilitated by CTED—including a multi-year series of workshops with police, prosecutors, judges, and civil society actors across countries in South Asia, for example—have also provided opportunities to enhance criminal justice and law enforcement cooperation across a region where such cooperation has traditionally been lacking.⁶⁹ The work that CTED undertook with the Charities Commission of England and Wales and NGO experts to encourage the Financial Action Task Force (FATF) to revise its Recommendation on Non-Profit Organizations⁷⁰ helped spur a reform process that has resulted in some improvements, including more nuanced recommendation language and a process for regular interaction with the nonprofit sector.⁷¹

Other achievements are often anecdotal, such as those shared informally with the SFI team and other researchers by officials from member states or by CTED experts themselves. These include reports of an array of benefits from CTED visits to capitals, which some government officials assert have helped their colleagues focus on particular CT gaps that need to be filled, or created opportunities to engage non-traditional stakeholders in security discussions.⁷²

Moreover, while it remains in the purview of the state to implement CTED's recommendations, such discussions can provide important openings, but the Council needs to assess whether the state is in fact making timely progress on its declared intentions and, where necessary, provide more incentives for states to do so.

CTED experts often point to the frank discussions with host country security officials during their visits on sensitive topics such as incorporating human rights protections or gender perspectives in CT policies and programs. Anecdotal evidence of the unique benefits from CTED interactions with government officials before, during, and after country visits is certainly plausible. However, the extent to which the substance of these interactions is reflected in CTED's assessment reports, let alone the extent of the follow-up to the reports' recommendations, is difficult to trace, owing to the confidentiality of those documents.⁷³

“The Council needs to assess whether the state is in fact making timely progress on its declared intentions and, where necessary, provide more incentives for states to do so.”

E. The Response to the Rise of ISIS and Beyond

Following the emergence of ISIS as a global phenomenon in 2014, at a time when citizens from more than 100 different UN member states travelled to Syria and Iraq to support ISIS or other armed groups designated as terrorists by the

68 CTED has gradually developed more user-friendly tools for gathering, organizing, and analyzing information from member states. See UN Security Council Counter-Terrorism Committee Executive Directorate, “The Electronic Detailed Implementation Survey (eDIS) and the Overview of Implementation Assessment (OIA),” <https://www.un.org/securitycouncil/ctc/content/electronic-detailed-implementation-survey-edis-and-overview-implementation-assessment-oia>.

69 “Promoting Counterterrorism Cooperation in South Asia: Engaging Judges, Prosecutors and Police Officers,” Global Center on Cooperative Security, January 2016, <https://www.globalcenter.org/wp-content/uploads/2016/01/21-January-2016-Project-Description-Counterterrorism-Cooperation-in-Sout...pdf>; Rafia Bhulai and Naureen Chowdhury Fink, “Strengthening Regional Cooperation to Prevent and Counter Violent Extremism in South Asia: What Role for Civil Society,” Global Center on Cooperative Security, December 2016, https://www.un.org/securitycouncil/ctc/sites/www.un.org/securitycouncil.ctc/files/2016-12_bhulai-fink-south-asia-cse-process.pdf.

70 *Combating the Abuse of Non-Profit Organisations (Recommendation 8)*, Financial Action Task Force, June 2015, <https://www.fatf-gafi.org/media/fatf/documents/reports/BPP-combating-abuse-non-profit-organisations.pdf>.

71 *To Protect and Prevent: Outcomes of a Global Dialogue to Counter Terrorist Abuse of the Nonprofit Sector* (Goshen, IN: Center on Global Counterterrorism Cooperation et al., June 2013), https://www.globalcenter.org/wp-content/uploads/2013/06/Protect-Prevent_Final.pdf; Floor Knoote and Thalia Malmberg, *Zero Risk Mentality: The Damaging Effect of AML/CFT Measures for Civil Society*, Global Initiative Against Transnational Organized Crime, 2021, <https://globalinitiative.net/analysis/financial-resilience/>.

72 “The UN Security Council: Assessing Twenty Years of Counterterrorism,” Summary of Roundtable Discussion, Securing the Future Initiative, 3 February 2022, http://sfi-ct.org/wp-content/uploads/2022/05/SFI_Notre-Dame-Event-Summary-Draft.pdf.

73 Annabelle Bonnefont, Agathe Sarfati, and Jason Ipe, “Continuity Amid Change: The 2021 Mandate Renewal of the UN Counter-Terrorism Committee Executive Directorate,” Global Center on Cooperative Security, 23 November 2021, <https://www.ipinst.org/2021/11/the-2021-mandate-renewal-of-cted>.

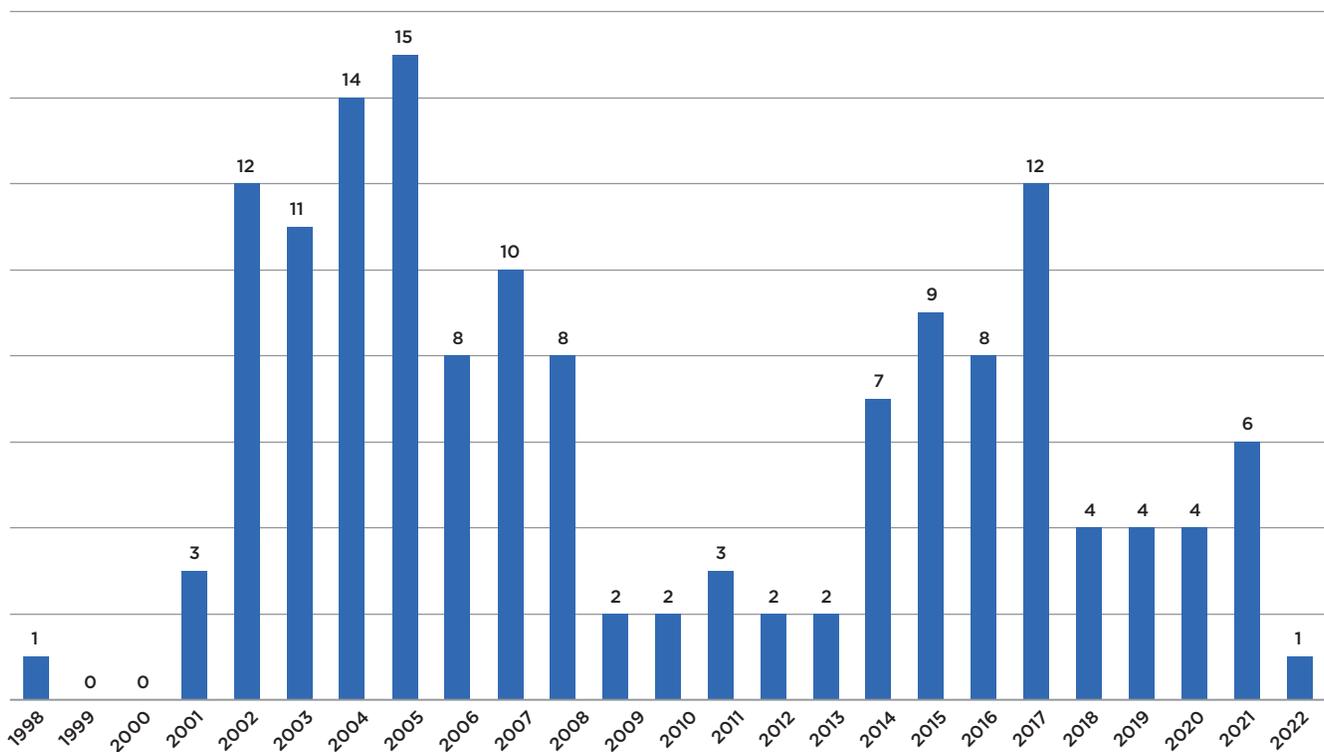
UNSC or states, the Council’s CT agenda item received even more attention than it did in the decade following 9/11 (Figure 2), when many member states continued to view CT as a Western-imposed priority.⁷⁴

With U.S. President Barack Obama presiding, the Council adopted a binding resolution (2178) to stem the flow of fighters traveling to Iraq and Syria in September 2014.⁷⁵ A subsequent resolution (2396) was adopted in 2017 to address widespread concerns about returning and relocating

foreign fighters and associates (Figure 3). Further discussion on their impact follows below.

The Council also took steps to connect CT with the Women, Peace, and Security (WPS) and Youth, Peace, and Security (YPS) agendas, including by encouraging states to ensure their CT policies and programs take into account the varied roles that women and youth can play in both fomenting and preventing terrorism.⁷⁶

Figure 2. UNSC Meetings on International Terrorism as of March 2022



Source: Alice Martini, “The UNSC and the Long Journey from CT to P/CVE,” Securing the Future Initiative, 2022, on file with authors.

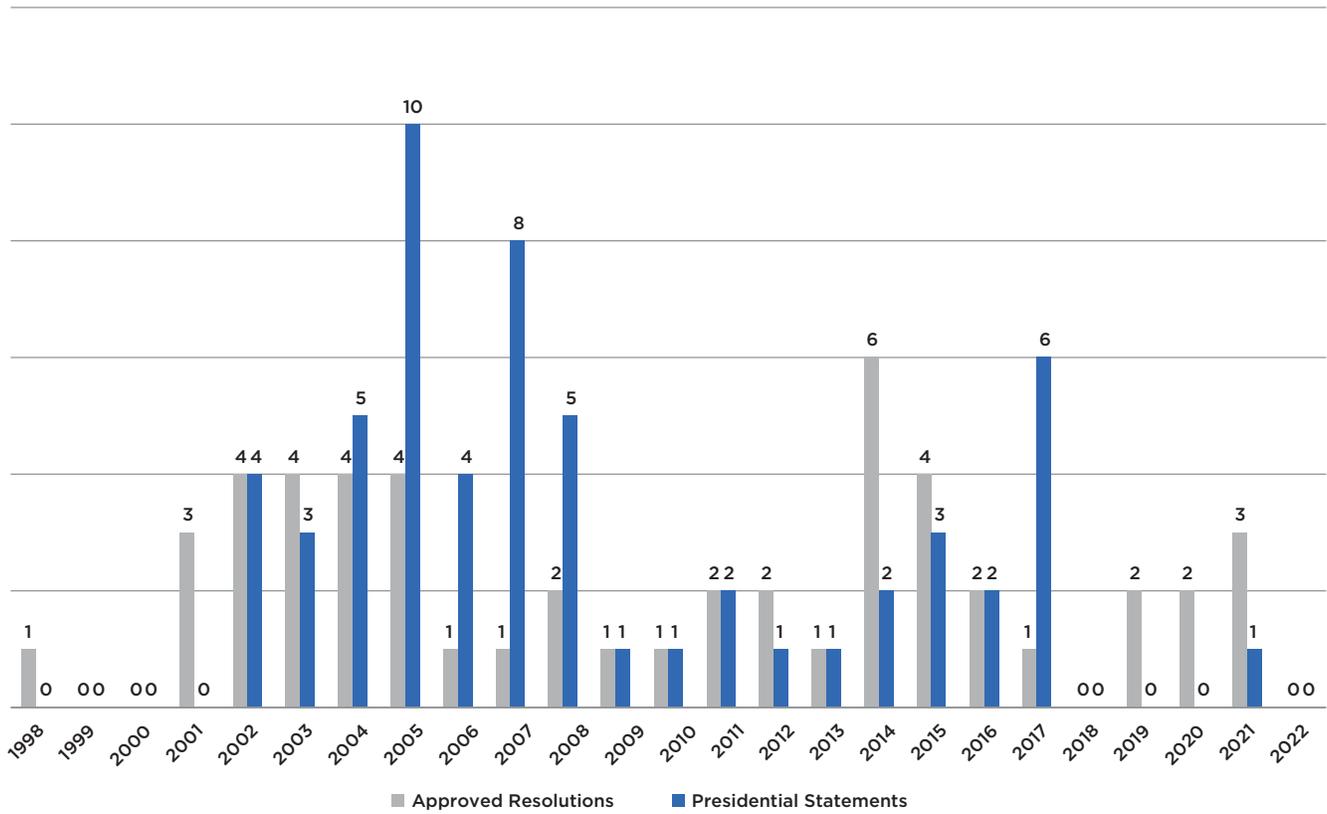
Note: This does not include meetings of UNSC CT subsidiary bodies such as the CTC, which, as of August 2022, had met 367 times since it was first convened in October 2001.

74 David McKeever, “Revising Security Council Action on Terrorism: New Threats; (A Lot Of) New Law; Same Old Problems?” *Leiden Journal of International Law* 34, no. 2 (June 2021): 441–70, <https://doi.org/10.1017/S0922156521000066>.

75 Scott Neuman, “U.N. Security Council Unanimously Passes Anti-Terrorism Resolution,” NPR, 24 September 2014, <https://www.npr.org/sections/thetwo-way/2014/09/24/351134447/u-n-security-council-unanimously-passes-anti-terrorism-resolution>.

76 See UN Security Council Counter-Terrorism Committee Executive Directorate, “Integrating Gender into Counter-Terrorism,” <https://www.un.org/securitycouncil/ctc/content/integrating-gender-counter-terrorism>; Jayne Huckerby, “The Complexities of Women, Peace, Security and Countering Violent Extremism,” *Just Security*, 24 September 2015, <https://www.justsecurity.org/26337/womens-rights-simple-tool-counterterrorism/>.

Figure 3. UNSC Approved Resolutions and Presidential Statements on Terrorism as of March 2022



Source: Alice Martini, “The UNSC and the Long Journey from CT to P/CVE,” Securing the Future Initiative, 2022, on file with authors.

V. 20 Years of Security Council CT Activity: A Critical Reflection

To commemorate the 20th anniversary of the Council's response to 9/11, the CTC and its CTED provided a list of 20 accomplishments,⁷⁷ ranging from data on the amount of initial and follow-up site visits to policy guidance and efforts to facilitate technical assistance. Building on those and complementing the above discussion of CTED contributions, this section inventories the Council's wider work on CT, focusing on five areas where its achievements stand out.

A. Norm-Setting

Our interactions with government and UN officials indicate that the Council has influenced countries to shift their view of the CT enterprise from a bilateral to a multilateral one underpinned by a growing number of universal requirements. It also exerted influence by eventually establishing a unique and intrusive legal and policy framework. In doing so, it both closed normative gaps at the global level and helped elevate terrorism to the top of the international agenda. Although it has been fairly criticized for not taking human rights issues into account and for over-emphasizing the security dimensions of the response, the Council underscored the importance of a criminal justice, rule of law-based approach and helped countries try to harmonize their thinking and perspectives on CT in the aftermath of 9/11.⁷⁸

Given the intense political pressures placed by the United States and its allies on governments to enhance their CT capabilities in the aftermath of 9/11, it is difficult to determine the Council's impact—through its resolutions, CTC, and CTED—on state behavior during this period. The United States spearheaded the development of a coalition and, with its allies, pressed countries around the globe to prevent terrorists from finding safe haven within their

borders. To persuade states to act, the United States often pointed to the requirements imposed by the Council, rather than Western demands. The Council was particularly influential in increasing the pace at which states became party to international terrorism conventions and protocols,⁷⁹ which produced a subsequent increase in international legal cooperation in CT, and in enhancing border security, which made travel more difficult for terrorists.

The Council's elevation of border security as a CT priority for all countries has contributed to enhanced security measures in a number of countries, whether through the introduction of machine-readable passports tightened airport security, improved border security, or by promoting the responsible use of biometrics. In addition to their counterterrorism benefits, these advances, which the International Civil Aviation Organization (ICAO), International Organization for Migration (IOM), the Organization for Security and Cooperation in Europe (OSCE), and other multilateral bodies contributed to, have led to increased safety for travelers in regions such as the Sahel.⁸⁰

Another area where the Council has had significant normative impact has been evident in its efforts to address the threat posed by thousands of foreigners traveling to Iraq and Syria to support ISIS or other terrorist groups, starting in 2014. Many states lacked legal measures to address the threat, as travel to the conflict zones to join a terrorist group, or in many cases membership in a group, was not criminalized. As noted above, through a series of resolutions, the Council required all states to take certain steps to prevent suspected FTFs from entering or transiting their territories, to have laws in place to prosecute FTFs, and to

77 UN Security Council Counter-Terrorism Committee Executive Directorate, "20 Years, 20 Accomplishments," <https://www.un.org/securitycouncil/ctc/news/20-years-20-accomplishments>.

78 "The UN Security Council: Assessing Twenty Years of Counterterrorism," Summary of Roundtable Discussion, Securing the Future Initiative, 3 February 2022: 5, https://sfi-ct.org/wp-content/uploads/2022/05/SFI_Notre-Dame-Event-Summary-Draft.pdf.

79 Prior to 9/11, only Botswana and the United Kingdom were parties to the 12 existing international treaties and conventions relating to terrorist acts. Within two years, this number had risen to nearly 30. This increase can be attributed to a number of factors, including the Council's pressure on states. David Cortright, et al., *An Action Agenda for Enhancing the United Nations Program on Counter-Terrorism*, Fourth Freedom Forum, September 2004, <https://www.fourthfreedomforum.org/publications/an-action-agenda-for-enhancing-the-united-nations-program-on-counter-terrorism/>.

80 "The UN Security Council: Assessing Twenty Years of Counterterrorism in Africa: Multi-Stakeholder Perspectives from Across the Continent," Workshop Summary, Securing the Future Initiative, 3 June 2022, <https://sfi-ct.org/wp-content/uploads/2022/06/Dakar-Event-Summary-5.pdf>.

share information with other states regarding individuals seeking to travel to or return from this conflict zone.

Given the number of bilateral and other multilateral measures that were taken to address the FTF phenomenon, some of which were inspired by Council actions and others which were complementary (e.g., the formation of the Global Coalition to Defeat ISIS), it is difficult to assess the Council's impact in mitigating the threat. Nevertheless, Resolution 2178 led numerous countries to update their legal frameworks by closing a significant legal gap in many countries, which left them unable to prosecute nationals traveling to Syria with intent to support ISIS.⁸¹ However, applying some of these laws to prosecute the mere "intent" to travel has raised human rights and other legal concerns.

In 2017, Resolution 2396 passed in response to the growing threat posed by returning FTFs, which led to enhanced information-sharing and border security cooperation. This resolution took the unprecedented step of requiring all countries to develop and implement biometric collection systems to capture identifying data "in order to responsibly and properly identify terrorists, including FTFs, in compliance with domestic law and international human rights law."⁸² Much like several earlier Council resolutions focused on CT, Resolution 2396 generated numerous implementation guides, as well as training and other technical assistance programs to help states implement the obligations.⁸³ This has certainly brought countries into positions to apply biometrics to CT objectives.⁸⁴

To its credit, CTED has also highlighted the significant human rights-related challenges many countries face in using this data. For example, it pointed out how "biometric

technologies can pose threats to privacy and personal security, including through their use for broader purposes such as mass surveillance, which can facilitate profiling and discrimination, often against marginalized groups, including women, minorities and asylum seekers."⁸⁵ These risks are particularly acute in, but not limited to, authoritarian regimes. However, there is no publicly available evidence showing that states have heeded warnings from CTED or UN human rights agencies to avoid overly broad gathering or misuse of biometric data. Moreover, even if such evidence were to emerge, neither the Council nor its CTC have indicated interest in "naming and shaming" any state found to be doing so or committing any other infraction.

B. Identifying New Trends and Challenges

In addition to norm-setting across a range of CT issues, the Council has been praised for drawing attention to new and emerging terrorist threats as well as to CT challenges and trends; the more recent CTED country and analytical reports reflect a more comprehensive notion of security. This primarily resulted from CTED's information gathering and analysis, which led to a series of publications on various topics, including the increasing transnational aspects of right-wing extremism; the use of proceeds from the exploitation, trade, and trafficking of natural resources for terrorism financing; the collection and use of battlefield evidence in criminal proceedings; preventing abuse of asylum systems while ensuring compliance with international refugee law; the abuse of new and emerging technologies by terrorists and violent extremists; and the gender dimensions of the response to the challenge posed by returning FTFs and family members.⁸⁶

81 Walle Bos, Bibi van Ginkel, and Tanya Mehra, *Capacity Building Challenges: Identifying Progress and Remaining Gaps in Dealing with Foreign (Terrorist) Fighters*, (The Hague: International Centre for Counter-Terrorism, April 2018), <https://icct.nl/app/uploads/2018/05/ICCT-Bos-VanGinkel-Mehra-Capacity-Building-Challenges-May-2018.pdf>.

82 These data include fingerprints, photographs, and facial recognition. The resolution also required countries to collect and analyze data used by airlines and to use international databases "to detect suspected and unknown terrorist individuals and serious criminals." UN Security Council Resolution 2396, S/RES/2396, 21 December 2017.

83 "National Workshop on Strengthening the Use of Advanced Investigative Techniques and Cross-Border Investigations in Accordance with UNSCR 2396 (2017) in Kazakhstan," <https://www.unodc.org/centralasia/en/news/national-workshop-on-strengthening-the-use-of-advanced-investigative-techniques-and-cross-border-investigations-in-accordance-with-uns-cr-2396-2017-in-kazakhstan.html>; United Nations, "The UN Countering Terrorist Travel Programme and Human Rights," <https://www.un.org/cttravel/news/un-countering-terrorist-travel-programme-and-human-rights>.

84 According to CTED, as of 2021, 118 of the 193 United Nations member states "made at least marginal progress in introducing biometrics for counter-terrorism purposes"; however, the extent to which this progress was made as a result of the adoption of Resolution 2396 is unclear. UN Security Council Counter-Terrorism Executive Directorate, *CTED Analytical Brief: Biometrics and Counter-Terrorism*, (n.d.): 3, https://www.un.org/securitycouncil/ctc/sites/www.un.org.securitycouncil.ctc/files/files/documents/2021/Dec/cted_analytical_brief_biometrics_0.pdf.

85 UN Security Council Counter-Terrorism Executive Directorate, *CTED Analytical Brief: Biometrics and Counter-Terrorism*, https://www.un.org/securitycouncil/ctc/sites/www.un.org.securitycouncil.ctc/files/files/documents/2021/Dec/cted_analytical_brief_biometrics_0.pdf.

86 CTED publications are available at <https://www.un.org/securitycouncil/ctc/content/publications>.

C. Elevating Capacity-Building as a Global CT Priority

The Council deserves credit for helping to jump-start what has developed into a robust and expansive ecosystem of training and other capacity-building assistance linked to raising the CT capabilities across a range of government institutions. As noted above, shortly after Resolution 1373 was adopted (which did not mention the term “technical assistance”), the Council realized that most member states were not positioned to implement the often technical legal, regulatory, and operational obligations imposed on them by the resolution absent considerable support. The Council adopted Resolution 1377 not only to draw attention to this challenge, but to mobilize the international system to help overcome it.⁸⁷

With donors eager to demonstrate their support for the implementation of the Council’s CT requirements, the resolution’s adoption sparked the development and delivery of a wide range of bilateral and multilateral capacity-building programs across the Global South focused on criminal justice, law enforcement, financial, and border security practitioners. Countries like the United States, which were in the process of dramatically expanding bilateral CT assistance programs, increasingly pointed to Resolution 1373 to motivate governments to accept U.S. assistance, which would allow them to comply with the resolution’s requirements.

The Council’s CTC, through CTED, assumed the role of technical assistance “facilitator,” matching member state needs (identified during CTED site visits and other engagements with that state) with the appropriate

assistance provider. Thus, CTED could ensure states had access to international best practices and other tools to help implement the Council’s expanding set of CT requirements. Since assuming this role, CTED has gathered an unprecedented amount of information on the strengths and shortcomings of member states’ capabilities. As such, CTED’s country-specific assessment reports and recommendations could, in theory, serve as an invaluable resource for bilateral and multilateral donors and assistance providers as they decide where to spend their money and/or target their programs—if they could be made public or at least accessible to all donors and assistance providers, among others, on request.

However, the Council limits what information CTED can share and with whom, as the agreed framework for post-visit follow up reveals.⁸⁸ There is little it can share without the relevant state’s consent. Only one state has formally published its report for public access, whereas three others

have made theirs available on request. Approximately 25 states have made theirs available to UN entities in the Global Counterterrorism Coordination Compact, although several members of the compact informed the SFI team that they often find the data from the reports to be outdated, due in part to the length of time involved in getting the CTC’s green-light to share them. Moreover, representatives of some entities that engaged in the SFI process said they are hesitant to rely on CTED analysis and recommendations or structure their activities around them. Reasons cited for this caution include the often politicized

nature of those products, which can result in overly general attention to human rights and other sensitive issues, and the “CT lens” through which they are developed, which

“CTED’s country-specific assessment reports and recommendations could, in theory, serve as an invaluable resource for bilateral and multilateral donors and assistance providers as they decide where to spend their money and/or target their programs—if they could be made public or at least accessible to all donors and assistance providers, among others, on request.”

⁸⁷ UN Security Council Resolution 1377, S/RES/1377, 12 December 2001.

⁸⁸ UN Security Council Counter-Terrorism Committee Executive Directorate, “Guidelines of the Counter-Terrorism Committee for Post-Visit Follow-Up,” 11 December 2012, https://www.un.org/sites/www.un.org/securitycouncil.ctc/files/2012-12-11_ctc_guidelines_post-visit.pdf.

could potentially over-emphasizing the CT dimension of the solution.⁸⁹ Thus, CTED's ability to serve as the technical assistance match-maker it was mandated to be has been severely compromised from the outset by states' unwillingness either to consent to a visit in the first place or to share their reports. Part of the reluctance stems from concerns that CTED's analysis and recommendations might expose countries' shortcomings in implementing their Council-imposed obligations, a fear that has constrained almost all visited states from sharing their own reports beyond the UN system.⁹⁰

D. Putting CT on the Agenda of Regional Organizations

Shortly after Resolution 1373 was adopted, the Council began to realize the extraordinary breadth and complexity of the CT measures that all countries were now required to implement, and how many governments would need significant technical and other capacity-building assistance—not to mention continued political encouragement—in order to do so. Shortly after its creation, the CTC prioritized outreach to international, regional, and sub-regional organizations—almost none of which had any involvement in CT prior to this outreach—believing they could assist their members with implementation of Resolution 1373. Their comparative advantages were seen to include “providing a local or regional forum of interchange, action, encouragement, and assistance” on different aspects of the resolution and “assist[ing] the CTC in monitoring implementation and promoting international support for implementation of Resolution 1373.” The Council's message to these organizations was direct: (1) they should be determined in dealing with terrorism and must develop ongoing mechanisms for doing so in accordance with their respective mandates; (2) they should facilitate discussion on CT, in order to share

expertise and best practices; and (3) where possible, they should develop their own CT assistance plans.⁹¹

Today, largely because of Council pressure and engagement by the CTC and its CTED in the early period after 9/11, virtually every regional and sub-regional body 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.

E. Catalyzing the Expansion of the Multilateral CT Architecture

Arguably, the Council's greatest impact on the CT landscape during the past 20 years has been its influence in catalyzing, largely from scratch, the development of a sprawling multilateral structure that now features dozens of UN and non-UN entities—both formal and informal—to address a range of threats posed by terrorist groups and violent extremists around the globe.⁹²

When the Council adopted Resolution 1377 in November 2001, *inter alia*, to encourage international, regional, and sub-regional organizations to develop programs to help their members implement the complex and technical requirements of Resolution 1373 and, more broadly to elevate CT as a priority, the multilateral CT playing field was largely barren. Most international CT cooperation, whether military, law enforcement, or intelligence, existed only at the operational and tactical levels. Back then, CT policymakers and practitioners saw no reason to involve the UN, in part because it had little to offer.

Fast forward to 2022, and the UN and wider multilateral CT landscape looks significantly different. Whereas 20 years ago the Organization of American States (OAS) was

89 Consultations with UN and government officials throughout the course of this project; for the publicly available report on Finland, see UN Security Council Counter-Terrorism Committee Executive Directorate, *Report of the Counter-Terrorism Committee on Its Follow-Up Visit to the Republic of Finland* (9–11 April 2019), <https://intermin.fi/documents/1410869/3723676/YKn+terrorism+in+vastaisen+komitean+Suomea+koskeva+arviointiraportti+1.11.2019.pdf/6f290683-3f0d-47cf-6121-965807776b43/YKn+terrorism+in+vastaisen+komitean+Suomea+koskeva+arviointiraportti+1.11.2019.pdf>.

90 The Council has not indicated any interest in calling out states publicly with regard to any gaps identified in the visit reports, yet states remain highly cautious about sharing information, including budget and personnel allocations, statistics, and other details, which, from their perspective, indicate vulnerabilities. Nonetheless, because all visit reports are accessible to all Council members before they are finalized with the visited states, there are opportunities for current members to highlight concerns within the context of the CTC. Although more states are willing to share parts of their report through the UN system, it often requires significant negotiation with a state to do so, with implications for CTED resource allocation and leading to delays that can then impact the extent to which the information in them is sufficiently current.

91 UN Security Council Resolution 1377, S/RES/1373, 12 November 2001.

92 See Figure 4 on page 34.

the only regional body that possessed even a semblance of a CT agenda,⁹³ there are now dozens of multilateral bodies engaged in counterterrorism, including APEC, Association of Southeastern Asian Nations (ASEAN), the African Union (AU), the Council of Europe, Economic Community of West African States (ECOWAS), Inter-Parliamentary Union, IGAD, INTERPOL, North Atlantic Treaty Organization (NATO), and the OSCE.⁹⁴ Many of their CT mandates were originally inspired by Council pressure, through its CTC, to support implementation of the Resolution 1373 and other relevant Council resolutions, whether by developing strategic frameworks and action plans, facilitating or delivering training or capacity building, and/or mobilizing political will.

The changed landscape at the UN itself is also striking. In addition to a slew of CT resolutions adopted by the Security Council since then, states like Egypt, Indonesia, Kenya, and Tunisia, have spotlighted the issue during their tenure on the Council, highlighting the global nature of the concern.⁹⁵ In fact, the UN General Assembly not only adopted a comprehensive UN Global Counter-Terrorism Strategy (GCTS) in 2006—still the only universally agreed-upon CT framework—it has updated and renewed this framework (generally by consensus) seven times.

Moreover, the UN Secretariat, as highlighted by the 150-plus staff member UNOCT, is now not only willing to engage on CT, but it has done so to such an extent

that there is now growing concern that its work in this area is crowding out (and potentially undermining) the organization's efforts on its core priorities of peace and security, development, human rights, and humanitarian action.⁹⁶ UNOCT is also at the helm of leadership of the UN Global Counter-Terrorism Coordination Compact—which includes some 40 UN entities—including UN bodies working on development, sustaining peace, rule of law, children, education, and migration, among others. This is a far cry from the initial period after 9/11 when many of these same actors were reluctant to be part of UN Security Council-hosted CT meetings for fear of having their core work “securitized.” Although this concern remains for many entities, the cooperation with UNSC CT bodies and activities represents a marked departure from the early years.⁹⁷

Among the most significant developments in the international CT space during the past 20 years has been the emergence of action-oriented coalitions and other platforms outside of the formal multilateral system. Among the most prominent of these informal bodies are the Global Counterterrorism Forum⁹⁸ and the Global Coalition to Defeat ISIS.⁹⁹ Although criticized by some for their lack of legitimacy,¹⁰⁰ they provide more agile, less process-oriented, and less easily politicized vehicles through which government coordinators, prosecutors, judges, border control officers, and prison officials can coordinate, and through which non-government actors can become involved. These

93 Driven by terrorist attacks in Argentina and Peruvian concerns about Sendero Luminoso.

94 “APEC’s Work in Counter-Terrorism,” APEC, updated February 2022, <https://www.apec.org/Groups/SOM-Steering-Committee-on-Economic-and-Technical-Cooperation/Working-Groups/Counter-Terrorism>; “Counter Terrorism,” ASEAN, “Counterterrorism: Overview,” <https://asean.org/our-communities/asean-political-security-community/peaceful-secure-and-stable-region/counter-terrorism/>; African Centre for the Study & Research on Terrorism, <http://caert.org.dz>; <https://www.coe.int/en/web/counter-terrorism?expandable=0>; ECOWAS Counter-Terrorism Strategy Implementation Plan, <https://www.ecowas.int/wp-content/uploads/2019/05/IMPLEMENTATION-PLAN-CT.pdf>; Inter-Parliamentary Union, “Countering Terrorism and Violent Extremism,” <https://www.ipu.org/our-impact/peacebuilding/countering-terrorism-and-violent-extremism>; IGAD-SSP, “Counter Terrorism (CT),” <https://www.igadssp.org/index.php/components-mainmenu/counter-terrorism>; Interpol, “Terrorism,” <https://www.interpol.int/Crimes/Terrorism>; NATO, “Countering Terrorism,” https://www.nato.int/cps/en/natohq/topics_77646.htm; OSCE, “Action Against Terrorism,” <https://www.osce.org/secretariat/terrorism>.

95 “Summary of Multi-Stakeholder Roundtable in New York,” Securing the Future Initiative, December 2021, <https://sfi-ct.org/wp-content/uploads/2022/05/German-Mission-Event-Summary.docx.pdf>.

96 Ali Altiok and Jordan Street, *A Fourth Pillar for the United Nations? The Rise of Counter-Terrorism*, Saferworld, June 2020, <https://www.saferworld.org.uk/resources/publications/1256-a-fourth-pillar-for-the-united-nations-the-rise-of-counter-terrorism>; SFI Virtual Roundtable with UN Global CT Compact Entities, August 2022.

97 Ibid.

98 Launched in 2011, this 30-member body, which includes both thematic and regional working groups, was launched to provide an international platform in the multilateral system that would allow national counterterrorism bodies and their counterparts from various regions to share experiences, challenges, and needs; to mobilize resources and expertise; and to build trust. GCTF, <http://www.thegctf.org/>.

99 The Global Coalition against Daesh was formed in 2014 to help defeat ISIS on the battlefield in Iraq and Syria. It now hosts 85 members, with four working groups and an expanding geographic focus to tackle ISIS branches in locations, including West Africa. See <http://www.theglobalcoalition.org/>.

100 See UN Human Rights Office of the High Commissioner, Promotion and Protection of Human Rights and Fundamental Freedoms While Countering Terrorism, A/74/335 (29 August 2019), <https://www.ohchr.org/en/documents/thematic-reports/a74335-promotion-and-protection-human-rights-and-fundamental-freedoms>.



Virtual meeting between SFI team and representatives from various UN Global Counter-Terrorism Coordination Compact member bodies

forums are driven primarily by member governments themselves, rather than international civil servants. The extent of the architecture's growth during the past two decades is evidence of increased commitment to multilateral cooperation, and the Council deserves much credit for kick-starting the growth and creating more dynamic, action-oriented, and practical multilateral platforms 20 years ago. Given the diversification of the international CT landscape, it should come as little surprise that UNSC members shifted their CT focus away from New York. Among the implications of this turn is the fact that UNSC ambassadors—who were regularly present in the CTC in the initial post-9/11 period when the committee was at the heart of the emerging multilateral architecture—now rarely attend committee meetings.

Instead, the country chairs are filled by junior representatives from the Missions.

Yet, these developments in the multilateral architecture have not resulted in meaningful changes in CTED's modus operandi or the CTC's approach, or the role of the Council and its CT bodies—and their comparative advantages—in this new ecosystem. As such, the Council's security-centric approach has continued, despite some broadening of its CT framework in recent years. Partly due to capitals' diminished interest in the Council's CT work and to the continued sense that CT is one of the few issues on which the P5 can agree, the pace of the Council's CT work has remained steady and the scope of its mandate has grown.¹⁰¹

Apart from the inherent challenges in constraining bureaucratic growth at the UN and other large organizations, many policymakers and practitioners still assume that the Security Council's approach to addressing terrorist threats in 2022 should not be adjusted despite the changed multilateral environment. This assumption merits questioning, particularly given flaws that have limited its effectiveness.

101 Eric Rosand and Alistair Millar, "Russia's War in Ukraine Means the End of Counterterrorism Consensus," *The Hill*, 6 April 2022, <https://thehill.com/opinion/national-security/3258270-russias-war-in-ukraine-means-the-end-of-counterterrorism-consensus/>.

VI. Challenges/Limitations

A. Many Requirements and Engagements, Few Guardrails

The broadening scope of the Council’s CT framework beyond traditional security measures not only led to the ongoing growth of the Security Council’s and the wider UN’s CT architecture, but has also significantly impacted their work on other issues. The Council’s “exceptionalization” of the threat has created a dynamic that incentivizes linking many other issues—such as gender, development, and human rights—to the CT agenda, a phenomenon that risks securitizing and instrumentalizing these topics. Although there has also been a push to ensure that these issues inform the elaboration of security responses and are integrated into CT debates and deliverables, SFI interlocutors warned that the lack of consistent oversight and accountability for misuse of CT frameworks allows governments to give only superficial attention to these issues.¹⁰²

During SFI consultations, several participants stressed that, despite the gradual incorporation of references to human rights in Council CT resolutions, there has been no meaningful change in national practices. In particular, they say those phrases in resolutions are general in nature and neither binding nor tied to specific obligations (although states remain bound by their treaty obligations). The UN Special Rapporteur for the Protection and Promotion of Human Rights and Fundamental Freedoms while Countering Terrorism has referred to these references as “decorative,” claiming they follow from “a clear understanding that the language, in fact, means nothing and requires nothing of States without meaningful human rights oversight and benchmarking that is absent in every single Security

Council Resolution on terrorism since 9/11.”¹⁰³ Thus, it should come as little surprise that authoritarian regimes and others¹⁰⁴ have taken advantage of the lack of an agreed-upon definition of terrorism and the Council’s unwillingness to rein in the application of measures that countries claim are in compliance with UNSC CT requirements, but in practice are used to legitimize the weaponization of expansive and repressive CT frameworks against political opponents, human rights defenders, journalists, and even female drivers.¹⁰⁵

Despite the unease voiced by every Secretary-General since September 2001 regarding the negative impact that CT measures could have (and in fact *are* having) on the protection of human rights, there is little evidence to suggest that the Council has been able to mitigate this impact as it continues to press all states to implement the expanding set of UNSC CT requirements. In fact, in some cases, the opposite may be true.

The OHCHR has not been able to alter the dynamic. It devotes limited resources, from the modest budgetary allocation it receives from member states to monitor member states’ compliance with their international human rights obligations as they adopt and implement CT measures mandated by the UNSC, although these are to meet the expectations of human rights oversight many SFI interlocutors (and other stakeholders) have proposed. The UN High Commissioner for Human Rights has also not consistently raised concerns about the misuse of CT measures when visiting capitals, including reportedly failing to adequately do so during a recent visit to a P5 capital, beyond urging governments to “review their counter-terrorism

102 “The UN Security Council: Assessing Twenty Years of Counterterrorism Multi-Stakeholder Perspectives from ‘International Geneva,’” Workshop Summary, Securing the Future Initiative, 6–7 April 2022, <https://sfi-ct.org/wp-content/uploads/2022/05/Geneva-Event-Summary-2.pdf>.

103 Fionnuala Ní Aoláin, “The Massive Perils of the Latest U.N. Resolution on Terrorism,” *Just Security*, 8 July 2019, <https://www.justsecurity.org/64840/the-massive-perils-of-the-latest-u-n-resolution-on-terrorism/>.

104 These include China, Egypt, El Salvador, Kenya, The Philippines, Saudi Arabia, and Turkey, “How Egypt Weaponizes Counter Terrorism Laws to Target Human Rights Defenders,” Caro Institute for Human Rights Studies, 23 June 2021, <https://cihrs.org/egypt-weaponizing-counter-terrorism-laws-to-silence-human-rights-defenders/?lang=en>; “UN Calls on Turkey to Stop Misuses of Terrorism Law to Detain Rights Defenders,” SCF, 10 June 2021, <https://stockholmcf.org/un-calls-on-turkey-to-stop-misuse-of-terrorism-law-to-detain-rights-defenders/>; UN Human Rights Office of the High Commissioner, *Saudi Arabia Must Reform Counter-Terror Law And Free Peaceful Critics, Says UN Rights Expert*, 5 May 2017, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21585>.

105 Fionnuala Ní Aoláin, “The U.N. Security Council’s Outsized Role in Shaping Counter Terrorism Regulation and Its Impact on Human Rights,” *Just Security*, 19 October 2018, <https://www.justsecurity.org/61150/security-council-mainstream-human-rights-counter-terrorism-regulation/>.

measures.”¹⁰⁶ The delays in the release of and some of the criticisms levied against the High Commissioner’s report on her spring 2022 visit to China has reinforced perceptions that the UN leadership is reluctant to stand up to powerful member states when they violate human rights, whether in the name of CT or otherwise.¹⁰⁷

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. Although such action is generally fraught with challenges in multilateral fora, the Council, with its Chapter VII authority, and ownership of the CT frameworks, has a unique role in this regard. Additionally, during the SFI consultations, it was pointed out that there have recently been instances where a CTED Executive Director thwarted efforts by CTED staff to highlight specific instances where these violations took place. Similarly, there have been reports of redactions of human rights critiques in at least one CTED report before it was shared with other UN entities, highlighting a lack of transparency in the process by which reports are finalized for sharing beyond the CTC. Without naming any specific member state, CTED’s Global Implementation Survey (GIS) on the implementation of Resolution 1373 does highlight, in general, how CT measures have been misused and have led to a violation of human rights.¹⁰⁸ However, the Council’s reluctance to name names and its inability to put in place safeguards to restrain this misuse has only undermined its credibility and the legitimacy of its CT architecture and framework.¹⁰⁹

Despite the lack of guardrails, the Council continues to press all member states to implement Resolution 1373 and numerous follow-on resolutions. This engagement contributed to the adoption of more than 140 national CT laws,¹¹⁰ the establishment of dozens of national fusion centers or other CT coordination mechanisms, and the strengthening

of most countries’ CT-related security capabilities. The SFI team heard that these have led to improvements in national CT capacities in some cases, but in others, SFI interlocutors shared that these measures aroused widespread concerns about the government’s use of them to suppress dissent, target political opponents, or stigmatize historically marginalized communities.

B. Transparency and Inclusion Deficits, and Other Critiques

In the early period after 9/11, critiques of the Council’s CT work centered primarily on its unprecedented use of legal authority to uniformly obligate member states to take action against terrorism without time limits, and for its lack of attention to human rights in this context. UN member states’ apprehension about the Council acting as a “global legislator” largely dissipated with ISIS’ emergence on the global stage, a phenomenon that left virtually all governments feeling threatened (and more willing to allow the Council to act as a global legislator to protect their shared international security interests). In fact, more member states signed on to co-sponsor Resolution 2178 than any prior Council resolution but one.¹¹¹

As the volume and scope of the Council’s CT resolutions increased, criticisms turned to the lack of transparency and inclusivity in the development and content of the resolutions themselves, in addition to the work undertaken by Council CT bodies.

More recent critiques, many of which were raised numerous times during the consultations that informed this report, center on the UNSC’s working methods:

- Management of an increasingly technical body of work in the Security Council by generalist diplomats with little direct technical expertise in CT or the detailed issues on which more recent CT resolutions focus;

106 Eva Dou, “U.N. Human Rights Chief Disappoints Uyghur Advocates on Visit to China,” *Washington Post*, 29 May 2022, <https://www.washingtonpost.com/world/2022/05/29/china-bachelet-un-xinjiang-rights-visit/>.

107 Nick Cumming-Bruce and Austin Ramzy, “U.N. Report on Rights Abuses in Xinjiang May Be Delayed Again,” *New York Times*, 25 August 2022, <https://www.nytimes.com/2022/08/25/world/asia/un-report-xinjiang-delay.html>.

108 “The UN Security Council: Assessing Twenty Years of Counterterrorism Multi-Stakeholder: Perspectives from ‘International Geneva,’” Workshop Summary, Securing the Future Initiative, 6–7 April 2022, <https://sfi-ct.org/wp-content/uploads/2022/05/Geneva-Event-Summary-2.pdf>.

109 Ibid, p. 6.

110 Lana Baydas, “Counterterrorism Measures and Civil Society: Changing the Will, Finding the Way,” CSIS, 22 March 2018, <https://www.csis.org/analysis/counterterrorism-measures-and-civil-society>.

111 Jon Cohen, “U.N. Security Council Passes Historic Resolution to Confront Ebola,” *Science*, 18 September 2014, <https://www.science.org/content/article/un-security-council-passes-historic-resolution-confront-ebola>.

- Limited opportunities for states outside the Council to provide input into or otherwise influence the development of Security Council resolutions, a process driven as much by the political interests of a few Council members as by the global CT needs the UNSC is purporting to be addressing;
- The Council’s lack of engagement with a diversity of civil society and other local actors in the process, which leaves it somewhat blind to the potential effects of such resolutions on the ground;
- The limited opportunities for human rights defenders and civil society actors, including women, youth, and community-based organizations to share their perspectives with the Council and inform the development of frameworks and activities before resolutions are adopted;
- Insufficient involvement of those parts of the UN system that are increasingly impacted by the Council’s expanding CT actions, including OCHA, PBSO, UN Women, UNHCR, UNICEF, UNDP, and OHCHR in developing resolutions and CTED activities.

Other critiques raised of the Council during these consultations included:

- The Council framework remains heavily skewed toward a traditional, centralized, security-oriented approach that, despite modest attempts to make more balanced and holistic, does not sufficiently emphasize preventative measures or address the drivers of terrorist violence;
- The limited toolkit at the Council’s disposal for incentivizing member states to conform CT policies and practice to resolution requirements;
- Its unwillingness to attempt to constrain the misuse of CT measures by states, which the states claim comply with Council resolutions; and
- The growing disconnect between (1) the Council’s uniform, global CT framework, products, and New

York-based and siloed architecture and (2) an increasingly diffuse, decentralized, and localized terrorist threat.

C. The Missing “Glocal” Connection

On this last critique, a threat that is more dispersed and diffuse than ever has made paramount the need for responses to be tailored to the local context, reflect the perspectives of, and more broadly involve local actors becomes paramount. Unfortunately, the Council and other multilateral CT bodies have struggled to address this need.

For example, the Council’s CT resolutions typically reflect the threat perceptions and priorities of its members rather than those of the states or local stakeholders that are most affected by terrorist threats, which are more localized and nuanced than before. Although the resolutions include stock language about being concerned about terrorism “in all of its forms and manifestations,” they have usually been elaborated to respond to threats to Western or other politically influential members posed by transnational terror groups. However, in some parts of the world, such as the Sahel and East and Southern Africa, local extremist and armed groups present more of a threat than do the transnational ones that are the focus of the Council’s attention.¹¹²

Yet, the responses promoted by the Council target its members’ priorities, pushing governments to prioritize meeting their UNSC obligations over addressing local threats that might be of greater concern to some member states. For example, during the past 20 years, the AU has dutifully taken steps to implement UNSC CT measures on the ground in Africa, including by developing an AU model CT law,¹¹³ facilitating the creation of joint intelligence fusion centers, and participating in CTED-led visits to countries across the continent. Although there are many reasons for this, the terrorist threats across Africa have actually diversified and increased during this time. In fact, some experts have commented on how the emphasis the Council places in its CT dialogues on enhancing executive branch

112 Amanda Lucey, *Lessons from Africa: 20 Years of UN Security Council Counter-Terrorism Policy*, RESOLVE Network, June 2022, https://resolvenet.org/system/files/2022-06/SFI-RESOLVE_Amanda%20Lucey%20Research%20Brief_29%20June%202022.pdf; “The UN Security Council: Assessing Twenty Years of Counterterrorism in Africa: Multi-Stakeholder Perspectives from Across the European Union,” Workshop Summary, Securing the Future Initiative, 21 March 2022, <https://sfi-ct.org/wp-content/uploads/2022/05/Brussels-Event-Summary.docx-1.pdf>; “The UN Security Council: Assessing Twenty Years of Counterterrorism in Africa: Multi-Stakeholder Perspectives from Across the Continent,” Workshop Summary, Securing the Future Initiative, 3 June 2022, <https://sfi-ct.org/wp-content/uploads/2022/06/Dakar-Event-Summary-5.pdf>.

113 *The African Model Anti-Terrorism Law*, African Union, 30 June 2011, <https://archives.au.int/handle/123456789/8313>.

authorities and security sector capacities, without ensuring that the necessary human rights safeguards are in place, even in countries without a strong rule of law tradition, has actually contributed to aggravating the underlying drivers of the violence rather than reducing the threats.¹¹⁴ This is particularly true in Africa, where securitized responses have failed to address the needs and concerns of citizens, many of whom are the most vulnerable to attacks by terrorists.

Second, whereas a “top-down” approach to CT, which includes elaborating global norms and tools, made sense in the immediate aftermath of 9/11 and is one that the Council is well-suited to drive and support, a “bottom-up” approach may be more appropriate today; however, it remains unclear whether this is an approach the Council is willing or able to promote, particularly given its working methods and the position of the P5.

Third, given the current threat environment, ensuring the Council’s global CT framework cascades down in a tailored fashion to the local level takes on added importance. Numerous SFI interlocutors commented on how CT outputs generated by Council bodies—and consequently UN entities as part of the Global Compact—have questionable utility to practitioners and local policymakers who are on the frontlines of addressing these threats.

This is due to several reasons, including the fact that the guides and other products produced by the Council’s CT architecture to implement resolutions on the ground must try to appeal to all member states. Further, some SFI interlocutors also questioned the utility of CTED assessment reports.¹¹⁵ Some assert the reports, which cover the many different measures required by Council resolutions while targeting both policymaker and practitioner audiences, lack the depth of technical analysis that practitioners would find most useful.¹¹⁶ Even CTED staff members commented

to the SFI team that they questioned the extent to which under-resourced governments rely on, let alone read, the voluminous reports.

Although cooperation between the Council’s CT architecture and the wider UN system has improved over the years (Figure 4), UN country teams have yet to include CT within their remit and have left engagement with host governments on implementation of Council CT requirements to the relevant Council bodies. This has resulted in missed opportunities to situate CT within a wider set of issues and reinforced the “exceptional” nature of CT. SFI interlocutors commented that many Resident Coordinators and UN field staff remain reluctant to engage in CT-labeled discussions.

Finally, the Council has so far failed to fully leverage the comparative advantages of regional and sub-regional bodies when it comes to making the global-local connections. The Council deserves some credit for increasing the involvement of regional and sub-regional organizations

in CT. As noted above, numerous such organizations now have a CT mandate, which includes supporting the implementation of the Council’s CT framework among its members. However, the Council’s CT architecture’s engagement with these bodies has been largely formulaic, with few opportunities for the latter to inform and engage the former.

There is much more that regional and sub-regional organizations could be doing to help translate the Council’s framework into local action and to inform its future CT actions, though admittedly, this may not be the case for all regions. For starters, in regions like Europe and Africa, regional or sub-regional organizations are often well-attuned to the regional dynamics and threats and, if given the regular opportunity to do so, could help the Council architecture better understand the threat perceptions,

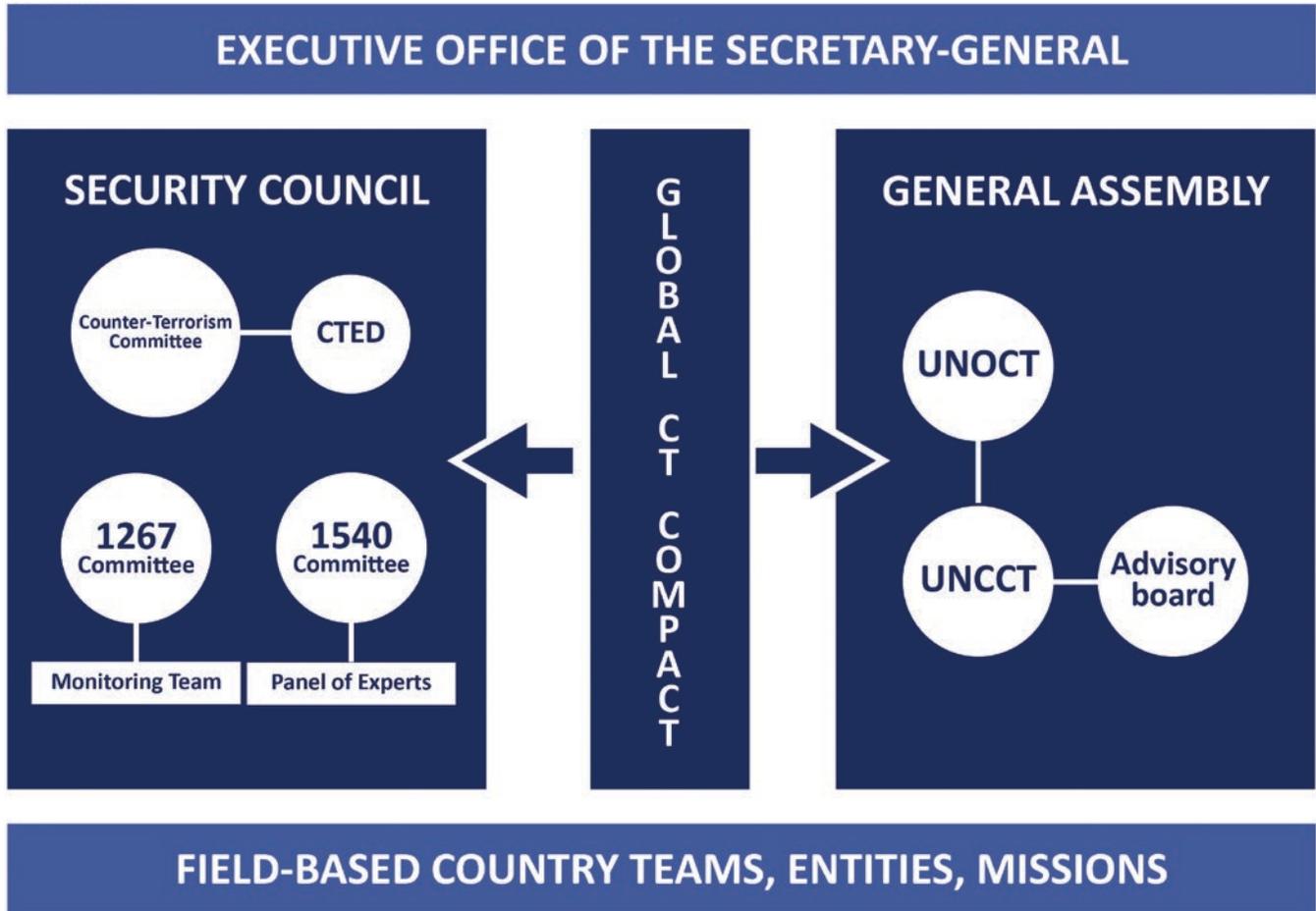
“Given the current threat environment, ensuring the Council’s global CT framework cascades down in a tailored fashion to the local level takes on added importance.”

114 “The UN Security Council: Assessing Twenty Years of Counterterrorism in Africa: Multi-Stakeholder Perspectives from Across the European Union,” Workshop Summary, Securing the Future Initiative, 21 March 2022, <https://sfi-ct.org/wp-content/uploads/2022/05/Brussels-Event-Summary.docx-1.pdf>; “The UN Security Council: Assessing Twenty Years of Counterterrorism in Africa: Multi-Stakeholder Perspectives from Across the Continent,” Workshop Summary, Securing the Future Initiative, 3 June 2022, <https://sfi-ct.org/wp-content/uploads/2022/06/Dakar-Event-Summary-5.pdf>.

115 Based on consultations with member states and with CTED officials.

116 Ibid.

Figure 4. United Nations Counterterrorism Architecture



Source: Mohamed El Shawesh, The Soufan Center, 2022, on file with authors.

priorities, and concerns of national and local stakeholders in their region. This could involve contributing to the development of implementation guides that are tailored to their members.

In addition, regional and sub-regional bodies are well-placed to inform the Council’s CT architecture of the impacts of the Council’s resolutions on their members and to identify which elements of the vast framework deserve priority attention, thus allowing for more targeted and more effective engagement by the UNSC CT actors than engagement that is focused on the entire framework. Regional and sub-regional bodies are also positioned to raise awareness among their members of new Council resolutions and facilitate dialogues about how their implementation can

and should be tailored to the local context. These bodies can also address the implementation gaps among their members. However, doing so requires that these bodies have access to the relevant CTED analysis. Yet, the Council currently does not allow them to access the CTED assessment reports and recommendations, despite often joining and contributing to CTED country visits. The new “deep dive” formulation of visits aims to allow CTED in some instances to partner with other entities, including regional organizations, to undertake timely follow-up activities to try to address specific recommendations or areas of capacity-building needs, although these do not comprehensively cover the issues CTED is mandated to cover, including cross-cutting issues like human rights and gender.

VII. Impacts

This section explores the various impacts that 20 years of Council CT actions have had, including on the threat, national CT practices, long-standing UN peace, security, human rights, and development priorities, and on different parts of the UN system.

A. On the Threat

Although there has not been another mass-casualty attack on the scale of 9/11, the continuing high number of deaths from terrorism (particularly in conflict zones), the proliferation of groups labeled as terrorist (and their enduring appeal), the increased geographic spread of the threat, and the lingering conditions that give rise to recruitment all indicate that international efforts to effectively address the threat have fallen well-short of their desired effect. Moreover, the association of human rights violations (including the closure of civic space) with CT efforts raises serious questions about the cost of this endeavor. All this against the background of conflict and violence in places like Afghanistan, Iraq, Syria, and the Sahel, which have been identified as a key enabler of terrorism. Already, soon after the 9/11 attacks, senior UN officials and advisers had noted that,

Terrorism is often related to armed conflict. While the prevention and resolution of armed conflict should not primarily be conceived of as anti-terrorist activities, they can assist such activities by narrowing the space in which terrorists operate.¹¹⁷

Yet, there was little intersection between the counterterrorism framework developed by the Council and wider UN efforts to address conflicts. If this can be taken as one measure of the Council's efficacy, its failures with regard to conflict prevention and mitigation bode ill for counterterrorism. Given that nearly 96 percent of terrorism arises from conflict, "the Council has proved to be ineffective, in large part because one or more of its veto-wielding permanent members have backed one warring party or

another."¹¹⁸ More fundamentally, the former head of the 1267 Monitoring Team has also pointed to the lacking impact the UNSC and the wider UN have on terrorism, which he attributed to the organization being "too political, too uncoordinated, too focused on process rather than outcomes and follow-up, and too far removed from the people who actually deal with the problems of terrorism on the ground to make much of an impact [on the ground], or even to appear relevant."¹¹⁹

However, it appears that when the threat directly affects politically influential (mainly Western) countries and other politically influential member states, the Security Council's response has been rapid, decisive, and has compelled others to act, though it is difficult to assess the on-the-ground impact of such responses.

For example, the Council acted swiftly after the United States was attacked on 9/11 as well as when Spain (when serving on the Council), the UK, and Russia were respectively attacked in 2004 and 2005. The Council also responded to the rise of ISIS, starting in 2014, as EU members and other Western capitals were particularly strident in expressing their concern over the threat. All of these periods saw the Council respond to a threat posed by a centralized terrorist organization that impacted (or risked impacting) scores of UN member states. The UNSC's global CT framework was developed, and its CT engagements were carried out, with these particular threats in mind. Thus, it should come as little surprise that where the threat is more decentralized, nuanced, localized, and connected with local conflicts, the Council has particularly struggled to make a positive impact. Perhaps nowhere is this more true than in sub-Saharan Africa.

The Council's CT challenges in this region touch upon numerous limitations in its overall approach. For starters, a range of African stakeholders who participated in SFI consultations questioned the extent to which the Council's

117 United Nations, *Report of the Policy Working Group on the United Nations and Terrorism*, A/57/273-S/2002/875, 6 August 2002, para. 38.

118 Institute for Economics and Peace, "Global Terrorism Index 2022: Measuring the Impact of Terrorism," March 2022: 30, <https://www.visionofhumanity.org/resources/global-terrorism-index-2022/>; Somini Sengupta, "Examining the U.N.'s Record on Urgent Global Challenges," *New York Times*, 19 September 2016, <https://www.nytimes.com/2016/09/20/world/united-nations-refugees-peacekeeping-human-rights.html>.

119 Ibid.

global CT framework and toolkit developed in New York adequately reflect the views and priorities of African states and communities.¹²⁰ This is exemplified by the fact that violent extremist and armed groups unaffiliated with ISIS or AQ are not included in the Council’s CT sanctions regime, despite presenting a greater threat to parts of the continent than the organizations covered by the regime.¹²¹ This disconnect calls into question the extent to which the Council’s CT approach to Africa reflects the threat situation and perceptions of Africans themselves.

In addition, for much of the past 20 years, the Council’s CT engagements with states in sub-Saharan Africa (as elsewhere) emphasized enhancing executive powers, expanding legal frameworks, and building law enforcement and other security sector capacities of national governments. These lie at the heart of the Council’s CT framework. They helped close legal loopholes, led to more terrorists being arrested, and facilitated more information sharing and coordination in the region.

Yet across much of this region, it has been the predatory behavior of the governments themselves—often targeting marginalized communities—and the highly centralized and securitized approach to addressing terrorism threats that have driven extremist violence. The Council, however, has not taken adequate steps to ensure these governments don’t misuse the heightened powers, expanded frameworks, and enhanced capacities it has been promoting for two decades. This concern was echoed during the SFI consultation, with stakeholders highlighting “how the UNSC’s emphasis on enhancing executive branch authorities and

security sector capacities even in countries without a strong rule of law tradition, rather than reducing the threats, has actually contributed to aggravating the underlying drivers of the violence.”¹²²

B. On the UN Itself: A “Whole of UN” or a Securitized Approach to CT?

Twenty years of the Council’s “exceptionalization” of CT has significantly impacted the UN itself, including on the Council’s own ability to address other threats to international peace and security. In the initial years following 9/11, the wider UN system, including the Secretariat, largely shied away from involvement in CT, whether due to a reluctance to be seen as aligning with the increasingly unpopular “Global War on Terror” or concerns about having their agendas securitized or otherwise instrumentalized by the Council’s CT mission.¹²³

This reluctance gradually began to dissipate following the UNGA’s adoption of its four-pillared GCTS in 2006; two of these pillars focused on addressing the “conditions conducive” to the spread of terrorism and human rights and the rule of law. This reflected the growing realization that security measures alone would not be sufficient to address the terrorist threat over the long term and that if the UN was going to be able to support its member states with the implementation of this new strategy—and help balance the security and non-security dimensions of addressing the terrorist threat—the parts of the organization that focus on issues like education, peacekeeping, human rights, humanitarian affairs, sustaining peace, youth, development, and

“There is much more that regional and sub-regional organizations could be doing to help with translating the Council’s framework into local action and to inform its future CT actions, though admittedly, this may not be the case for all regions.”

120 “The UN Security Council: Assessing Twenty Years of Counterterrorism in Africa: Multi-Stakeholder Perspectives from Across the European Union,” Workshop Summary, Securing the Future Initiative, 21 March 2022, <https://sfi-ct.org/wp-content/uploads/2022/05/Brussels-Event-Summary.docx-1.pdf>.

121 “The UN Security Council: Assessing Twenty Years of Counterterrorism in Africa: Multi-Stakeholder Perspectives from Across the Continent,” Workshop Summary, Securing the Future Initiative, 3 June 2022, <https://sfi-ct.org/wp-content/uploads/2022/06/Dakar-Event-Summary-5.pdf>.

122 “The UN Security Council: Assessing Twenty Years of Counterterrorism in Africa: Multi-Stakeholder Perspectives from Across the European Union,” Workshop Summary, Securing the Future Initiative, 21 March 2022, <https://sfi-ct.org/wp-content/uploads/2022/05/Brussels-Event-Summary.docx-1.pdf>.

123 The exceptions here were technical agencies such as ICAO, WCO, and IMO, which had developed security-related frameworks that could be directly linked to the implementation of the Council’s burgeoning CT apparatus. As such, these entities were willing to join CTED-led country visits, which were useful in helping them get political support in capitals for the implementation of these frameworks.

conflict resolution would need to become involved both at headquarters and, perhaps more importantly, in the field. Their involvement would be needed to inform a more comprehensive response to the challenge.

It was the elaboration of the Secretary-General's *Plan of Action to Prevent Violent Extremism* in late 2015, however, that really catalyzed the involvement of the non-security stakeholders in the UN system.¹²⁴ With its focus on the broader (albeit still undefined) concept of violent extremism, its emphasis on addressing the political, social, and economic drivers of this violence, and its call for “whole of society” approach to doing so, the *Plan of Action* allowed entities from UNESCO, UNDP, UN Women, OCHA, and UNICEF, among others, to align their work to a framework—preventing violent extremism (PVE)—that was closely linked to familiar themes of conflict prevention, sustaining peace, and resilience-building, rather than the CT agenda, which was unpalatable to many of their traditional local partners.

Yet with the inevitable blurring between PVE and CT that followed the UNGA's decision to subsume the PVE *Plan of Action* under the GCTS, the new UN system-wide CT coordination platform launched by the Secretary-General in 2018 (the UN Global Counter-Terrorism Global Compact) included some 40 entities working on issues related to the implementation of the GCTS, including Council bodies such as CTED.¹²⁵

Much of the involvement of the non-Council entities in the UN's CT work is linked to the UNGA framework. However, some have been willing to engage more with the Council's architecture than others, particularly since the emergence of ISIS on the global stage, and many have felt

the impact of the Council's efforts, with it often being felt differently by different entities. In some cases, a particular Council resolution created opportunities for a UN entity to contribute to the Council's CT engagement with member states or to benefit from donor funding for CT-related work.

However, there remains widespread concern that a push by the Council (and, more recently, by the UNGA and the Secretary-General himself) for more entities working in the peace, development, and humanitarian spaces to undertake activities relating to CT (or PVE) risks securitizing what is seen as their “core work.” Moreover, civil society organizations (CSOs) have expressed concerns that the seemingly unchecked growth of the UN's CT

architecture risks overshadowing and undermining progress on the three pillars (peace, development, and human rights) of the UN's work.¹²⁶ Responding to a growing chorus of concerns related to the negative effect of counterterrorism—including the relevant Council's activities—on UN efforts to make, build, and sustain peace, the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms

while Countering Terrorism has announced that she will devote her 2023 General Assembly report to these issues.¹²⁷

C. On UN Non-CT Priorities

Beyond the impact on the threat and the wider UN system, 20-plus years of “exceptionalization” of terrorism and CT by the Council has impacted core UN priorities. Although some of these issues are addressed above, the below section focuses particular attention on three—mediation, peacekeeping, and peace operations; humanitarian action; and human rights—and offers two case studies relating to the relationship between Security Council agenda items on WPS

“It should come as little surprise that where the threat is more decentralized, nuanced, localized, and connected with local conflicts, the Council has particularly struggled to make a positive impact.”

124 United Nations General Assembly, “Plan of Action to Prevent Violent Extremism,” A/70/674, 24 December 2015, <https://digitallibrary.un.org/record/816212?ln=en>.

125 United Nations Office of Counter-Terrorism, “UN Global Counter-Terrorism Coordination Compact,” <https://www.un.org/CT/global-ct-compact>.

126 Ali Altiok and Jordan Street, *A Fourth Pillar for the United Nations? The Rise of Counter-Terrorism*, Saferworld, June 2020, <https://www.saferworld.org.uk/resources/publications/1256-a-fourth-pillar-for-the-united-nations-the-rise-of-counter-terrorism>.

127 United Nations Human Rights, Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, “Calls for Inputs: Report on the Impact of Counter-Terrorism on Peacemaking, Peacebuilding, Sustaining Peace, Conflict Prevention and Resolution,” <https://www.ohchr.org/en/calls-for-input/2022/call-inputs-report-impact-counter-terrorism-peacemaking-peacebuilding>.

and prosecution, rehabilitation, and reintegration (PRR). In our discussions with various interlocutors, it was clear that impacts may be considered in many different ways, including legal, political, operational, or financial, for example. In some cases, the impacts have been anticipatory, and shaped concerns from different parts of the UN system about how associations with counterterrorism—and in concrete terms, the sanctioning of individuals or groups as terrorists and thereby circumscribing the kinds of engagement feasible, for example—would affect other UN priorities that might call for more inclusive and comprehensive engagement. In some instances, as the case studies highlight, Council measures have allowed non-security actors to participate in, and inform, counterterrorism discussions and raise issues like human rights, gender, and prevention, in contexts where this had not previously been possible, although there are also concerns about the potential for securitizing these topics. The section below examines several other Security Council areas of engagement and considers the impacts of the counterterrorism agenda on them.

1. *Mediation, Peacekeeping, and Peace Operations*

There are concerns that the Council's CT measures will negatively impact the ability of the wider UN system to undertake mediation and peacekeeping missions.¹²⁸ As one SFI-commissioned paper notes,

The UNSC's expanding counter-terrorism framework has infused the thinking, mandates, and activities of UN peace operations, creating an enabling environment for more security-focused stabilization approaches. In some cases, this has contributed to undermining core peace operations principles and privileging conflict management at

the expense of longer-term conflict resolution and sustaining peace.¹²⁹

This is also indicative of a divide in the multilateral peace and security community. Concerns about the impact of the "CT" label on peace operations have inhibited development of a more integrated guidance or doctrine on how UN field presences—whether Country Teams, Special Political Missions, or Peacekeeping Operations—should manage the threat of terrorist groups who do not perceive the UN as neutral.¹³⁰ Despite the high volume of activity on CT it has catalyzed, the Council has created little opportunity for governments and practitioners to have more meaningful debates on the intersections of peacekeeping, conflict prevention, and CT to better understand the negative impacts and potential mitigation strategies.

Concerns exist about the impact that the Council and Resolution 1373 in particular—with its broad language directing member states to proscribe both financial support "or other related services" that could be rendered "directly or indirectly, for the benefit of persons" with links to a terrorist organization—has had on dialogue and mediation efforts that are at the core of peacebuilding.

2. *Humanitarian Action*

The impact of the 1267 sanctions and the Council's other CT requirements on the delivery of principled humanitarian activity and the work of civil society actors, including those offering medical support, sustaining peace initiatives, or working with terrorist offenders or those looking to turn away from extremist violence, have been well-documented.¹³¹ For example, humanitarian organizations have reported multiple "chilling effects" produced by the UNSC-required CT measures, including donors incorporating clauses that require information about beneficiaries or other details; limiting humanitarian efforts to government-controlled areas

128 Arthur Boutellis and Naureen Chowdhury Fink, "Waging Peace: UN Peace Operations Confronting Terrorism and Violent Extremism," (International Peace Institute, October 2016), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2893280.

129 Charles T. Hunt and Shannon Zimmerman, "Counter-Terrorism & Peace Operations: The Impacts of UN Security Council Approaches to Tackling Terror on the Pursuit of Peace," RESOLVE Network, 12 July 2022, <https://doi.org/10.37805/sfi2022.2>.

130 Arthur Boutellis and Naureen Chowdhury Fink, "Waging Peace: UN Peace Operations Confronting Terrorism and Violent Extremism," (International Peace Institute, October 2016), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2893280.

131 Sue E. Eckert, "Counterterrorism, Sanctions and Financial Access Challenges: Course Corrections to Safeguard Humanitarian Action," *International Review of the Red Cross*, 916–17 (February 2022), <https://international-review.icrc.org/articles/counterterrorism-sanctions-and-financial-access-challenges-916>.

rather than on the basis of need; and needing to provide assurances to the private sector in order to mitigate the effects of de-risking and over-compliance.¹³² The tensions between robust CT sanctions and humanitarian assistance is most concretely illustrated in the case of al-Shabaab where, despite requests from several African states and organizations to list the organization under the UNSC's 1267 sanctions regime, Security Council members have resisted doing so out of concerns over the impact of terrorist designations on humanitarian assistance in Somalia. Nonetheless, many of these African stakeholders believe al-Shabaab to be a greater threat to the region than the transnational actors currently listed by the regime.¹³³

Although these tensions have been evident for some time, the silos within the UNSC's CT architecture, as well as between the Council's CT activities and the wider UN's humanitarian work, have impeded progress in discussing, let alone addressing, them. By 2019, the Council recently made some progress in this area through Resolutions 2462 and 2482, where it spelled out more explicitly the need for CT measures to comply with IHL and the need to "safeguard impartial humanitarian action in line with IHL."¹³⁴ Another sign of progress

was delivered when CTED published a study on "the inter-relationship between counter-terrorism frameworks and international humanitarian law" and the CTC for the first time had a briefing on this topic in 2021, despite the reservations of several permanent members, allowing OCHA and ICRC to brief members on the challenges and risks.¹³⁵ Significant challenges still remain, however, with several Council members reluctant to introduce a blanket exemption—or exceptions—into the 1267 sanctions mandate. Although the Council adopted a resolution protecting medical facilities and personnel in conflict in 2016, it has not developed a carve out in its CT framework.¹³⁶

The complications increase when multiple sanctions regimes intersect and/or when there is a lack of clarity as to the application of one or more of them. For example, in the case of Afghanistan, it remained unclear whether the Taliban (as a group) was sanctioned apart from its individual members under the Council's sanctions regimes.¹³⁷ This confusion led to significant delays and uncertainties in the delivery of critical assistance and prompted the Council to create an explicit exception in its most recent mandate renewal of the Taliban sanctions regime.¹³⁸

“The UNSC’s emphasis on enhancing executive branch authorities and security sector capacities even in countries without a strong rule of law tradition, rather than reducing the threats, has actually contributed to aggravating the underlying drivers of the violence.”

132 See *Principles Under Pressure: The Impact of Counterterrorism Measures and Preventing/Countering Violent Extremism on Principled Humanitarian Action* (Oslo, Norway: Norwegian Refugee Council, June 2018), <https://www.nrc.no/resources/reports/principles-under-pressure/>; “Denial, Delay, Diversion,” CSIS, <https://www.csis.org/programs/humanitarian-agenda/archive/denial-delay-diversion>; “Constraining Peacebuilding to Counter Terrorism: Comments for the UN’s Biennial Strategy Review,” Alliance for Peacebuilding, https://www.allianceforpeacebuilding.org/s/Constraining-Peacebuilding-to-Counter-Terrorism_-_Comments-for-the-UNs-Biennial-Strategy-Review.pdf.

133 “The UN Security Council: Assessing Twenty Years of Counterterrorism in Africa: Multi-Stakeholder Perspectives from Across the European Union,” Workshop Summary, Securing the Future Initiative, 21 March 2022, <https://sfi-ct.org/wp-content/uploads/2022/05/Brussels-Event-Summary.docx-1.pdf>; “The UN Security Council: Assessing Twenty Years of Counterterrorism in Africa: Multi-Stakeholder Perspectives from Across the Continent,” Workshop Summary, Securing the Future Initiative, 3 June 2022, <https://sfi-ct.org/wp-content/uploads/2022/06/Dakar-Event-Summary-5.pdf>.

134 Nathalie Weizmann, “Respecting International Humanitarian Law and Safeguarding Humanitarian Action in Counterterrorism Measures: United Nations Security Council Resolutions 2462 and 2482 Point the Way,” *International Review of the Red Cross*, 916–917, February 2022, <https://international-review.icrc.org/articles/respecting-international-humanitarian-law-safeguarding-humanitarian-action-916>.

135 UN Security Council Counter-Terrorism Committee Executive Directorate, *The Interrelationship Between Counter-Terrorism Frameworks and International Humanitarian Law* (January 2022), https://www.un.org/securitycouncil/ctc/sites/www.un.org.securitycouncil.ctc/files/files/documents/2022/jan/cted_ihl_ct_jan_2022.pdf.

136 UN Security Council Resolution 2286, S/RES/2286, 3 May 2016.

137 Brian O’Toole, “They Aren’t Listed, but Make No Mistake: The UN Has Sanctions on the Taliban,” Atlantic Council, 23 August 2021, <https://www.atlanticcouncil.org/blogs/new-atlanticist/they-arent-listed-but-make-no-mistake-the-un-has-sanctions-on-the-taliban/>.

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

3. Human Rights

The direct and indirect impacts of the Council's and wider UN's CT efforts on the UN's human rights agenda and work (some of which have been addressed above) have received considerable attention over the years, particularly since the UN Human Rights Council created the UN Special Rapporteur position in 2005 (like all such positions, this one is part-time and voluntary).¹³⁹ Widespread concerns exist about member states committing human rights abuses in the name of CT.¹⁴⁰

For example, the overly broad application of CT measures (in many instances pursuant to UNSC requirements and exacerbated by the lack of an agreed-upon definition of terrorism, which itself enables an open-ended scope of application of these requirements) has contributed to the rising number of restrictions being imposed on civic space. As a result, NGOs have been implicated in providing "material support" to terrorist groups, even when they could not be directly connected with any terrorist acts.¹⁴¹ Moreover, the UN Secretary-General recently pointed out that "[g]overnments, often operating under overly broad definitions of terrorism, abuse new technologies to curtail basic freedoms of media and civil society groups."¹⁴² Some practitioners and SFI interlocutors have raised concerns about the lack of a definition of common understanding of the term "violent extremism" (although this is only referenced once in Security Council resolutions and is more regularly featured in the CT work of the UNGA).¹⁴³



A Mauritanian refugee camp hosting Malian refugees forced to evacuate their homes due to violence (Mahgarebia via Flickr)

As with assessing the Council's impact on other UN priorities, it is difficult to identify a direct link between the Council's CT actions and human rights violations committed in the name of CT or security more broadly. When it comes to human rights, some stakeholders involved in the SFI process even asserted that "states are going to do what states are going to do, regardless of what the Council does." However, this proposition has yet to be tested, in large part because the Council itself has not attempted to do anything to constrain the behavior of states implementing its CT requirements, despite the Secretary-General's rhetoric and senior UN human rights officials and individual member states singling out those who misuse CT measures.

139 "Special Rapporteur on Counter-Terrorism and Human Rights," United Nations Human Rights Office of the High Commissioner, <https://www.ohchr.org/en/special-procedures/sr-terrorism>.

140 See Fionnuala Ní Aoláin, "Abusive 'Counterterrorism' Crackdowns Choke Independent Civil Society in the Middle East," *Just Security*, 25 August 2022, <https://www.justsecurity.org/82813/abusive-counterterrorism-crackdowns-choke-independent-civil-society-in-the-middle-east/>; Akshaya Kumar, "Chinese Diplomats Try Using UN as Shield for Xinjiang Crimes," Human Rights Watch, 1 November 2020, <https://www.hrw.org/news/2020/11/01/chinese-diplomats-try-using-un-shield-xinjiang-crimes>.

141 Eric Rosand, "An Undefined Defining Moment: Marking 20 Years of Counterterrorism Without Ever Agreeing What Terrorism Is," *Just Security*, 4 November 2021, <https://www.justsecurity.org/78891/an-undefined-defining-moment-marking-20-years-of-counterterrorism-without-ever-agreeing-what-terrorism-is/>.

142 United Nations Secretary-General, "Secretary-General's Remarks at High-Level Side Event: 'Participation, Human Rights and the Governance Challenge Ahead' [as delivered]," 25 September 2020, <https://www.un.org/sg/en/content/sg/statement/2020-09-25/secretary-generals-remarks-high-level-side-event-participation-human-rights-and-the-governance-challenge-ahead-delivered#:~:text=Governments%2C%20often%20operating%20under%20overly%20broad%20definitions%20of,of%20civil%20society%20to%20do%20its%20vital%20work>.

143 See Richard Atwood, "The Dangers Lurking in the U.N.'s New Plan to prevent Violent Extremism," Reuters, 8 February 2016, <https://www.reuters.com/article/idUS225889459320160208>.

Agreement among the P5 to focus the Council's attention on the negative impacts of CT measures on human rights is likely to remain elusive, thus impeding meaningful Council action. However, individual Council members could consider taking multiple steps to change the current dynamic. For example, they could push the CTC to engage directly with senior officials in member states where CTED has identified human rights shortcomings, or withhold the possibility of a CTED visit, which is sometimes used by states to whitewash their own records, unless there is meaningful change. Like-minded Council members could also issue statements for the most flagrant violations of human rights if governments have cited Council CT requirements as justification.

D. Case Studies

The Council is just one of many multilateral CT actors seeking to affect the situation on the ground (to say nothing of the many CT actors operating outside the multilateral space), and many factors beyond the Council's control exist that can influence the impact of its CT actions. Although it is difficult to quantify the extent of its impact on the wider UN system, the Council's direct impact is clear in several instances where its CT engagements have in fact undermined wider UN objectives and operations. Below are two brief case studies, one focused on the integration of gender into CT, and one focused on prosecution, rehabilitation, and reintegration (PRR).

CASE STUDY

Integrating the Women, Peace, and Security and Counterterrorism Agendas

The adoption of UNSCR 2242⁷ in 2015, which called for the integration of the Women, Peace and Security and Counterterrorism agendas, *inter alia*, sought to fill an important gap in the Security Council's CT framework, as well as in that of the wider UN, which had neglected the gender dimension and failed to reflect the multiple roles of women in both supporting terrorism and countering it.[†] This was particularly a concern as terrorist groups were deliberately targeting women's education and gender equality initiatives,[‡] and propagating deeply misogynistic recruitment narratives that promoted toxic notions of masculinity. This resolution highlighted specific areas in which this dimension should be integrated into CT work.

On a positive note, adopting the resolution facilitated the inclusion of experts from UN Women on CTED-led visits to member states to discuss and assess their implementation of relevant UNSC CT requirements. This allowed UN Women to interact with a range of government officials (primarily from the security sector) to whom the entity would otherwise not have access. This offered unique opportunities for UN Women to raise and discuss the gender dimensions of CT, often in contexts where this topic was not only novel, but otherwise not encouraged. It also created opportunities for follow-up interactions with national and civil society stakeholders to discuss gaps and recommendations on these issues identified in the resultant CTED visit report. Having the opportunity to join visits and

engage directly with CT actors enabled UN Women to initiate dialogue and activities with national partners that led to the development of several field-based activities and programs that focused, for example, on increased gender sensitization training for security services, support to rehabilitation and reintegration support for women and girls, and engaging women and girls in developing local and organic "counter-narratives" or strategic communications campaigns to challenge violent extremist groups, many of which directly attacked gender equality activities in countries.[§] Although concerns existed among many actors about the risks of securitization of the WPS agenda, there were efforts to mitigate this by working closely with field offices and civil society partners in developing projects to ensure they aligned with the priorities and activities of relevant field-based offices.

However, the next steps—follow up and implementation—highlighted several limitations of the Council's CT approach. First, strict rules about who could access CTED assessment reports meant that few UN entities could read the report's analysis or recommendations (although UN Women did have access to those reports regarding visits where it was a participating entity). As such, the growing number of non-UN stakeholders focusing on the gendered aspects of terrorism and CT and who might be interested in helping to address the gaps identified in a particular country could not benefit from the reports' findings.



Meeting convened by SFI in Dakar, Senegal

to help facilitate more effective implementation support. Thus, states could use the visits to demonstrate their support for the agenda item—in this case gender and CT—without any real follow up or meaningful change.

Moreover, there were typically limited opportunities for local civil society partners who may have been engaged during the visits to continue dialogue with CTED and the wider UN system. All of this created risks that states

Moreover, within the Council, including its CTC and CTED, little attention was paid to ensuring the necessary political and technical follow-up by entities on these issues was conducted with each country visited. For example, given the ever-expanding breadth of topics CTED included in its visits and assessment reports, the directorate had neither the resources nor capacities for meaningful follow-up on the vast number of recommendations. No consolidated or prioritized list was developed

could instrumentalize visits to demonstrate their commitment to Resolution 2242 and “compliance” with relevant Council requirements. In short, the adoption of UNSCR 2242 provides valuable openings for dialogue and follow-up activity on novel or cross-cutting issues by entities like UN Women and civil society organizations, but the practical outcomes remain few and far between, in the absence of more sustained Council (on both a collective and individual member basis) engagement.

* UN Security Council Resolution 2242, S/RES/2242, 13 July 2015.

† While calling for “far greater representation implementation of the women, peace, and security agenda,” UNSC Resolution 2242 calls out female underrepresentation, a lack of gender-sensitive humanitarian responses, and insufficient financing for women, peace, and security.

‡ In 2013–2014, a sharp increase in attacks on girls’ schools and the emergence of more proactive misogynistic rhetoric from terrorist groups prompted important discussions on integrating gender into the UN counterterrorism framework for the first time, including by increasing engagement of UN Women with counterterrorism actors, as there had previously been no focus on this issue. See Naureen Chowdhury Fink, Rafia Barakat, and Liat Shetret, *The Roles of Women in Terrorism, Conflict, and Violent Extremism* (Goshen, IN: Center on Global Counterterrorism Cooperation, April 2013), https://www.globalcenter.org/wp-content/uploads/2013/04/13Apr11_Women-and-Terrorism-Prevention_Final.pdf.

§ Ibid. See also Shenila Khoja-Moolji, “Girls’ Education: An Ideal Target for Both Extremists and Humanitarian Interventionists, Scholar Says,” *Washington Post*, 4 February 2016, <https://www.washingtonpost.com/news/grade-point/wp/2016/02/04/more-women-go-to-college-in-pakistan-than-men-after-attacks-a-scholar-asks-why-girls-education-is-a-target>.

CASE STUDY

Prosecution, Rehabilitation, and Reintegration of Foreign Terrorist Fighters

Another area where the Security Council's CT approach directly impacted other UN entities is in the realm of "prosecution, rehabilitation, and reintegration" (PRR), a concept the Council developed and outlined in UNSCR 2396 to promote accountability for terrorist-related crimes. For many states and UN actors, the primary lens for reintegrating fighters with non-state armed groups was and remains DDR (disarmament, demobilization, reintegration), which does not necessarily include a call for prosecution and is part of wider efforts to sustain peace.

The UN Security Council's formulation of a new concept that could complement or conflict with DDR, depending on the context, at times created confusion for UN peace operations and UN entities operating on the ground. It also generated institutional debates about which framework is best suited for application on the ground in contexts where groups designated as terrorists operate, although the UN Integrated DDR Standards offer some guidance.* This often leaves UN staff with mixed and sometimes contradictory messaging as to which framework is applicable in different contexts. In places like the Lake Chad Basin,† which are grappling with large numbers of individuals, such tensions create risks for those on the ground seeking support and for the communities around them, as well as for the UN system. UN agencies are expending resources and capacity to resolve confusion and address tensions generated by Council counterterrorism resolutions that are siloed from the rest of the UN system. Consequently, UN DDR, the UNSC, and other UN CT entities are engaging in efforts to find common ground between the two approaches and identify good practices and experiences

that can guide states in addressing the expectations and obligations set out in UNSC CT resolutions.

The intersections of UN peace operations, particularly those relating to rule of law and security institutions, with CT has generated a number of tensions in the UN system.‡ Many practitioners have voiced concerns that associations with CT (PRR originated in CT resolutions) will compromise impartiality, inhibit operational spaces for mediation, conflict prevention efforts, etc., and increase the vulnerability of UN personnel.§

At the same time, operating in many contexts where terrorist groups are present with little or no strategic guidance or doctrine in the UN system, UN staff are left with mixed and sometimes contradictory messaging, for example, about which framework—PRR or DDR—is applicable in different contexts. Moreover, there is a risk that a focus on PRR in environments where states' limited resources are already stretched, risks impeding meaningful rehabilitation and reintegration efforts regarding defectors or those who have renounced their support for or participation in groups designated as terrorists. In places like the Lake Chad Basin,** grappling with large numbers of individuals, such tensions create risks not only for those on the ground seeking support and the communities around them, but also for the UN system that is expending resources and capacity to resolve tensions generated by UNSCRs that are siloed from the rest of the UN system. Consequently, UN actors are engaging in efforts to find common ground between the two approaches and identify good practices and experiences that can guide states in addressing the expectations and obligations set out in UNSC CT resolutions.

* As general guidance, for terrorist groups designated by the Security Council, member states are required to develop prosecution, rehabilitation, and reintegration strategies. Terrorist suspects, including foreign terrorist fighters and their family members, and victims should be the subject of such strategies, which should be both tailored to specific categories and comprehensive. See "The Legal Framework for UN DDR," <https://www.unddr.org/wp-content/uploads/2021/02/IDDRS-2.11-The-Legal-Framework-For-UNDDR.pdf>.

† "Prosecution, Rehabilitation, and Reintegration Strategies in the Lake Chad Basin Virtual Side Event for Second United Nations Counter-Terrorism Week," UN Security Council Counter-Terrorism Executive Directorate, 28 June 2021, <https://www.un.org/securitycouncil/ctc/news/prosecution-rehabilitation-and-reintegration-strategies-lake-chad-basin-virtual-side-event>.

‡ James Cockayne and Siobhan O'Neill, eds., *UN DDR in an Era of Violent Extremism: Is It Fit for Purpose?* (Tokyo: United Nations University, 2015), https://peacekeeping.un.org/sites/default/files/un_ddr_in_an_era_of_violent_extremism.pdf.

§ Charles T. Hunt and Shannon Zimmerman, "Counter-Terrorism and Peace Operations: The Impacts of UN Security Council Approaches to Tackling Terror on the Pursuit of Peace," <https://www.resolvenet.org/research/counter-terrorism-peace-operations-impacts-un-security-council-approaches-tackling-terror>; and Arthur Boutellis and Naureen Chowdhury Fink, *Waging Peace: UN Peace Operations Confronting Terrorism and Violent Extremism*, (International Peace Institute, October 2016), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2893280.

** "Prosecution, Rehabilitation, and Reintegration Strategies in the Lake Chad Basin Virtual Side Event for Second United Nations Counter-Terrorism Week," UN Security Council Counter-Terrorism Executive Directorate, 28 June 2021, <https://www.un.org/securitycouncil/ctc/news/prosecution-rehabilitation-and-reintegration-strategies-lake-chad-basin-virtual-side-event>.

VII. 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.¹⁴⁴ 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.¹⁴⁵

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.

“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.”

Participants in the SFI process offered numerous recommendations during the wide-ranging consultations, which, if implemented, would facilitate the abovementioned paradigm shift. These recommendations complement the project leaders’ own analytical work and their diplomatic and counterterrorism experience, which inspired this project and informed this report. A few echo those previously put forward, including by CSOs, UN officials, states, and members of the SFI team;¹⁴⁶ others are new. Implementing any of them will require different degrees of political support—whether among the P5, the wider UNSC, the

broader UN membership, and/or the UN Secretariat—as well as the (re)allocation of financial, human, and operational resources.

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

144 “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>.

145 Aries A. Arugay, Marc Batac, and 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/>.

146 Naureen Chowdhury Fink, “Looking Back to Move Forward: The Role of the UN in Addressing Evolving Terrorist Threats,” Global Observatory, 7 June 2021, <https://theglobalobservatory.org/2021/06/looking-back-to-move-forward-the-role-of-the-un-in-addressing-evolving-terrorist-threats/>; Eric Rosand and Alistair Millar, “Twenty Years After 9/11, A Need to Adapt Counterterrorism Approaches at Security Council,” Global Observatory, 3 June 2021, <https://theglobalobservatory.org/2021/06/twenty-years-after-9-11-a-need-to-adapt-counterterrorism-approaches-at-security-council/>; Alistair Millar and Naureen Chowdhury Fink, “Blue Sky III: Taking UN Counterterrorism Efforts in the Next Decade From Plans to Action,” Global Center on Cooperative Security, September 2016, https://www.globalcenter.org/wp-content/uploads/2016/09/Blue-Sky-III_low-res.pdf; Eric Rosand, Naureen Chowdhury Fink, and Jason Ipe, “Countering Terrorism in South Asia: Strengthening Multilateral Engagement,” Center for Global Counterterrorism Cooperation, May 2009, https://www.ipinst.org/wp-content/uploads/publications/ct_in_south_asia_epub.pdf; Eric Rosand, Alistair Millar, and Jason Ipe, “The UN Security Council’s Counterterrorism Program: What Lies Ahead?” International Peace Academy, October 2007, <https://www.ipinst.org/wp-content/uploads/2015/06/cter.pdf>.

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 operate.¹⁴⁷ Although such a reform should remain a

¹⁴⁷ See Eric Rosand, “UN Counterterrorism Reform: Now It's the Security Council's Turn,” Global Observatory, 15 September 2017, <https://theglobalobservatory.org/2017/09/terrorism-countering-violent-extremism-guterres/>.

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 sub-regional 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).¹⁴⁸ 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 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;

¹⁴⁸ As Bibi van Ginkel has noted, “This would entail that only if immediate, binding response is needed with a global reach, it makes sense for the UNSC to act.” Bibi Van Ginkel, “Unpacking the Key Features of a Comprehensive Counterterrorism Approach by the UN Security Council,” Securing the Future Initiative, September 2022, http://sfi-ct.org/wp-content/uploads/2022/08/Van-Ginkel_SFI-Brief.pdf.

- 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.

Appendix

UN Security Resolutions on Counterterrorism since 11 September 2001¹⁴⁹

| NUMBER | TITLE/LINK | DATE |
|------------|--|---------------|
| S/RES/1368 | Condemnation of 11 September attacks against United States | 12 Sept. 2001 |
| S/RES/1373 | Creation of Counter-Terrorism Committee (CTC) | 28 Sept. 2001 |
| S/RES/1377 | Ministerial declaration on global effort to combat terrorism | 12 Nov. 2001 |
| S/RES/1438 | Condemnation of bombings in Bali | 14 Oct. 2002 |
| S/RES/1440 | Condemnation of hostage taking in Moscow | 24 Oct. 2002 |
| S/RES/1450 | Condemnation of terrorist attacks in Kenya | 13 Dec. 2002 |
| S/RES/1456 | Declaration by Foreign Ministers on combating terrorism | 20 Jan. 2003 |
| S/RES/1465 | Condemnation of bomb attack in Bogota, Colombia | 13 Feb. 2003 |
| S/RES/1516 | Condemnation of bombings in Istanbul | 20 Nov. 2003 |
| S/RES/1530 | Condemnation of bomb attacks in Madrid | 11 March 2004 |
| S/RES/1535 | Creation of Counter-Terrorism Committee Executive Directorate (CTED) | 26 March 2004 |
| S/RES/1540 | Security Council unanimous adoption of Resolution 1540 on the threat of proliferation of nuclear, chemical, and biological weapons | 28 April 2004 |
| S/RES/1566 | Creation of working group to consider measures against individuals, groups, and entities other than AQ/Taliban | 8 Oct. 2004 |
| S/RES/1611 | Condemnation of terrorist attacks in London | 7 July 2005 |
| S/RES/1618 | Condemnation of terrorist attacks in Iraq | 4 Aug. 2005 |
| S/RES/1624 | Prohibition of incitement to commit terrorist acts | 14 Sept. 2005 |

¹⁴⁹ Adapted from <https://www.un.org/securitycouncil/ctc/content/security-council-resolutions>.

| NUMBER | TITLE/LINK | DATE |
|------------|---|---------------|
| S/RES/1631 | UN cooperation with regional organizations in maintaining international peace and security | 17 Oct. 2005 |
| S/RES/1787 | Extension of Counter-Terrorism Committee Executive Directorate (CTED) mandate | 10 Dec. 2007 |
| S/RES/1805 | Mandate of Counter-Terrorism Committee Executive Directorate (CTED) extended until 31 December 2010 | 20 March 2008 |
| S/RES/1963 | Mandate of the Counter-Terrorism Committee Executive Directorate (CTED) until 31 December 2013 | 20 Dec. 2010 |
| S/RES/2129 | Mandate of the Counter-Terrorism Committee Executive Directorate (CTED) until 31 December 2017 | 17 Dec. 2013 |
| S/RES/2133 | Prevention of kidnapping and hostage-taking committed by terrorist groups | 27 Jan. 2014 |
| S/RES/2170 | Condemnation of ISIL, ANF, and all other individuals or groups associated with AQ | 15 Aug. 2014 |
| S/RES/2178 | Addressing the growing issue of foreign terrorist fighters | 24 Sept. 2014 |
| S/RES/2185 | Adopted by the Security Council at its 7317th meeting | 20 Nov. 2014 |
| S/RES/2195 | Adopted by the Security Council at its 7351st meeting | 19 Dec. 2014 |
| S/RES/2199 | Threats to international peace and security caused by terrorist acts | 12 Feb. 2015 |
| S/RES/2220 | Small arms | 22 May 2015 |
| S/RES/2242 | Women and peace and security | 13 Oct. 2015 |
| S/RES/2249 | Threats to international peace and security caused by terrorist acts | 20 Nov. 2015 |
| S/RES/2250 | Maintenance of international peace and security | 9 Dec. 2015 |
| S/RES/2253 | Threats to international peace and security caused by terrorist acts | 17 Dec. 2015 |
| S/RES/2255 | Threats to international peace and security caused by terrorist acts | 22 Dec. 2015 |
| S/RES/2309 | Threats to international peace and security caused by terrorist acts: Aviation security | 22 Sept. 2016 |

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| S/RES/2322 | Threats to international peace and security caused by terrorist acts | 12 Dec. 2016 |
| S/RES/2331 | Maintenance of international peace and security | 20 Dec. 2016 |
| S/RES/2341 | Protection of critical infrastructure | 13 Feb. 2017 |
| S/RES/2354 | Countering terrorist narratives | 24 May 2017 |
| S/RES/2368 | Threats to international peace and security caused by terrorist acts—renewing and updating the 1267/1989/2253 ISIL (Da’esh) & AQ Sanctions regime | 20 July 2017 |
| S/RES/2370 | Threats to international peace and security caused by terrorist acts—preventing terrorists from acquiring weapons | 2 Aug. 2017 |
| S/RES/2379 | Threats to international peace and security—accountability for crimes committed by ISIL in the territory of Iraq | 21 Sept. 2017 |
| S/RES/2388 | Maintenance of international peace and security—trafficking in persons | 21 Nov. 2017 |
| S/RES/2395 | Threats to international peace and security caused by terrorist acts—CTED mandate renewal | 21 Dec. 2017 |
| S/RES/2396 | Threats to international peace and security caused by terrorist acts—foreign terrorist fighters | 21 Dec. 2017 |
| S/RES/2427 | Children and armed conflict | 9 July 2018 |
| S/RES/2462 | Threats to international peace and security caused by terrorist acts—terrorism financing | 28 March 2019 |
| S/RES/2482 | Threats to international peace and security caused by international terrorism and organized crime | 19 July 2019 |
| S/2019/612 | Ninth report of the Secretary-General on the threat posed by ISIL (Da’esh) to international peace and security and the range of United Nations efforts in support of member states in countering the threat | 31 July 2019 |
| S/2019/998 | Technical guide to the implementation of Security Council Resolution 1373 (2001) and other relevant resolutions | 27 Dec. 2019 |
| S/2020/95 | Tenth report of the Secretary-General on the threat posed by ISIL (Da’esh) to international peace and security and the range of United Nations efforts in support of member states in countering the threat | 4 Feb. 2020 |

| NUMBER | TITLE/LINK | DATE |
|------------|--|--------------|
| S/2020/493 | Joint report of the Counter-Terrorism Committee Executive Directorate and the Analytical Support and Sanctions Monitoring Team pursuant to Resolutions 1526 (2004) and 2253 (2015) concerning Islamic State in Iraq and the Levant (ISIL) (Da'esh), AQ and the Taliban, and associated individuals and entities on actions taken by member states to disrupt terrorist financing, prepared pursuant to paragraph 37 of Security Council Resolution 2462 (2019) | 3 June 2020 |
| S/RES/2617 | Mandate renewal of the Counter-Terrorism Committee Executive Directorate | 30 Dec. 2021 |

“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



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