



2022

CIVIL SOCIETY WORKSHOP OUTCOME DOCUMENT

This outcome document was produced by civil society representatives from 43 countries through a series of consultations, including the Civil Society Workshop on 9 May 2022 co-organized by the Kingdom of Spain and the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

Civil Society Participation

The following organizations participated at various stages of the process to inform the findings and recommendations of the Civil Society Workshop Outcome Document.



// CIVIL SOCIETY WORKSHOP
 #CIVILSOCIETYSPEAKS | #MALAGA2022



Introduction

On 9 May 2022, in advance of the High-Level International Conference on Human Rights, Civil Society, and Counter-Terrorism, the Kingdom of Spain and the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism co-hosted a Civil Society Workshop on Enhancing Civil Society Leadership and the Promotion and Protection of Human Rights in Counter-Terrorism.

The Civil Society Workshop included over 90 civil society organizations in-person and online and was preceded by a month-long series of global and regional virtual consultations with civil society from 43 countries and five continents carried out by Fionnuala Ní Aoláin, UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and the Kingdom of Spain. The document includes over 70 civil society participant logos from organizations that contributed to the findings and recommendations.

The purpose of the Civil Society Workshop was to elevate existing recommendations and joint findings from civil society on the implementation of the UN Global Counter-Terrorism Strategy—including those of the Global Digital Consultations hosted by UN Women [1]—particularly on the meaningful participation of civil society and the promotion and protection of human rights.

Synergizing the field of counter-terrorism with the obligations of States on gender equality and women's rights, specifically, the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) and the United Nations Security Council Women, Peace and Security Agenda (WPS Agenda) remains imperative.

The Civil Society Workshop rooted its discussion in the latest the UN General Assembly resolution 75/291 adopted in July 2021 during the Seventh Review of the United Nations Global Counter-Terrorism Strategy. During this review, civil society, the United Nations, and Member States elevated issues of meaningful civil society participation in all efforts to counter-terrorism, protection from reprisal and other downstream harms, and full human rights and gender mainstreaming, particularly seeking to move away from models of "instrumentalization" and cooption. The Workshop and its lead up activities should serve as an example for how to meaningfully and positively engage diverse civil society, including through elevating their findings, recommendations, and ownership.

This outcome document reflects the discussions, main findings and recommendations presented during the Civil Society Workshop, and those expressed in the consultations held in the lead-up to the Workshop with insights from civil society from 43 countries. A preliminary framing of the issues was presented as a discussion paper, and revised during the Workshop.

This document will be made available as part of the outcome document of the High-Level International Conference on Human Rights, Civil Society and Counter-Terrorism. It will serve as an important advocacy document in the lead up to the Eighth biennial Global Counter-Terrorism Strategy Review in 2023.

FINDINGS

Finding 1

The misuse of counter-terrorism measures to crack down on civil society and repress fundamental rights and freedoms – and complicity therein – is well-documented and must be meaningfully addressed.

The international community has repeatedly expressed concerns about the documented misuse of counter-terrorism measures against civil society organizations (CSOs). In his latest report on terrorism and human rights, the Secretary-General found that “[i]n some countries, [counter-terrorism] laws are routinely misused to label civil society actors, including human rights defenders, as terrorists and to prosecute them for terrorism-related offences, with a view to hindering their human rights work” and that “[r]eprisals against human rights defenders and the stigmatization of civil society actors (see A/HRC/43/70, para. 64) for having engaged with the United Nations are of particular concern, as they are frequently applied through the misuse of counter-terrorism legislation” (A/76/273, para. 22). He also noted that such misuse “may disproportionately affect women’s civil society organisations that often take on the role of peacebuilders and human rights defenders.”[2] In its Seventh Global Counter-Terrorism Strategy Review resolution (Seventh Review), the General Assembly acknowledged “the potential negative impacts when counter-terrorism legislation and other measures are applied contrary to international law ... including by impeding the work [of] and endangering ... civil society.”

The Secretary-General’s findings build on a prior General Assembly resolution in which Member States expressed “grave concern[s] that national security and counter-terrorism legislation and other measures, such as laws regulating civil society organisations, are in some instances misused to target human rights defenders or have hindered their work and endangered their safety in a manner contrary to international law.”[3]

The linkage between counter-terrorism and preventing violent extremism measures and the widespread crackdown on civic space has grown increasingly evident in recent years, with abusive tools—stemming from the events of 11 September, 2001 and the lack of a universal definition of either terrorism or violent extremism—being exported and imported across countries and regions.

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“[I]N SOME COUNTRIES, [COUNTER-TERRORISM] LAWS ARE ROUTINELY MISUSED TO LABEL CIVIL SOCIETY ACTORS, INCLUDING HUMAN RIGHTS DEFENDERS, AS TERRORISTS AND TO PROSECUTE THEM FOR TERRORISM-RELATED OFFENCES, WITH A VIEW TO HINDERING THEIR HUMAN RIGHTS WORK.”

- A/HRC/43/70, PARA. 64

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As the Special Rapporteur on the promotion and protection of human rights while countering terrorism documented in her 2019 report to the Human Rights Council on closing civic space, 66% of all relevant communications sent to Governments since the mandate's inception in 2005 have related to the misuse of counter-terrorism or broadly defined security-related measures against civil society and human rights defenders, with a discernible uptick in more recent years.[4]

Such misuse includes the overbroad criminalization of the legitimate exercise of fundamental freedoms, like the freedoms of expression and opinion, peaceful assembly and association, and religion or belief, as well as minority and cultural rights.



"WE NEED TO CREATE A NEW NARRATIVE AND THE UNITED NATIONS HAS A VERY IMPORTANT ROLE IN PUSHING THE BASELINE THAT WE HAVE BEEN LIVING ON FOR THE LAST TWENTY YEARS TO A NEW RELATIONSHIP WITH CIVIL SOCIETY – WE NEED PROTECTION FOR THE PEOPLE, PROTECTION FOR THE NGOS AND PROTECTION FOR HUMAN RIGHTS DEFENDERS."

-RAMY SHAATH-
HUMAN RIGHTS DEFENDER

CIVIL SOCIETY WORKSHOP, 9 MAY 2022



States have also increasingly adopted administrative measures under the pretext of counter-terrorism. Such measures include direct and indirect measures that target civil society and range from classification as "foreign agents" and overburdensome non-profit organisation registration and reporting requirements to penalties like involuntary non-profit dissolution and extreme restrictions on movement. Civil society actors and human rights defenders have also been subject to physical, digital, and judicial harassment by States on the basis of countering terrorism and violent extremism—often with corporate actors complicit as well.

Due to the increasingly securitized and instrumentalized approach of States to counter-terrorism and preventing violent extremism measures, including the constriction, regulation and control of the family, women human rights defenders and women's rights organisations are especially disproportionately impacted.

The evidentiary record of counter-terrorism misuse is mounting and warrants immediate attention, mitigation, and prevention.

Finding 2

Counter-terrorism measures may infringe on protected humanitarian action and the full range of civil society actors playing critical roles in conflict, including human rights, development, peacebuilding, and the delivery of essential services. Express humanitarian exemptions and exceptions are required.

The General Assembly also recognized in the Seventh Review the “potential effect of [counter-terrorism financing] measures on exclusively humanitarian activities, including medical activities, that are carried out by impartial humanitarian actors”[5] and urged States to ensure that counter-terrorism measures “do not impede humanitarian and medical activities or engagement with all relevant actors as foreseen by international humanitarian law.”[6] The UN Secretary-General has similarly recognized that “[i]n some cases, particularly in armed conflict settings, counter-terrorism measures are adversely affecting principled humanitarian and human rights action.”[7] Counter-terrorism measures can contribute to further securitization and politicization of aid, and risk stigmatizing and excluding groups by, among others, gender, religion, race and/or displacement status.[8] Inequalities, poverty, and socio-economic exclusion can drive violence—further underscoring the value of humanitarian actors working in tandem with human rights, development, and peacebuilding actors.

The potential impediment to or delay of protected humanitarian operations due to counter-terrorism measures, particularly targeted sanctions, is well-documented, including by the UN Special Rapporteur on counter-terrorism and human rights, International Committee of the Red Cross (ICRC), Office of the High Commissioner for Human Rights (OHCHR), United Nations Office for the Coordination of Humanitarian Affairs (OCHA), and other civil society and academic institutions.[9]

Documented instances include criminal, civil, and administrative penalties for direct or indirect support to listed individuals and entities, donor conditionality, and bank de-risking. This includes the targeting of individuals or entities providing broader assistance, however far down the supply chain. In response, international and State actors have started to adopt limited case-specific exceptions or exemptions for humanitarian action.[10]

Measures to mitigate the impact of sanctions must not only address the impact on humanitarian action, but further address the impact on the full range of civil society actors playing critical roles in conflict, including in human rights, development, peacebuilding, and the delivery of essential services while also ensuring conflict sensitivity and enabling post-conflict transformation. However, the lack of systematic exemptions still poses serious challenges for humanitarian actors, particularly when it comes to local ownership as smaller organisations may not have the capacity to conduct the requisite due diligence. Challenges also stem from the common presumption that the mere, indirect benefit of armed groups from humanitarian assistance by default equates to tacit support to such groups. Moreover, the patriarchal and colonial nature of humanitarian systems must be acknowledged, and non-discrimination principle carefully applied to ensure counter-terrorism measures contribute to positive humanitarian system changes.

Finding 3

All efforts to promote and protect the rights of victims of terrorism and of counter-terrorism measures must address long-term accountability and the immediate needs of survivors in participatory, inclusive, and equitable processes.

The focus on the human rights of victims of terrorism and survivors and family members goes hand in hand with the rights of victims, survivors, and family members of human rights abuse in counter-terrorism. In the Seventh Review, the General Assembly emphasized the need “to ensure that victims of terrorism are treated with dignity and respect, [and] that their right to access to justice and redress mechanisms, as provided for in applicable domestic law and in accordance with principles of international law, is fully respected.”^[11] The General Assembly further “welcome[d]” the ongoing efforts within the UN system, including the Global Congress of Victims of Terrorism convened by the Secretary-General, and encouraged the continued raising of “awareness on victims of terrorism and the promotion and protection of their rights, including in the criminal justice process.”^[12]



THE GENERAL ASSEMBLY WELCOMED THE ONGOING EFFORTS WITHIN THE UN SYSTEM, INCLUDING THE GLOBAL CONGRESS OF VICTIMS OF TERRORISM CONVENED BY THE SECRETARY-GENERAL, AND ENCOURAGED THE CONTINUED RAISING OF “AWARENESS ON VICTIMS OF TERRORISM AND THE PROMOTION AND PROTECTION OF THEIR RIGHTS, INCLUDING IN THE CRIMINAL JUSTICE PROCESS.”

- A/RES/75/291, PARA. 116



The promotion and protection of the rights of victims and survivors of terrorism and counter-terrorism require a human rights-based approach to terrorist designation procedures and criminal justice proceedings and investments in long-term accountability mechanisms underpinned by robust adherence to the rule of law and the international law requirements of proportionality, necessity, legality, and non-discrimination.^[13]

Only such an approach will render effective and fulsome justice and redress to victims and survivors of terrorism—and at the same time, safeguard against the misapplication of the justice system against individuals subject to counter-terrorism efforts, particularly baseless prosecutions and judicial harassment.

Further, any individual subject to human rights abuse in the context of terrorism, whether stemming from terrorist acts or counter-terrorism efforts, should be granted the requisite access to effective remedy, redress, and holistic, psychosocial, and trauma-informed care, as required under international and human rights law.

Finding 4

Open civic space, effective counter-terrorism, and the advancement of security are complementary and mutually reinforcing objectives.

As recognized by Member States in the Seventh Review of the UN Global Counter-Terrorism Strategy, CSOs play a “vital role . . . in national economies and social systems” and “can play [a role] in working with affected individuals and communities.” [14] In particular, civil society actors, especially local, community-based organisations and women’s-based organisations may “enhance dialogue and broaden understanding, in promoting pluralism, tolerance and co-existence,” a reality that must be addressed to realize the objectives of Our Common Agenda’s aim for “more inclusive multilateralism.” [15]

However, despite the common invocation of counter-terrorism as a justification for cracking down on civic space, researchers have found no evidence to date to support the proposition that legal restrictions on civil society reduce the threat of terrorism. [16] In fact, independent experts and scholars have repeatedly found that civil society participation and civilian oversight play an invaluable role in strengthening the effectiveness of counter-terrorism efforts. [17]



“IF THE POPULATION OF A COUNTRY DOES NOT SEE ITS REFLECTION IN THE STRATEGIES THAT ARE USED, THAT ARE BEING ADOPTED OR CO-OPTED... [THOSE POLICIES] WILL ULTIMATELY FALTER.”

-MARIAM SAFI-

EXECUTIVE DIRECTOR, ORGANIZATION FOR POLICY RESEARCH AND
DEVELOPMENT STUDIES (DROPS), AFGHANISTAN
CIVIL SOCIETY WORKSHOP, 9 MAY 2022



The evidence demonstrates that conflict is one of the strongest predictors of terrorism.[18] Other drivers include human rights violations, social, political, and economic marginalization, and the erosion of the rule of law, among others. A strong, resilient and vibrant civil society helps to build public trust and squarely address the conditions conducive to the rise of terrorism and violent extremism in the first place, including where such terrorism is sponsored by the State itself.

Finding 5

Significant civil society, human rights, gender, and accountability deficits remain within the UN counter-terrorism architecture, including a failure to coordinate UN obligations and efforts in the areas of human rights, gender equality, women's rights, and counter-terrorism.

The 2006 General Assembly resolution adopting the UN Global Counter-Terrorism Strategy "encourage[d] non-governmental organisations and civil society to engage, as appropriate, on how to enhance efforts to implement the Strategy." The resolution also called for "support" to the Human Rights Council, the "strengthening of the operational capacity of the Office of the United Nations High Commissioner for Human Rights," and the "role of the Special Rapporteur" on the promotion and protection of human rights while countering terrorism. [19]

In the Seventh Review, the General Assembly further recognized "that civil society actors should be further enabled to contribute to the goals of the Strategy, and in this regard not[ed] the Secretary-General's guidance to the United Nations system" (citing the UN Guidance Note on the Promotion and Protection of Civic Space); and encouraged Global Counter-Terrorism Coordination Compact entities to "support the role of civil society actors in the design, implementation, and monitoring of the Strategy." [20]

Despite these provisions, significant challenges remain for meaningfully and regularly engaging with CSOs, integrating a coordinated, one-UN approach, and mainstreaming human rights and gender within the UN counter-terrorism architecture and more broadly in national, regional and global security fora. Independent experts and CSOs have expressed concerns regarding the inadequate, ad hoc, and opaque nature of UN counter-terrorism entities' engagement with CSOs to date. [21]

Even when civil society actors are engaged, their presence is often instrumentalized, their recommendations not taken into account or reflected in statements or actions taken among decision makers and there remains a lack of accountability on the methods for reporting back to civil society how their expertise was meaningfully engaged.



"PARTICIPATION COMES AT A COST TO CIVIL SOCIETY. FOR ADVOCATES LIKE ME THAT COME FROM COUNTRIES DESIGNATED AS "THIRD COUNTRIES," THE COST OF PARTICIPATION IS EVEN HIGHER."

– VICTORIA IBEZIM OHAERI –
EXECUTIVE DIRECTOR
SPACES FOR CHANGE (NIGERIA)

HIGH-LEVEL INTERNATIONAL CONFERENCE
ON HUMAN RIGHTS, CIVIL SOCIETY, AND
COUNTER-TERRORISM | 10 MAY 2022



They have also observed human rights and rule of law deficits in UN counter-terrorism programming and policies, particularly in the absence of any independent monitoring and evaluation or oversight.[22] The United Nations has continued to find, as noted in the introduction, that peacebuilders, civil society actors, human rights defenders and others who belong to marginalized groups (women, youth, ethnic and religious minorities, and others) are disproportionately impacted by these deficits.



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- A/HRC/43/70, PARA. 64



Recommendations

The following recommendations align with existing recommendations produced by the United Nations and civil society and in the context of the next Eighth Review of the Global Counter-Terrorism Strategy present key opportunities to advance human rights, gender equality, and civic space issues within the United Nations counter-terrorism architecture. The recommendations are informed by the Civil Society Workshop and preceding consultations organized by the Special Rapporteur with civil society from 43 countries, the Outcome of the Global Digital Consultation: Voices and perspectives of civil society on the gendered dimensions of violent extremism and counter-terrorism responses, the Secretary-General's Call to Action on Human Rights, the Sustainable Development Goals imperative to leave no one behind, and the United Nations Guidance Note on the Protection and Promotion of Civic Space.

Recommendations to the United Nations Secretary-General



01. Facilitate

a process for the next Secretary-General's report that robustly engages civil society, including through dialogue with the Executive Office of the Secretary-General (EOSG) to meaningfully address the issues of monitoring and evaluation, human rights due diligence, budget, independent oversight, UN coordination and coherence, and increased integration of human rights norms and recommendations within UN counter-terrorism, as outlined in A/RES/75/291. Such a practice would follow the leadership and practice of the co-Chairs of the Seventh biennial review by encouraging and supporting similar inclusion and meaningful participation of civil society in advance of the forthcoming Eighth biennial Global Counter-Terrorism Strategy Review.



02. Establish

a standing committee for the biennial Secretary-General's report, which accounts for meaningful civil society engagement in the process. Following UN Women's model for the annual report on women, peace and security, the EOSG and UN Office of Counter-Terrorism (UNOCT) should establish a standing committee of United Nations entities and include early and transparent consultation and integration of inputs received throughout the processes for drafting and revision. Such processes should meaningfully include diverse and representative civil society participation and contribution at each stage, including through formal decision-making spaces, formal acknowledgement of their leadership role, incorporation of their recommendations in the eventual outcome, subsequent reporting thereof to civil society and affected communities, and fulsome engagement in monitoring, evaluation, and accountability mechanisms.

Recommendations to the United Nations Secretary-General



03. Implement

the existing commitment to allocate a minimum of 15 per cent of all UN managed funds on counter-terrorism to human rights and gender equality. Commitments to mainstreaming gender and human rights throughout peace and security within the United Nations should fully apply in the counter-terrorism context. In addition, support should be allocated from existing discretionary funds to the Global Compact Working Group on Human Rights, Rule of Law and Victims of Terrorism and the Working Group on Gender to undertake this planned process (S/2019/800, para. 73).

RECOMMENDATIONS TO THE UNITED NATIONS OFFICE OF COUNTER-TERRORISM, INCLUDING AS SECRETARIAT TO THE UNITED NATIONS GLOBAL COUNTER-TERRORISM COORDINATION COMPACT



01. Adopt

a revised Civil Society Engagement Strategy within the next year and in advance of the next Strategy Review that includes civil society in the development process. The entire Strategy should be made public and should demonstrate compliance with and next steps towards implementation of the United Nations Guidance Note on Protection and Promotion of Civic Space. The United Nations existing Guidance Note exemplifies good practice in promoting and protecting civic space and safeguarding the rights of civil society members. It should serve as the baseline for all United Nations Global Compact entities and their work with civil society. This strategy should include commitments to follow the example set by the civil society workshop to elevate civil society findings, prioritize civil society leadership and translate civil society recommendations into tangible policy oriented objectives within the UN system.



02. Standardize

a set of required implementation measures for human rights due diligence and other UN normative standards. Ensure the full application of the United Nations Human Rights Due Diligence Policy by creating standard procedures for programme and project inception and programme monitoring and evaluation over the full life span of a programme or project within the United Nations Global Counter-Terrorism Coordination Compact and member entities. Such programmes may include capacity-building and technology transfers involving cyber surveillance technologies, drones, weapons, and new technologies.

Recommendations to the United Nations Office of Counter-Terrorism, including in its role as secretariat to the United Nations Global Counter-Terrorism Coordination Compact



03. Initiate

in full partnership with civil society, transformative approaches to civil society engagement including listening to and addressing the evidence produced by civil society engagement and creating concrete methods to report back to civil society on key milestones or benchmarks reached towards shared objectives and progress on recommendations made. The United Nations must hold itself to greater levels of accountability to civil society, many of whom assume great risk, including threats of reprisal, to share their expertise and recommendations. Models for meaningful participation of civil society in counter-terrorism exist within the United Nations, such as those included in the UN Guidance Note or as modeled by the UN Secretary-General's report on women, peace and security (S/2017/861) and UN Women's work in this area.

Recommendations to Member States of the United Nations

In advance of the Eighth Global Counter-Terrorism Strategy Review in 2023, Member States should advocate for the following recommendations, engaging with the Special Rapporteur and this group of civil society organisations through key exercises in 2022 and 2023. Member States should:



01. Establish

an adequately resourced and appropriately mandated independent internal oversight mechanism of the United Nations counter-terrorism architecture and call upon the United Nations Secretary-General to meaningfully address this issue and set forth concrete recommendations in his forthcoming 2023 report to the General Assembly as mandated by A/RES/75/291.



02. Strengthen

domestic legal and policy frameworks that promote and protect fundamental freedoms and human rights in the counter-terrorism context, including freedom of expression, peaceful assembly and association, religion and belief, rights to privacy, and due process in accordance with international law—including pursuant to customary international law and treaty law.

Recommendations to Member States of the United Nations



03. Increase

significantly the direct financial commitments to independent national level civil society organisations to carry out dedicated human rights, civic space, and gender equality programming in counter-terrorism, violence prevention, and beyond. Civil society should not be relegated to the role of the United Nations' implementing partners and Member States should increase direct funding to civil society organisations to work on identified peace and security priorities as locally-defined, including in contexts affected by terrorism and misuse of counter-terrorism measures. Increased financial support on gender equality should also be channeled directly to civil society organizations in line with the institutional changes and investments made across the system, such as the Women's Peace and Humanitarian Fund.



04. Strengthen

the roles of entities mandated to lead the UN system on human rights and gender equality and women's empowerment through increased financial support, specifically the Office of the United Nations High Commissioner for Human Rights, UN Women, and the UN Special Rapporteur on the promotion and protection of human rights while countering terrorism.



05. Meaningfully engage

independent, diverse, and representative civil society and affected communities as partners at the national level in the design, development, implementation and evaluation of counter-terrorism measures, including the criminalization of terrorism, terrorist financing, and violent extremism offenses and preventative administrative measures, in line with the principles of do no harm and the right to take part in public affairs. Such meaningful and inclusive participation requires the provision of flexible funding for civil society-led initiatives, inclusion in formal decision-making spaces, formal acknowledgement of their leadership role, incorporation of their recommendations in the eventual outcome and subsequent reporting thereof to civil society and affected communities, and fulsome engagement in monitoring, evaluation, and accountability mechanisms. Member States and the United Nations should learn from existing guidance, including from UN Women on what constitutes meaningful participation. The standard set for civil society engagement by the last Global Counter-Terrorism Strategy Review, co-facilitated by Spain and Oman, should be implemented as standard practice, along with the model set by the Civil Society Workshop.

Recommendations to Member States of the United Nations



06. Implement

the recommendations of civil society and independent women and women-led civil society organisations through the Global Digital Consultation, specifically addressing the realization of the rights of women under CEDAW, promoting and protecting women human rights defenders, and supporting their work through flexible and long-term resources. Member States must align their commitments and obligations on women's human rights and the women, peace and security agenda with their actions in countering terrorism and preventing and countering violent extremism conducive to terrorism.



07. Ensure

that counter-terrorism measures comply with the international requirements of legality, proportionality, necessity, and non-discrimination and do not negatively affect civil society, including by only implementing counter-terrorism measures necessary for and narrowly tailored to an empirically and inclusively identified risk and instituting independent, civilian oversight mechanisms to remedy human rights violations resulting from measures adopted in the name of countering terrorism, violent extremism, and threats to national security.



08. Unambiguously exempt

humanitarian action from measures criminalizing terrorism support. Efforts to limit the negative effect of counter-terrorism measures, including sanctions, should also extend to the full range of civil society actors playing critical roles in conflict, including human rights, development, peacebuilding, and the delivery of essential services. Work collaboratively with all entities funding and/or delivering humanitarian assistance, as well as banks and private sector actors, to ensure that counter-terrorism measures do not unlawfully stigmatize or restrict the legitimate, protected activities of women-led and women's rights organisations, refugee/displacement-lead networks, rural communities and other groups often excluded from security policy spaces.

Acknowledgements

This outcome document was produced by civil society from 43 countries through a series of consultations, including the Civil Society Workshop on 9 May 2022 co-organized by the Kingdom of Spain and the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. The preparation of the Outcome Document was led by the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

The Civil Society Workshop was made possible through the generous contribution of the Kingdom of Spain and its Permanent Mission to the United Nations in New York.

The United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism is dedicated to providing support, technical assistance, and expertise to States, UN entities, civil society, and other relevant stakeholders. The mandate was established in recognition that as incidents of terrorism continue, the misuse of legislation and policies to combat terrorism have grown with an adverse impact human rights and fundamental freedoms.

The mandate was established to:

- Promote and ensure the protection of human rights and fundamental freedoms by recommending rights-compliant counter-terrorism legislation and policies;
- Offer support, technical assistance, and expertise to States, UN entities, civil society and other relevant stakeholders; and
- Be responsive to the shifting landscape of counter-terrorism and anticipating long-term needs and strategies.

Since 1 August 2017, Fionnuala Ní Aoláin has been the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

Endnotes

[1] The consultations were hosted on behalf of the Gender Working Group of the United Nations Global Counter-Terrorism Coordination Compact, organized the global digital consultation on “Voices and perspectives of civil society on the gendered dimensions of violent extremism and counterterrorism responses”, from 25 May to 5 July 2020.

[2] A/RES/75/291, p. 4.

[3] A/RES/74/247 (2020), preambular text.

[4] A/HRC/40/52, para. 4.

[5] A/RES/72/284, para. 60.

[6] A/RES/72/284, para. 109.

[7] A/74/677, para. 36.

[8] UN Deputy Secretary-General's remarks to the Security Council on behalf of the Secretary-General on the protection of civilians and the preservation of humanitarian space, 16 July 2021.

[9] See, e.g., UN Special Rapporteur, 2021 Position Paper on the Impact of Counter-Terrorism Targeted Sanctions on Human Rights; ICRC, “ICRC calls on States to ensure counter terrorism measures do not negatively impact humanitarian action,” UNGA 76th Session, Sixth Committee Plenary Meeting on Measures to Eliminate International Terrorism, 8 October 2021; Emanuela – Chiara Gillard, IHL and the humanitarian impact of counterterrorism measures and sanctions, 3 September 2021, Chatham House Research Paper; Interaction, Detrimental Impacts: How Counter-Terror Measures Impede Humanitarian Action, April 2021.

[10] See Emanuela – Chiara Gillard, IHL and the humanitarian impact of counterterrorism measures and sanctions, 3 September 2021, Chatham House Research Paper.

[11] A/RES/75/291, p. 7.

[12] A/RES/75/291, para. 116.

[13] A/HRC/20/14.

[14] A/RES/75/291, p. 17, para. 59; id., pp. 14-15, paras. 44, 47.

[15] <https://www.un.org/en/un75/common-agenda>.

[16] See A/HRC/40/52, para. 10 (citing Jeong-Woo Koo and Amanda Murdie, “Liberty or security: do civil society restrictions limit terrorism?”, Center for Strategic and International Studies blog post, 4 June 2018).

[17] See id.; see also Statement by Maina Kiai, United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, Financial Action Task Force Consultation and Dialogue Meeting with Non-Profit Organisations, 18 April 2016.

[18] Global Terrorism Index 2022 report, pp. 33-34.

[19] A/RES/60/288, p. 9, paras. 7-8.

[20] A/RES/75/291, p. 4; id., p. 9, para. 10; see also Secretary-General 2020 Call to Action for Human Rights and UN Guidance Note on the Promotion and Protection of Civic Space.

[21] Special Rapporteur, A/76/261, paras. 39-42; A/HRC/34/61, para. 63; IPI, Engagement with Civil Society: The Missing Piece in UN Counterterrorism Efforts, 23 June 2021; Global Center, A Blueprint for Civil Society-Led Engagement in UN Counterterrorism and P/CVE Efforts, March 2022.

[22] A/76/261, Sec. V.