

AD HOC COMMITTEE ON COUNTERING TERRORISM

1st Report of the Chair of the OSCE PA Ad Hoc Committee on Countering Terrorism



Vienna, 23 February 2018

Introduction

Terrorism poses a major threat to international security and regional stability. We, as parliamentarians, have a shared responsibility towards the people of our nations to prevent and respond to radicalization and extremism of all kinds. To meet this commitment, we have been called upon to shape innovative legislation and forge policies that strike a delicate balance between security and privacy. Moreover, we must design effective counter-terrorism efforts that respect the fundamental freedoms that underpin our democratic way of life.

Against this backdrop, during its 2017 Annual Session held in Minsk, Belarus the OSCE PA established the Ad Hoc Committee on Countering Terrorism (CCT), which today consists of 11 Parliamentarians from 11 different OSCE participating States. The idea behind this initiative was to build on previous work carried out by the Assembly and provide an avenue to better include a parliamentary perspective into the OSCE's comprehensive efforts in this domain.

During the first stage of our work we have been focused on gathering a better understanding of the latest trends and needs, as well as promoting strategic partnerships with internal and external stakeholders. Later, we will strive to develop forward-looking policy recommendations building on those best practices and innovative approaches that we have identified. Ultimately, our objective is to focus on those areas where we may add more value.

Mandate and Activities

The official mandate of the Ad Hoc Committee is as follows:

- **Advance OSCE PA's efforts in the field of countering terrorism** with a special emphasis on cross-dimensional issues, explore innovative approaches in the OSCE region and report back to the President and the Standing Committee;
- **Consider terrorism trends in the OSCE region and develop forward-looking policy recommendations** aimed at enhancing the role of the OSCE and supporting participating States' efforts to develop effective and human rights-compliant counter-terrorism responses;
- **Promote inter-parliamentary dialogue and the exchange of best practices** and lessons learned on issues related to countering terrorism;

- **Work closely with the OSCE executive structures and with relevant external partners** on issues related to countering terrorism to improve the visibility and impact of the OSCE action;
- **Promote the follow-up to OSCE PA recommendations** in the field of countering terrorism.

Following the first Committee meeting held in Andorra at the margins of the OSCE PA 2017 Autumn Session, we met again yesterday in Vienna. During our 2nd official meeting we agreed upon an ambitious but realistic work plan, outlining both **short- and long-term goals to implement the Committee's mandate.**

Short-Term Goals:

- **Determine the most pressing needs and gaps** in counter-terrorism by organizing field visits and meetings as well as hosting expert debates.
- **Promote OSCE-wide counter-terrorism efforts** in national parliaments and international fora.
- **Strengthen co-operation between the OSCE governmental and parliamentary structures** through joint initiatives and regular information sharing.

Long-Term Goals:

- **Advocate for comprehensive, inclusive, effective and human rights-based responses** to prevent and counter terrorism and violent extremism.
- **Develop forward-looking policy recommendations**, building on identified best practices and innovative approaches.
- **Promote the implementation of the international counter-terrorism framework** (including of relevant OSCE PA resolutions) through targeted events, also by leveraging on strategic partnerships with key stakeholders.
- **Consolidate a solid partnership with the OSCE**, including by regularly contributing to the work of its decision-making bodies and executive structures.

Below you may find a short summary of the main activities undertaken by the Committee over the last seven months, which have been clustered around key mandated tasks.

Consider terrorism trends and explore innovative approaches towards countering terrorism in the OSCE region

The Committee took part to the **OSCE PA visit to Morocco** (18-21 October 2017) as well as conducted **official visits to the OSCE Secretariat and the United Nations Office on Drugs and Crime** (12-14 November 2017) and to **Belgium** (7-9 February 2018). Such visits, which included meetings with relevant high-level stakeholders both in the governmental and non-governmental sectors, have proven useful to gain a better understanding of the trends of terrorism as well as the specific challenges that states, local entities and international institutions face in terms of violent extremism and radicalization. In this context, a number of topics emerged more prominently in all of our discussions, notably: the return of Foreign Terrorist Fighters (FTFs) from the Middle East, the threats posed by so-called “lone wolves,” the rights of victims, the important role of youth, the need for more comprehensive efforts to prevent radicalization and foster de-radicalization, the full implementation of the international counter-terrorism legal framework and the links between terrorism & cyber security as well as terrorism & organized crime. Security providers tend to agree that ISIL has evolved from a direct organizer of terror attacks to mainly a source of inspiration for “lone wolves”. Building upon these successful initiatives, new visits are planned for the upcoming months, for instance to selected OSCE Field Operations in South-East Europe. The key findings of these activities are expected to inform future OSCE PA work in this domain, including the development of forward-looking policy recommendations.

Promote inter-parliamentary dialogue and the exchange of best practices and lessons learned on issues related to countering terrorism

During the above-mentioned visit to Morocco last October, several CCT members also contributed to the **Inter-Parliamentary Seminar in Rabat** (20 October 2017) on “*the spread of violent extremism in the OSCE region and the suitable strategy to impede the attraction and recruitment of youth by terrorist organization.*” *Inter alia*, this Seminar underscored the critical role that religious communities play in preventing the radicalization of youth and the spread of extremism of all kinds. Representatives of the Committee also contributed at the Annual Meeting of the **Milan Forum for Parliamentary Action** in Preventing Violent Extremism and Mass Atrocities (PGA) (27-28 November 2017). The Forum aimed at mobilizing parliamentarians to design and implement effective, yet human-rights-oriented policies to protect against mass atrocities and respond to marginalizing ideologies. On that occasion, the CCT highlighted how counter-

terrorism efforts and international human rights obligations are mutually reinforcing. Both events were well attended and offered a unique opportunity to exchange key lessons learned while presenting OSCE PA's approach in this context.

Work closely with the OSCE executive structures and relevant external partners on issues related to countering terrorism to improve the visibility and impact of the OSCE action

In November 2017 the CCT convened in Vienna to **consolidate its partnerships with the governmental side of the OSCE and with UNODC**. The visit proved very useful and allowed Committee members to learn more about the work already conducted by these organizations in view of promoting better coordination and greater synergy while avoiding duplication. During the visit to the OSCE Headquarters, the Committee held meetings with Secretary General Greminger, the Security Committee, the Transnational Threats Department, the Conflict Prevention Center and the Representative on the Freedom of the Media. At UNODC, our members met with Executive Director Fedotov and his experts to underline the centrality of the UN global counter-terrorism framework, and in particular of the 16 universal counter-terrorism conventions currently in force. Finally, the CCT learned about efforts undertaken by **civil society organizations** striving to work with individuals who have been, or are, vulnerable to radicalization, including in prisons. The recent visit to Belgium also provided a good opportunity to learn more about the **EU counter-terrorism approach**.

Food-for-Thought

Despite being at the very outset of our work, these first visits and discussions have enabled us to discern some **recurring themes** that could be further explored in the future. In the long run, these may represent areas where the OSCE PA could add some value, provided they are better conceptualized. The topics are as follows:

- **Coordination and information sharing** between different counter-terrorism stakeholders at all levels - which is a fundamental prerequisite for effective counter-terrorism responses - is proving to be increasingly complex also due to the growing number of stakeholders involved. If in the past we considered primarily traditional security providers, such as intelligence agencies and law enforcement, the framework of actors involved in preventing and countering terrorism and radicalization is indeed much larger. For instance, religious communities, prison authorities and schools

are also involved in the effort. This larger framework posing further challenges for coordination of efforts. These induce other operational, legal and even ethical difficulties, such as in terms of information sharing. As a result, the creation and proper management of reliable databases and efficient coordination mechanisms becomes essential.

- **Striking a “functional balance” between counter-terrorism security measures**, including restrictive ones¹, **and the respect for human rights and the rule of law** is among the biggest challenges our participating States currently face. It should be noted that there is no “one size fits all solution”. As such what constitutes a regional-specific balance should be thoroughly and openly discussed, assessed and agreed upon within each individual society. While developing strong investigative capacities is undoubtedly paramount (for instance for collecting evidence on the web), jeopardizing fundamental freedoms for the sake of effective counter-terrorism measures can have several detrimental effects on society at large, and play in the favor of those which said policies are aimed against: the terrorists.
- There is a **widespread need for more understanding of the underlying and diverse causes of radicalization as well as its processes and channels** (including among selected categories of society such as youth and detainees) as well as the **effectiveness of integration, de-radicalization and rehabilitation policies**. While a more individualized approach is often advisable, measuring the “success” of these policies remains a challenge. A special focus should also concern the role of religious communities, schools and families in counter-terrorism narratives.
- Participating States in the OSCE region have been increasingly called to address **security threats related to foreign terrorist fighters (FTFs)**, including their return, often without coherent and consistent legal frameworks. In this context, it is important to look at the full life cycle of the FTFs phenomenon: from prevention, financial and travel restrictions of FTFs and re-locators, and prosecution to the rehabilitation and reintegration of said individuals upon their return.

¹ These can be defined as measures aimed at preventing terrorism within the territory of a State, decided upon and ordered by the executive (or with its close involvement) and subject to limited judicial review.

- The risks stemming from the improper use of new **digital technologies and devices** are also quite concerning, including the role of social media platforms in fostering radical and violent ideologies, as well as terrorism recruitment. This again poses complex questions, such as where the line between the right to freedom of speech and the need to fight terrorism incitement online actually lies; or what role social media and Internet Service Providers have in preventing radicalization. Unmanned aerial technologies also bring new opportunities and challenges.
- **Victims of terrorism**, as well as their families, undergo terrible physical and emotional consequences that need to be addressed in the short-term - with adequate practical, financial and medical assistance - but also on the longer term, with psychological and legal support. Victims must be compensated for what they have suffered and the role of States in this regard should be enhanced. In addition, victims themselves can become important witnesses during investigations that aim to prosecute and uncover terrorist networks. Finally, survivors of terrorist attacks can play a key role in sensitizing public opinion.

Way Forward

In the coming months, the CCT will continue to focus on the identification and better conceptualization of key challenges, as well as on the consolidation of strategic partnerships. The Committee plans to conduct some additional visits - notably to selected OSCE Field Operations in South-East Europe and possibly Central Asia - and participate in several international events. These will include the International Institute for Justice and the Rule of Law Regional Workshop on “*The Nexus of Parliamentarians and Criminal Justice Actors in Counter Terrorism*” in Malta on 21-22 March; a Coordination Meeting with other Parliamentary Forums in St. Petersburg on 11 April, in view of a possible joint conference with focus on Central Asia later in the year; the OSCE Security Committee Meeting on border security, information sharing and the threats posed by the return of FTFs to be held in Vienna on 16 April; a Cyber Security Inter-Parliamentary Conference in Lisbon on 8 May; and the OSCE-wide Counter-Terrorism Conference in Italy in May 2018.

Moreover, the CCT will ponder the possibility to draft a comprehensive resolution on the fight against terrorism, violent extremism and radicalization that leads to terrorism in view of the 2018 Annual Session in Berlin.

In conclusion, the CCT is convinced that Parliamentarians must remain united against terrorism to add value in this domain. We play a key role in countering terrorism by developing innovative and effective laws in line with human rights standards, by ensuring oversight of security services and by promoting coordination and mutual trust at all levels. Notably, we are also able to promote constructive dialogue between governments, local communities and civil society. As such, we should spare no effort to support OSCE counter-terrorism activities by mobilizing resources and building political support for its important work.

Undoubtedly, the CCT has the potential to fulfill its ambitious mandate and its members will continue to work hard in this direction.