

NECESSARY BUT UNWANTED? THE UNITED NATIONS' EVOLVING APPROACH TO COUNTERTERRORISM

Preventing terrorism is as difficult as shooting at a moving target: it requires reliable information about both the target's present position and where it might move in the near future. The failure of the "global war on terror" launched after the 9/11 attacks is a clear example: the US-led military, civilian and counter-insurgency interventions have not put an end to terrorism in the "Greater Middle East". Two decades on, terrorism still represents a global threat: not only have many terrorist groups remained resilient, some have spread in ways that make prevention a complex and challenging task.



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Terrorism has morphed into a transnational and multifaceted phenomenon that poses a global threat to international peace. It is no longer limited to a few groups that can be easily targeted by military and police forces: it has become increasingly deterritorialised, transnational and decentralised. Rigid hierarchical organisations have given way to transnational movements that use sophisticated technology to reach out to thousands of people worldwide, encouraging them to convert their homeland into a battleground as part of a global fight (e.g. "war on Islam" and "race war"). The recent experience with the self-proclaimed caliphate in Syria and Iraq, which covered an area the size of the United Kingdom and attracted over 40,000 individuals from over 120 countries, was the perfect demonstration that violent extremism is more global and thus more democratised than ever.

But the main transformations affecting violent extremism extend beyond jihadist Salafist groups such as ISIS. As pointed out by the Global Terrorism Index (2019), the number of violent extremist attacks perpetrated by the far-right skyrocketed in 2019, rising 320%. Unprecedented mobilisations of foreign fighters in the Levant should also not obscure the fact that certain conflict zones such

as Ukraine and Northern Syria have attracted several thousands of sympathisers of violent extremist groups affiliated with far-right and far-left ideologies.

In this context, on its 75th anniversary, what role does the United Nations (UN) play in counterterrorism and preventing violent extremism? This article analyses the evolution of the UN's approach to counterterrorism and to preventing violent extremism before examining the multiple challenges for the UN in this field.

From terrorism to violent extremism: understanding the UN's changing approach to violent extremism

In line with its commitment to remove any threat to global peace, the UN has a record of longstanding efforts to counter and, more recently, prevent terrorism and violent extremism.

IN ADDITION TO TRADITIONAL DISPUTES OVER THE DEFINITION OF "TERRORISM", SEVERAL STATES ACCUSED THE UN OF BEING USED BY THE US ADMINISTRATION AS PART OF ITS "GLOBAL WAR ON TERROR".

Well before 9/11 the UN was working on developing a legal framework to help states join forces to address terrorism. It adopted resolutions condemning many practices associated with terrorism (like hostage-taking and hijackings), drew up lists of terrorists and terrorist organisations (including the Taliban and Al Qaeda), and resorted to targeted sanctions under Security Council Resolution 1267 (1999). In the wake of 9/11, which showed the increasingly global nature of the threat, the UN adapted to the spread of transnational terrorism. It primarily laid the foundations for a new counterterrorism architecture

to counter this threat. The UN Security Council (UNSC) adopted a handful of resolutions that aimed to further involve member states in global counterterrorism (CT) efforts. For instance, resolution 1373 (2001) imposed legally binding obligations on UN member states to adapt their legislation, strengthen border controls and to participate in international cooperation (such as exchanging information). Modelled on Resolution 1373, Resolution 1540 (2004), which focuses on weapons of mass destruction, established monitoring mechanisms to ensure that states fulfil these new obligations.

In parallel, the UN has served as a platform and created structures for discussions and negotiations on measures and norms to advance towards a global CT framework. The Counter-Terrorism Executive Directorate (2004), the Counterterrorism Implementation Task Force (2005), the Global Counterterrorism Forum (2011) and the UN Office of Counter-Terrorism (2017)

are just a few of the many achievements in this respect. Sixteen international conventions criminalising terrorism and terrorist activities have been negotiated under the patronage of the UN between 1963 and 2005 (von Einsiedel, 2016). Although these conventions are not binding, UN efforts have contributed to providing instruments and a common framework for international CT cooperation (e.g. lists of terrorist organisations, antiterrorist resolutions, freezing funds for terrorists).

All in all, the UNSC's efforts were guided by the need to address transnational terrorism. It adopted sanctions against terrorists and their sponsors, committed UN member states to implement far-reaching CT measures and used managerial compliance strategies to oversee implementation (Heupel, 2007). Although these efforts are unprecedented, the UN role in this area also generated controversy amongst member states (see Bargués in this volume). In addition to traditional disputes over the definition of "terrorism", several states accused the UN of being used by the US administration as part of its "global war on terror" (Rosand and von Einsiedel, 2010: 147). This was all the more controversial as US foreign policy in many ways contradicted the spirit of the UN (specifically, the "war on terror" and the invasions of Afghanistan and Iraq), not to mention the violations of the international law (e.g. Guantanamo Bay detention camp).

THE UN ATTEMPTED TO ADOPT A MORE HOLISTIC APPROACH THAT PUTS THE EMPHASIS ON PREVENTION AND ADDRESSES THE ENABLING ENVIRONMENT FOR TERRORISM AND VIOLENT EXTREMISM.

In this context, the UN General Assembly began to take the lead in an area where the Security Council had hitherto had the upper hand. Since 2006, the General Assembly has gradually asserted its role in building the UN's CT architecture. It proposed a new approach to terrorism and the means of countering it: rather than focusing exclusively on the use of force and sanctions to weaken terrorist groups, the UN attempted to adopt a more holistic approach that puts the emphasis on prevention and addresses the enabling environment for terrorism and violent extremism.

In 2006, the General Assembly produced a Global Counter-Terrorism Strategy built around four pillars: (1) addressing the conditions conducive to terrorism; (2) preventing and combating terrorism; (3) assisting states in their capacity to address terrorism; and (4) ensuring that CT efforts do not work against the respect for human rights and the rule of law. By putting the emphasis on the need to address the "root causes" of terrorism, the UN introduced a new approach to counterterrorism. Indeed, the underlying idea of

pillar 1 is that terrorists do not become terrorists over night: they undergo a process that draws them into the hands of violent extremist groups (radicalisation). Thus, the challenge is not only to fight terrorists with force but also to address the so-called “root causes” that lead people to radicalisation and ultimately terrorism. This implies an approach that combines surveillance and policing practices with psychosocial interventions directed towards individuals and communities to prevent their radicalisation. This approach received broad support from member states and laid the foundations for constructive international cooperation in this field (Ucko, 2018: 253).

The UN went further with the concept of “countering violent extremism” (CVE). In September 2014, while ISIS was morphing into a proto-state straddling the borders of Iraq and Syria, the UNSC issued a resolution aimed at stemming the flow of foreign fighters who were joining the

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self-proclaimed caliphate (Resolution 2178). The resolution specifically called upon member states to “counter violent extremism”. CVE was built upon the idea that the fight against terrorism and violent extremist ideologies could only be achieved by combining hard-security approaches (i.e. CT) with non-coercive measures dealing with the drivers of violent extremism (e.g. counter-messaging, policing approaches). Actually, this view is in line with pillar 1 of the UN Global CT Strategy, as explained above.

A year later, as ISIS carried out a worldwide campaign of terrorist attacks, the international community became concerned about the need to prevent further terrorist attacks. In this context, the UN added a new concept to its global CT architecture: preventing violent extremism (PVE). Adopted by the General Assembly in February 2016, the UN Plan of Action to Prevent Violent Extremism posits that prevention is a plausible method of eradicating violent extremism. It calls for the implementation of “preventive measures which directly address the drivers of violent extremism” with a focus on seven priority areas: dialogue and conflict prevention; strengthening good governance, human rights and the rule of law; engaging communities; empowering youth; gender equality and empowering women; education, skills development and employment facilitation; and strategic communications (including social media). While these areas were not traditionally included in counterterrorism strategies, today they are considered to be crucial areas that require governance to address the grievances that lead to terrorism.

To sum up, the UN has been substantially involved in CT issues over the past two decades, playing essentially three roles: (1) setting norms and imposing binding obligations on member states to suppress terrorism; (2) enforcing sanctions against terrorists and terrorist organisations; and (3) proposing new paradigms of action in this field (e.g. UN PVE Plan of Action). While the first two roles were essentially played by the UNSC, the third, which increasingly expands through the development of national PVE plans, is led by the UN General Assembly. One key question surrounds the extent to which these new approaches promoted by UN General Assembly affect the global CT architecture.

Is prevention better than cure? The pros and cons of the UN's PVE approach

As mentioned earlier, the General Assembly has introduced several comprehensive approaches to violent extremism: the UN PVE Plan of Action constitutes the latest iteration of its efforts not only to *counter* but also to *prevent* terrorism and violent extremism.

The General Assembly's contribution in this field is guided by the need to balance the security-driven approach to terrorism adopted by the UN Security Council. The Plan of Action focuses on two oft-neglected pillars of the 2006 UN Global CT Strategy: pillar 1, addressing the drivers of radicalisation; and pillar 4, ensuring respect for human rights and the rule of law. This focus has considerable consequences for the nature of the UN's involvement in CT matters but above all on the spectrum of actors involved in PVE.

On the one hand, the focus on prevention helped to make the UN more legitimate in this field, to the extent that sensitive issues such as the fight against corruption, the promotion of good governance and the enforcement of the rule of law are framed in terms of their contribution to PVE. As a result, the UN's intervention in these fields is not seen as an intrusion into states' affairs but rather as the implementation of one of its core missions: preventing the emergence of conflicts as opposed to intervening when they occur (Ucko, 2018: 258).

On the other hand, the very nature of this preventive approach – monitoring the structural drivers of radicalisation – has an impact in terms of the actors involved at three levels: UN, national and local. At UN level, PVE enabled the

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UN to bring together different agencies – including some that were unfamiliar with security-related issues – to work on PVE in a transversal manner. Hence, agencies such as UN Women, the UNDP and UNESCO have drafted their own strategy to achieve the goals set by the UN PVE Plan of Action in their specific field (respectively, development, democratisation, and gender equality). At the national level, this plan inspired dozens of states to develop their own national PVE strategy. The UN even provided technical and financial assistance to states keen on developing their own plan, as was the case for Tunisia after the Sousse attacks (June 2015). At the local level, this plan has also opened the way for the involvement of civil society organisations (CSOs) in PVE initiatives. Not only has this allowed the UN to develop its relations with local CSOs in dozens of countries, it also has put pressure on certain countries to deepen government-civil society relations.

Compared to top-down repressive strategies, this plan certainly reflects a change of paradigm in the CT field: it proposes a preventive strategy, involving many actors and different levels, to tackle violent extremism. However, the PVE approach is also source of concerns.

The introduction of the term “violent extremism” was an attempt to put an end to the thorny definitional problems surrounding the term terrorism. Yet, the UN does not provide any working definition for “violent extremism” in its plan: it is a prerogative of member states. In practice, this causes important problems.

Firstly, states can choose a definition of the VE that fits their interests, which means that the definition will depend on their own understanding of VE as well as the areas where they want to intervene (i.e. drivers of radicalisation). Secondly, as mentioned earlier, some drivers of radicalisation are structural (lack of democracy, social inequality, corruption, etc.). In the absence of a working definition provided by the UN, how can we expect governments to address drivers for which they may be responsible, such as lack of democracy and corruption? Thirdly, the plan barely mentions other forms of violent extremist groups such as far-right and nationalist groups. This is particularly concerning given the rise of such groups and the risk of stigmatising certain countries or communities over others. Finally, the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms has repeatedly stated that the vagueness of the terms used prompts human rights concerns to the extent that PVE can be perverted by states and used to make room for state abuses (United Nations Human Rights Council, 2018: 8). In some instances, the label “violent extremism” is used to silence political dissent or to justify restrictions of civil liberties and violations of human rights against certain groups (e.g. non-violent radicals).

Besides this, the involvement of actors that are not traditionally engaged with security-related issues also brings potentially negative consequences. Indeed, by making PVE transversal to many UN agencies and by insisting on the potential correlation between certain grievances and violent extremism, this approach may push these actors (UN agencies, development assistance agencies) to draw up development assistance programmes under the PVE paradigm. Framing development in terms of its contribution to PVE poses two main risks: on the one hand, the trust of local actors (e.g. CSOs) in the UN and its agencies may be undermined if they are suspected of collecting information for intelligence purposes. On the other hand, there is a risk of politicising international cooperation: programmes aimed at gender equality, democratisation or good governance end up being seen by the beneficiaries as means deployed by the UN to advance on PVE. In other words, conflating security issues with development issues can seriously undermine the trust in the UN and its local partners.

As we can see, although some progress has been made in terms of approaches and strategies since the UN shift from counterterrorism to PVE, the implementation of PVE strategies raises some issues that were already present, such as the lack of definition and the misuse of PVE to restrict civil liberties.

Conclusion

To conclude, the UN has played a major role in the design of a global counterterrorism architecture. Initially led by the UN Security Council, this contribution focused on setting norms for a global CT framework and enforcing sanctions against terrorist organisations and their sponsors. Since 2006, the growing involvement of the General Assembly in this matter has led the UN to adopt a holistic understanding of terrorism and violent extremism. The Global Strategy and the UN PVE Plan of Action are telling examples of this shift. Yet, as our analysis shows, many practical challenges remain, such as the need for a universal working definition and the risk of states abusing PVE. Given these clear limitations, the UN's most meaningful contribution to the field of terrorism and violent extremism is to advocate for a preventive approach to terrorism and violent extremism.

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