

2016 OSCE-wide Counter-Terrorism Conference

Preventing and Countering Violent Extremism and Radicalization that Lead to Terrorism

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Address by

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Excellencies,

Ladies and Gentlemen,

It is my great pleasure and honor to open the second day of the OSCE annual counter-terrorism conference.

We all know that the OSCE is built on a cross-dimensional approach to security, and anchors counter-terrorism efforts in the respect for human rights and the rule of law. It is therefore particularly relevant that an entire session of this conference is dedicated to the protection of human rights and good governance.

Human rights violations and the lack of rule of law have for long been identified among the conditions conducive to terrorism. Conversely, human rights protection and the fight against terrorism have been acknowledged as complementary and mutually reinforcing objectives. Human rights protection and the respect for the rule of law have for long been recognized not only as States' international obligations but

also as indispensable to effectively prevent and counter terrorism as well as Violent Extremism and Radicalization that Lead to Terrorism (“VERLT”).

The OSCE participating States have repeatedly pledged to counter terrorism in compliance with their international human rights obligations. Most recently, they reiterated such commitment in the Belgrade Ministerial Declaration (MC.DOC/4/15) on preventing and countering VERLT. At the international level, the UN Global Counter-Terrorism Strategy (Pillars I and IV), the UN Secretary General Action Plan on Violent Extremism, the Human Rights Council resolution on human rights and violent extremism, to give a few examples, have underscored the crucial role played by human rights and the rule of law in the prevention of terrorism.

Yet, we see that such commitments still have to be translated into reality. Unfortunately, it is not hard to find numerous examples for this anywhere in the OSCE region. We have in the recent past seen many cases of torture and other forms of ill-treatment, sometimes

tolerated by the state, sometimes with tacit or even explicit agreement of its authorities. With technology advancing at a breathtaking pace, we note with concern that the right to privacy is acutely endangered. The tool of data retention, as powerful as it may be, is a dangerous one. In many instances, the fine line between an effective measure to counter terrorism and a violation of the human rights of those who were supposed to be protected was crossed, and these measures had to be struck down by courts. Too often, state authorities need to be reminded that while providing security to their citizens is an important task, guaranteeing freedom as a fundamental human right is their obligation.

Excellencies,

Ladies and Gentlemen,

ODIHR continues to stand ready to assist OSCE participating States in meeting their human dimension commitments in the fight against terrorism. In line with its mandate, my Office offers a wide-range of practical tools and expertise, such as our manuals on Countering

Terrorism, Protecting Human Rights and on Human Rights in Counter-Terrorism Investigations or our Guidebook on Preventing Terrorism and Countering VERLT: A community policing approach, some of them produced jointly with the OSCE Secretariat Transnational Threats Department.

In the coming years, we will continue to offer capacity-building activities and policy tools on topical counter-terrorism issues. A joint project with the International Commission of Jurists will focus on the human rights compliance and gender-sensitiveness of measures to counter the phenomenon of foreign terrorist fighters. We have already had some participating States benefitting from technical assistance and we encourage you to take advantage of ODIHR's expertise. ODIHR also welcomes requests from the participating States to review (draft) legislation relating to anti-terrorism, which can serve to strengthen States' compliance with human rights and the rule of law.

Excellencies,

Ladies and Gentlemen,

It is my hope that our discussion today will underline the pivotal role that human rights and the rule of law play in reducing the spread of terrorism, and identify concrete measures to be taken by States in this regard.

Terrorism is a threat to peace, stability, freedom, and democracy and we should spare no efforts to protect citizens from terrorist acts in all States. Terrorism cannot be tolerated and we must fight it. But today, when this issue is so high on the agenda across the OSCE region, it is important to always remember that the fight against terrorism requires respecting and protecting human rights — as security and human rights are two sides of the same coin. To strengthen the effectiveness of our efforts to prevent VERLT, it is of utmost importance to abide by the values of democracy, rule of law, human rights and tolerance that form the basis of our Organization.

As the UN Secretary General said, VERLT “does not arise in a vacuum, [...]”. Violent extremist narratives are particularly “attractive

where human rights are being violated, good governance is being ignored and aspirations are being crushed”.

It is my firm conviction that creating open and equitable societies based on the respect for human rights, good governance, tolerance; characterized by well-functioning justice system, real and equal economic, social and political opportunities for all men and women is the most meaningful strategy to prevent VERLT and terrorism. States throughout the OSCE region should realize and fully utilize the potential that the protection of human rights and good governance represent to address the root causes of VERLT.

Respect for human rights and the rule of law is also a pre-condition to the success of measures to counter VERLT. Such measures have seriously interfered with a number of human rights throughout the OSCE region. Let me underline a few of them in more detail:

- **Overly-broad definitions of “extremism”, “violent extremism”, and “radicalization”** continue to be used to clamp

down on otherwise lawful and non-violent activities of individuals and groups, to silence dissenting voices and to limit the space for civil society.

- **As already mentioned, the violation of the absolute prohibition of torture and other forms of ill-treatment** continue to characterize a number of policies and practices pertaining to VERLT in the OSCE region.
- The same goes for **undue restrictions on freedom of expression, freedom of religion or belief, freedom of assembly, freedom of association and, very importantly, the right to privacy.**
- Some OSCE participating States continue to interpret the current context and necessity to strengthen the prevention of terrorism as allowing **for exceptional measures to become the norm.**
- **The lack of democratic and effective oversight** of intelligence and security services' activities and impunity for human rights violations persist in a number of OSCE participating States' efforts to prevent and counter VERLT.

Violations of international human rights standards committed in the name of security, such as those I mentioned, are the enemy of any effective responses to VERLT. Rather, they facilitate VERLT by stigmatizing particular individuals groups and alienating them, thus making them potentially vulnerable to terrorist narratives and, as a result, allowing terrorist groups to flourish. In short, we cannot fight terrorism using the very measures that terrorist groups themselves resort to. And heavy-handed measures in violation of human rights and the rule of law tend to generate more risks of violent extremism and terrorist radicalization.

Excellencies,

Ladies and Gentlemen,

Challenges have to be faced. Obstacles have to be overcome. In the field of counter-terrorism I am confident that we can address them together. Our discussion today shall be guided by the OSCE fundamental principle that security can only be maintained through the promotion and protection of human rights and the respect for the

rule of law. Respecting human rights and the rule of law is not only a matter of principle, but it is vital to effectively prevent and counter Violent Extremism and Radicalization that Lead to Terrorism. I'm looking forward to discuss this topic with you in the coming session.

Thank you.