



## **Counter-Terrorism Measures and the Closing of Civic Space**

### **Roundtable Discussion**

**74<sup>th</sup> Session of the UN General Assembly**

**Tuesday 1 October 2019**

**15:00-16:30**

**The Church Center (2<sup>nd</sup> Floor), 777 UN Plaza, New York**

### **Justification:**

In recent years a disturbing trend has emerged: the increasing use of counter-terrorism measures against not terrorists, but civil society and human rights defenders.

This trend has its roots in the international security narrative that since 2001 has pushed States to adopt strong counter-terrorism measures without equal attention to their human rights effects and for the role of human rights in addressing the underlying causes of terrorism. Initiatives of the UN's counter-terrorism and security architecture have at times contributed to this dynamic. The result has been the creation of a permissive environment in which legitimate security concerns and UN calls to enact security measures have been used as a pretext to curtail the legitimate exercise of civic freedoms, including the freedoms of association, expression, and peaceful assembly. State misuse of counter-terrorism laws for this purpose has taken many forms, including the dissolution of civil society organizations, the arrest and detention of critical civil society voices, and the online and offline censorship and surveillance of civil society actors.

In a report to the Human Rights Council in March 2019 ([A/HRC/40/52](#)), the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism documents this trend and makes recommendations on how the trend can be reversed. In addition to addressing law and practice at the national level, many of the recommendations directly address the UN counter-terrorism architecture itself, including the roles of the Security Council, the Counter-Terrorism Committee and its Executive Directorate, and the Office of Counter-Terrorism.

Abuses of counter-terrorism laws to limit civic space have also been well document by UN Special Rapporteurs on freedom of expression, on peaceful assembly and association, and human rights defenders. It is a deep irony that the UN Secretary General and OHCHR are reporting an uptick in the abuse of national security laws [as a form of reprisal against defenders seeking to access the UN](#) - when in some instances these laws have been promulgated pursuant to Security Council resolutions.

While many States and parts of the UN system have recognized the global imperative on pushing back against the global shrinking of civic space, relatively little attention has been paid to the potential role of the UN's Counter Terrorism architecture in that endeavor.

With the 74<sup>th</sup> Session of the UN General Assembly underway, the work of the Third Committee commencing, and looking forward to the Biennial renewal of the UN Global Counter-Terrorism Strategy in 2020, the Civic Space Initiative will hold a roundtable discussion on this topic, with a focus on practical ways how to take forward the recommendations of HRC report 40/52.

### **Objectives:**

1. Examine how and why counter-terrorism laws are abused in violation of human rights and as a means to restrict civic space, both online and offline, including as a means of reprisal against persons engaging or seeking to engage with the UN system.
2. To discuss concrete ways forward for the UN, in particular the Security Council and UN counter-terrorism architecture in New York, together with States and civil society, can work together to end the misuse and abuse of counter-terrorism laws and push back against the closing of civic space.

### **Format:**

A roundtable discussion featuring the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, representatives of interested States, relevant UN entities civil society will discuss why and how the global security narrative has led to the increasing misuse and abuse of counter-terrorism laws to curtail civic freedoms and how different actors, including the UN, UN member states, and civil society, can contribute to the reversing of this trend.

### **Running order:**

- Welcome and introduction from hosts of the meeting [5 minutes]
- Professor Fionnuala Ni Aolain, UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, summarizing the findings and recommendations of HRC report 40/52 [12 minutes]
- Reflections from UN OHCHR Reprisals Unit [8 minutes]
- Civil society perspectives on how the enforcement counter-terrorism laws at the national level is restricting the exercise of rights [15 minutes]
- Interventions and questions from States, with a focus on possible ways forward to implement recommendations of HRC report 40/52 [15 minutes]
- Interventions and questions from other UN entities present, with a focus on possible ways forward to implement recommendations of HRC report 40/52 [10 minutes]
- Discussion and interaction with other roundtable participants [20 minutes]
- Final reflections from the UN Special Rapporteur, and wrap-up by the facilitator [5 minutes]