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Countering Terrorism and Violent Extremism

The Role of the United Nations Today and the Impact of
Security Council Resolution 2178

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On 24 September 2014, UN Secretary-General Ban Ki-moon told a special session of the UN Security Council that “[t]he world is witnessing a dramatic evolution in the nature of the terrorist threat. . . . Eliminating terrorism requires international solidarity and a multifaceted approach—among the many tools we must use, we must also tackle the underlying conditions that provide violent extremist groups the opportunity to take root.”¹ He spoke as the United Nations and its member states raised their own concerns and vowed to take collective action to thwart a global terrorism threat that is not only more diffuse and transnational, but increasingly mobile, adaptable, and brutal. A recent UN report illustrates how the Islamic State in Iraq and the Levant (ISIL), as a splinter group of al-Qaida, is shaped by the contemporary conflict environment and uses its considerable resources and sophisticated communications technologies to attract international support and recruits from far and wide.² This is not a threat any country or region can address alone.



Security Council summit adopts resolution on foreign terrorist fighters,
24 September 2014.
UN Photo by Mark Garten.

Reflecting that, U.S. President Barack Obama spearheaded the development of an international coalition to “degrade and ultimately destroy” ISIL. One key element of this collective response was the unanimous adoption of Security Council Resolution 2178, cosponsored by more than 100 states from among the General Assembly’s membership.³ Thirteen years after the attacks of 11 September 2001 and the subsequent adoption of Security Council Resolution 1373, the United Nations is confronting an

international call for a response to new iterations of a violent, transnational, nonstate group that has the declared aim of fomenting regional instability and threatens international peace and security.

Although the council took decisive—many have said controversial—action in adopting Resolution 1373, there was uncertainty about how the United Nations could effectively respond to the evolving security challenge after the attacks of 11 September and how it could support nonmilitary approaches to combating terrorism. As early as 2002, the United Nations was identified as having a comparative advantage in dissuading would-be terrorists, deterring states from supporting them, denying them safe haven and resources, developing state capacities, and defending human rights—the “five Ds” elucidated by Secretary-General Kofi Annan in 2005.⁴ These five core principles have shaped multilateral counterterrorism efforts, most notably the UN Global Counter-Terrorism Strategy adopted by the General Assembly in 2006, which reflects a more comprehensive approach that includes preventive efforts, sanctions, law enforcement, and legal measures, as well as a human rights dimension. The establishment of the Counter-Terrorism Implementation Task Force (CTITF) gave the world body a central platform to coordinate the terrorism- and violent extremism-related activities of 34 entities.

As a result, the United Nations is in a very different position now than it was in September 2001. During this time, it has evolved and now has more mandates, resources, and personnel to address the threat of global terrorism. Moreover, the litany of capacity-building activities supported by the United Nations and its member states testifies to the recognition by Security Council members that, in order to meet all council-mandated obligations, many states require technical assistance and support.⁵

Although the council has been criticized for adopting resolutions such as 1267 and 1373 under Chapter VII of the UN Charter and for adopting sweeping universal regimes with no limits or “sunset clauses,” in many ways the UN counterterrorism regime today can be seen as much as a product of the General Assembly as it is of the council.⁶ Between 2001 and 2013, nearly 70 states have joined the council as elected members (some serving twice in this period), often playing important roles in shaping resolutions and council actions. For example, Australia, Croatia, and India have served as chairs of subsidiary bodies such as the Counter-Terrorism Committee. Germany, Jordan, Lebanon, Pakistan, and South Africa, among others, have been proactive in shaping the council’s counterterrorism work. Countries such as Australia, Jordan, and Portugal have played an important role in highlighting the council’s role in terrorism prevention and countering violent extremism (CVE) efforts. During reviews of the Strategy, member states have reaffirmed a commitment to the UN approach, and many have undertaken to provide capacity-building assistance through various UN entities.

The multilateral counterterrorism landscape in 2014 has evolved significantly over the past 13 years. New international actors have emerged and sought to play active roles in shaping regional and international norms and counterterrorism engagement in ways that

support implementation of the Strategy. Notably, the Global Counterterrorism Forum (GCTF), an informal body of 29 countries and the European Union, has emerged as an active platform for the development of nonbinding good practices memoranda and for the delivery of capacity-building assistance. Under its aegis, three institutions have emerged to address specific aspects of counterterrorism. In Abu Dhabi, Hedayah was established to focus on CVE research, training, and dialogue; in Malta, the International Institute for Justice and the Rule of Law (IIJ) was established to focus on criminal justice aspects of counterterrorism and CVE activities; and the Global Community Engagement and Resilience Fund (GCERF) was recently launched to facilitate support for grassroots community and civil society organizations working to build resilience against violent extremism. Regional and subregional organizations such as the European Union, Intergovernmental Authority on Development, and Economic Community of West African States have sought to enhance engagement on these issues and support member state and partner initiatives. Coordination among such stakeholders at headquarters and in the field is critical to ensuring complementarity among their projects and responsiveness to local and national needs and capacity gaps in their activities.

Therefore, considerations of the impact of Resolution 2178 must take these developments into account. The following section addresses the resolution's effect on the United Nations and its membership and offers some recommendations for implementation.

New Opportunities and Challenges

Introduced by the United States during its Security Council presidency in September, Resolution 2178 comprises four broad sections. The first section focuses on the obligation of all states to address the threat posed by foreign terrorist fighters (FTFs) through the implementation of effective border controls, the issuance of travel documents, and the exchange of operational information concerning actions or movements of terrorists or terrorist networks. The second section emphasizes the importance of improving international cooperation for the prevention of travel by terrorists or terrorist networks by sharing information and best practices, assisting with criminal investigations and proceedings, and building capacity among member states. The third section highlights the importance of community engagement and countering violent extremism while the fourth section discusses the role of the United Nations in addressing the foreign fighter threat through the use of the al-Qaida sanctions list when applicable and UN counterterrorism bodies such as Counter-Terrorism Committee Executive Directorate (CTED) and the CTITF.

This departure from the approach used in Resolution 1373 is notable. The text of Resolution 2178 is far stronger on human rights, and in a first instance in a Chapter VII resolution, efforts to prevent radicalization and recruitment are deemed an “essential

element” in addressing the threat posed by foreign fighters. Further emphasizing the need for CVE activities, member states are encouraged to

engage relevant local communities and non-governmental actors in developing strategies to counter the violent extremist narrative that can incite terrorist acts, address the conditions conducive to the spread of violent extremism, which can be conducive to terrorism, including by empowering youth, families, women, religious, cultural and education leaders, and all other concerned groups of civil society and adopt tailored approaches to countering recruitment to this kind of violent extremism and promoting social inclusion and cohesion.⁷

The broad support the resolution received from UN member states reflects the perception that it responds to a challenge confronting many states concerned about being points of origin or transit or destinations for FTFs. Although foreign fighters have historically been a part of many conflicts, the sheer scale of involvement, estimated at around 15,000 foreign fighters from more than 80 countries, has states rattled.⁸ One expert noted that the number of fighters streaming into Syria and Iraq over three years has exceeded those flowing into Afghanistan over more than a decade. Beyond their ability to exacerbate and prolong existing conflicts and spread instability, FTFs have prompted governments to be concerned about the return of battle-hardened citizens exposed to radicalizing ideology and inclined to recruit or act on behalf of groups such as ISIL, which, as Secretary-General Ban recently tweeted, should be renamed “the Un-Islamic Non-State.”⁹ To some member state representatives and experts, the adoption of the resolution represents the United Nations’ ability to be responsive to evolving threats and member state needs, and the broad support that the resolution has received has been due in part to the effort to incorporate language into the text on protecting human rights and ensuring compliance with international humanitarian law and obligations.

Others criticized the resolution as a return to “post-9/11 panic” and expressed concerns that the broad and vague language may allow states to impose draconian constraints on those it deems to be terrorists with little or no guidance for determining the criteria for defining an FTF. Although commending the language on CVE issues and community engagement, practitioners questioned whether it may serve as a means for governments to enhance control over community organizations and civil society because there is little detail to inform states’ implementation of these efforts.¹⁰ Moreover, practitioners have raised concerns that rather than integrate these new obligations into the existing reporting and compliance regime, the new obligations will pose an undue burden on national governments and local actors already struggling to ensure compliance with existing counterterrorism protocols. Donor coordination at headquarters and in the field is already challenging in many cases; hurried efforts to further implementation may lead to resistance in countries already finding it difficult to absorb counterterrorism assistance.¹¹

Ensuring Balanced Implementation Going Forward

Resolution 2178 is quite clear in tasking specific subsidiary bodies of the Security Council with implementation efforts. The resolution directs CTED “to devote special focus to the threat posed by foreign terrorist fighters recruited by or joining ISIL, [al-Nusra Front,] and all groups, undertakings and entities” associated with al-Qaida.¹² The Al-Qaida Analytical Support and Sanctions Monitoring Team is encouraged “to coordinate its efforts to monitor and respond to the threat posed” by FTFs with other UN counterterrorism bodies, in particular the CTITF.¹³

CVE concepts and community engagement have been increasingly stressed as part of the United Nations’s broader counterterrorism efforts. In December 2013, CTED’s new mandate emphasized its role in assessing implementation of Resolutions 1373 and 1624 and subsequent iterations, such as Resolution 1963, which has provided the space for CTED to engage more proactively on issues relating to CVE topics and community engagement and human rights, which includes a gender dimension as highlighted in Resolution 2129. The adoption of Resolution 2178 highlights the critical need for effective multilateral efforts to address such a transnational threat. Although the resolution has elicited much concern about the possibility of draconian constraints on civil society and citizens, efforts to implement it offer UN actors the possibility of ensuring that new initiatives adopted under the Resolution 2178 rubric comply with international human rights obligations and humanitarian law and are undertaken in a manner that reinforces the key principles and messages enshrined in the UN Charter. Moreover, it will be critical to ensure that persistent concerns about weak coordination and duplication of efforts are proactively addressed.

The following key principles and practical recommendations highlight some opportunities presented by Resolution 2178 for the United Nations to strengthen its counterterrorism engagement and ensure it is responsive to the current threat landscape.

Integrate Resolution 2178 obligations into existing frameworks where possible.

Resolution 2178 compliance reviews should become part of the assessment process, which includes CTED’s work, such as its ongoing implementation surveys and assessments and country visits, in conjunction with partners from functional regional organizations, and the Al-Qaida Sanctions Monitoring Team’s operations, which could include FTF-relevant analysis as has been included in its most recent report.

CTITF members should include FTF-related topics in the work stream of relevant CTITF working groups, including those on conditions conducive to the spread of terrorism and on criminal justice and the rule of law. In response to the call for greater CVE and community engagement work, the working group on conditions conducive to the spread of terrorism should commission studies on the drivers of FTFs and develop recommendations for community

engagement initiatives that the United Nations could support with relevant partners, including the recently established GCERF.

Make creative use of interagency platforms to develop collaborative responses.

The CTITF could develop a plan of action on implementation of Resolution 2178 with relevant member entities, including the Office of the UN High Commissioner for Human Rights (OHCHR); UN Development Programme; UN Educational, Scientific and Cultural Organization; UN Women; and UN Alliance of Civilizations, whose work relates to CVE efforts and community engagement.

When possible, CTED assessments of threats, responses, and capacity gaps should draw on joint analysis by CTED and the Al-Qaida Sanctions Monitoring Team and include inputs from CTITF members working on relevant issues.

An informal group of focal points on FTFs from CTED, the Al-Qaida Sanctions Monitoring Team, CTITF, and partners such as the GCTF could help ensure information flow and coordination among key stakeholders.

Workshops and projects related to implementation of Resolution 1624 could include exploration of the CVE aspects of Resolution 2178 with a focus on addressing incitement to travel for the purposes of joining a terrorist group or perpetrating an attack.

UN Women's membership in the CTITF offers the opportunity to integrate a gender perspective into implementation of Resolution 2178, reflecting the Security Council's intentions as expressed in Resolution 2122.¹⁴

Ensure that implementation efforts comply with international human rights obligations and international humanitarian law, as highlighted in the resolution.

CTED can use the large body of data it collects from assessments and site visits to inform guidance for member states, including good practices, challenges, and priorities for assistance providers, such as the UN Office on Drugs and Crime (UNODC), on measures that can be used to implement Resolution 2178, to channel their support and programming in a focused, needs-based manner.

CTED should identify member state capacity-building needs relating to implementation of Resolution 2178, and UNODC should offer capacity-building assistance to ensure new legislation is compliant with existing international human rights obligations and humanitarian law. CTED and UNODC should work with CTITF members such as OHCHR and UN Women to incorporate gender and human rights dimensions into their work.

CTED and UNODC can work with the IJJ to integrate aspects related to implementation of Resolution 2178 into its training curriculum.

Deepen engagement among UN headquarters, member state capitals, and field-based actors.

The Secretary-General should appoint a high-level representative on countering violent extremism to be the UN focal point for CVE issues and provide strategic coherence to current countering extremism initiatives. This new position is currently being advocated by several member states, including Australia, the current president of the Security Council. The high-level representative could work to ensure that the United Nations does more to help develop credible counternarratives to extremism and to ensure that the rehabilitation and reintegration of returning FTFs, for example, is more effective by involving experts within the UN system. The high-level representative could also foster the exchange of good practices and practical support among member states.

As part of its focus on strengthening counterterrorism capacities in member states, the UN Counter-Terrorism Centre (UNCCT) could work with states and relevant partners to develop CVE-related community engagement initiatives with UN country teams in priority countries.

Donors and partner states should be proactive about coordination at headquarters, in capitals, and at field level, engaging with local and national governments, key stakeholders in different ministries, and civil society in the development and implementation of regional and national programs. As part of this effort, informal working groups may be set up locally to support coordination on CVE engagement and help ensure complementarity among national and local priorities.

The CTITF and UNCCT should support training and awareness-raising workshops on CVE concepts and good practices for UN personnel in key missions and relevant practitioners in member states.

Capacity-building efforts for border officials, law enforcement, and financial bodies should be integrated into existing and planned trainings related to implementation of Resolution 2178 with consideration for ensuring respect for human rights and the rule of law.

Strengthen partnerships for enhancing strategic CVE engagement.

The CTITF and UNCCT should engage with partners such as the GCTF, EU, and Organization for Security and Co-operation in Europe to develop complementary CVE initiatives so they do not exceed the absorption capacities

of implementing partners, particularly at the local and national levels. A joint action plan or informal strategy could help optimize synergies between future projects relating to FTFs.

CTED could engage proactively with civil society organizations as part of its country visits and in developing assessments of capacity-building needs.

The CTITF should convene a civil society advisory board to inform the development and implementation of community engagement initiatives to counter violent extremism and enhance partnerships in the field between communities and the United Nations.

The CTITF should develop a proactive communications strategy on three levels: UN personnel, member states, and the broader public. This strategy could highlight the evolution of multilateral counterterrorism efforts in light of the coming 10th anniversary of the adoption of the Strategy and reiterate a narrative that highlights human rights and the rule of law as fundamental elements in addressing terrorism and violent extremism.

Conclusion

This policy brief has explored the impact of Resolution 2178 on international counterterrorism efforts with a particular focus on countering violent extremism, and reflected on how the UN could support implementation efforts. There have been concerns that adding a new dimension of work to the already dense bureaucratic architecture could impede coordination and increase the likelihood of duplication, but the above key principles and action ideas offer suggestions for enhancing the effectiveness of existing UN resources and activities and adapting them to address the resolution's goals. As complex conflict dynamics such as FTFs challenge the United Nations' role and ability to respond effectively and uphold the values of the UN Charter, the world body should adopt an approach that is cognizant of existing efforts but also strategic in adding value.

Endnotes

¹ "Secretary-General's Remarks to Security Council High-Level Summit on Foreign Terrorist Fighters," 24 September 2014, <http://www.un.org/sg/statements/index.asp?nid=8040>.

² UN Security Council, "Letter Dated 27 October 2014 From the Chair of the Security Council Committee Pursuant to Resolutions 1267 (1999) and 1989 (2011) Concerning Al-Qaida and Associated Individuals and Entities Addressed to the President of the Security Council," S/2014/770, 29 October 2014. See Colum Lynch, "Islamic State's 'Shock and Awe' Campaign Fuels Global Jihad, UN Says," Foreign Policy, 5 November 2014, http://www.foreignpolicy.com/articles/2014/11/05/islamic_states_shock_and_awe_campaign_fuels_global_jihad_un_says.

³ UN Security Council, S/RES/2178, 24 September 2014.

⁴ UN General Assembly and UN Security Council, *Identical Letters Dated 1 August 2002 From the Secretary-General Addressed to the President of the General Assembly and President of the Security Council*, A/57/273-S/2002/875, 6 August 2002, annex (*Report of the Policy Working Group on the United Nations and Terrorism*). For Secretary-General Kofi Annan's speech, see "Secretary-General's Keynote Address to the Closing Plenary of the International Summit on Democracy, Terrorism and Security—'A Global Strategy for Fighting Terrorism,'" 10 March 2005, <http://www.un.org/sg/statements/?nid=1345>.

⁵ UN Security Council, S/RES/1456, 20 January 2003. For more on the council's approach, see Monika Heupel, "Adapting to Transnational Terrorism: The UN Security Council's Evolving Approach to Terrorism," *Security Dialogue*, no. 4 (December 2007), pp. 477–499.

⁶ Although many member states and civil society organizations broadly criticized the legislative role assumed by the Security Council in adopting Resolution 1373, others saw it as fulfilling a function that had not been possible within the General Assembly until this time. See Eric Rosand, "The Security Council as 'Global Legislator': Ultra Vires or Ultra Innovative?" *Fordham International Law Journal* 28, no. 3 (2004): 542–590, 586–587.

⁷ UN Security Council, S/RES/2178, para. 16

⁸ See Richard Barrett, "Foreign Fighters in Syria," The Soufan Group, June 2014, <http://soufangroup.com/wp-content/uploads/2014/06/TSG-Foreign-Fighters-in-Syria.pdf>; Edith M. Lederer, "Expert: Over 12,000 Foreign Fighters in Syria," Associated Press, 8 September 2014.

⁹ Patrick deHahn, "UN Secretary-General Ban Ki-moon Renames ISIS 'The Un-Islamic Non-State,'" *Kicker*, 24 September 2014, <http://gokicker.com/2014/09/24/un-secretary-general-ban-ki-moon-renames-isis-un-islamic-non-state/>.

¹⁰ See Bibi T. van Ginkel, "The New Security Council Resolution 2178 on Foreign Terrorist Fighters: A Missed Opportunity for a Holistic Approach," *ICCT Commentaries*, 3 October 2014, <http://icct.nl/publications/icct-commentaries/-the-new-security-council-resolution-2178-on-foreign-terrorist-fighters-a-missed-opportunity-for-a-holistic-approach>; Martin Scheinin, "Back to Post-9/11 Panic? Security Council Resolution on Foreign Terrorist Fighters," *Just Security*, 23 September 2014, <http://justsecurity.org/15407/post-911-panic-security-council-resolution-foreign-terrorist-fighters-scheinin>.

¹¹ For example, see Matthew Schwartz, Liat Shetret, and Alistair Millar, "Rethinking International Counterterrorism Assistance to the Greater Horn of Africa: Toward a Regional Risk Reduction Strategy," *Perspectives on Terrorism* 7, no. 6 (December 2013): 100–112.

¹² UN Security Council, S/RES/2178, para. 21.

¹³ *Ibid.*, para. 22.

¹⁴ UN Security Council, S/RES/2122, 18 October 2013, para. 3.

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