

ICCT Networking Event 14 December 2015

Speech ICCT Director Mark Singleton

Ladies and Gentlemen,

Thank you very much for taking the time out of your very busy schedule, to join us at this annual networking event of the International Centre for Counter Terrorism – The Hague.

In case you are wondering whether you had missed previous invitations, then let me assure you: you didn't. This is the first one.

My name is Mark Singleton and I have the honour to lead a team of academics, policy analysts and practitioners at the International Centre for Counter-Terrorism (ICCT), many of whom are here and can be recognized by their white badges.

Established in 2010 by the Clingendael Institute for International Affairs, the University of Leiden's Terrorism and counterterrorism Center and the Asser Instituut for International and European Law, we are an independent think and do tank, connecting academics, policymakers, civil society actors and practitioners from different fields.

Our mission is to become the go-to-centre for cutting-edge, multidisciplinary policy-relevant expertise, analysis, policy advice and practical, solutions-oriented implementation support. With a focus on Prevention and the Rule of Law, we provide a platform for productive collaboration, practical analysis, and exchange of experiences and expertise. Our work covers four interrelated areas:

1. We conduct evidence-based research and analysis aimed to provide practical and solutions-oriented policy recommendations. Research areas include comparative analysis of counter-terrorism policies, strategies and interventions, country and regional analyses, the foreign fighter phenomenon and forward looking trends and threats analyses.
2. Policy advice: translating our analysis findings into practical, solutions-oriented policy recommendations that support policymakers and practitioners in their daily work;
3. Support the design and implementation of comprehensive and more systemic global, regional and national counter-terrorism strategies and activities;
4. Systematic evaluation of past and current counter-terrorism policies and strategies to assess effectiveness, learn from experiences and improve practices.

From 1 January onwards, we will be hosting the – expanded - Global Counter-Terrorism Forum's Administrative Unit. It is my great pleasure to present the Admin Unit team to you as well, which

to my delight is a truly international team, with colleagues from Turkey, France, Australia and the Netherlands.

We work closely with governments, civil society, multilateral agencies (UN, EU, NATO, OSCE) and other research centres and participate in fora such as the EU's Radicalisation Awareness Network, the UN Security Council Counter-Terrorism Committee's Research Programme, the GCTF, the Global Community Engagement and Resilience Fund and others.

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2015 has been a very busy year for ICCT. Thanks to the very generous support from the MFA, the NCTV and the Municipality of The Hague, as well as project funding from NATO, the US Government, the EU and others, we are making giant strides in realising our ambitious five-year strategy. Our portfolio has grown significantly, as has our team. We are implementing 12 projects and have another 8 in the pipeline. Our 2016 budget is US\$5m. Altogether, ICCT's core team, fellows, project staff, associate fellows and visiting fellows are close to 40.

Within weeks, we will move into our new office at Zeestraat 100, where our team of researchers, analysts and practitioners will be able to interact with visiting fellows from the academic world, diplomats and experts from the private sector. We're strengthening our ties with international partners, and seek to expand these further.

I'd like to take this opportunity on behalf of us all to thank our sponsors and partners for your generous support, which we see not only as recognition of the quality of our work, but also as a source of inspiration and exemplary partnership.

We have made a random selection of some of our publications for you to take home. More information can be found on our renewed website: www.icct.nl.

ICCT's growing relevance is the product of, on the one hand, our ability to deliver quality products; and the unprecedented growth of terrorism itself, on the other.

The Global Terrorism Index, released last month, speaks of an 80% increase in the number of deaths as a result of terrorist attacks in 2014 compared to 2013; 2015 won't be any better. And the latest reports about the growing number of foreign fighters joining the conflict in Syria and Iraq by ICCT's Professor Alex Schmid, the Soufan group, the UN and others, illustrate clearly just how global the phenomenon has become.

Although the overwhelming majority of incidents occurs in 5 countries (Syria, Iraq, Nigeria, Pakistan and Afghanistan), the attacks in Tunisia, Ankara, the Sinai, France and the US, inspired by or carried out by ISIS, have literally terrified hundreds of millions of people. CT is "hot" and features high on the list of political priorities.

In response to the latest terror attacks, more and more politicians and intelligence experts are,

again, calling for more resources for “hard security” (such as intelligence, law enforcement, CCTV, strict border control etc) and changes in legislation that would allow an extension of powers to the executive and restrictions in the movement of people.

We hear statements such as: “The enemy is within us”; “we are at war” (as if we were witnessing an armed conflict in the neighbourhoods of Brussels and Paris - which we’re not); as well as “exceptional times require exceptional measures” - a euphemism for putting human rights on the backburner. Such statements are reminiscent of the GWOT.

In the immediate aftermath of 9/11, human rights were largely treated as an afterthought in the expanding UN and national-level counter-terrorism programmes. Despite explicit references to the importance of criminal justice, a large number of states reacted by introducing new or special CT legislation, some of which according to the Eminent Jurist Panel on Terrorism “extended well beyond the original intention of targeting terrorists, and were now being used against ordinary criminals, political opponents, dissenters, and members of minority communities.”

Upholding Human Rights as the foundation for human security was then often deemed as an obstacle to counter-terrorism. This false dichotomy was challenged and in 2006, the UNGA unanimously endorsed the UN Global Strategy and UNSCR 1624, covering the now famous four pillars:

- Measures to address underlying conditions conducive to the spread of terrorism;
- Measures to prevent and combat terrorism
- Measures to build capacity
- Ensuring respect for human rights and the rule of law.

In essence, the UN’s Global Strategy affirmed that, to ensure their effectiveness in the long term, CT efforts should be based upon and carried out within the international legal framework, including human rights. Measures that do not respect these important norms carry a huge risk of actually exacerbating the problem.

UNSCR 1624 inspired the US and Turkey to create the Global Counter Terrorism Forum in 2011, exactly ten years after 9/11. And in 2014, the standards set forth in the Global Strategy were reaffirmed in paragraph 7 of the binding UNSCR 2178, on Foreign Terrorist fighters.

But that is easier said than done. Notwithstanding the many efforts to strengthen HR compliant policies – through UN resolutions as well as task forces, fact sheets, tool-boxes, handbooks, appointment of legal advisers and HR experts, the creation of the GCTF and others - results are still lagging behind. In fact, since 2011, the trend may even be worse, even more so in 2015.

Ben Emmerson, the UN Special Rapporteur on “the promotion and protection of human rights and fundamental freedoms while countering terrorism”, warns against the negative

consequences of mass digital surveillance and cooperation between intelligence agencies; for the restrictions on civil society caused by national CT legislation, the impact of provisions on countering of terrorism financing, and the impact on civil society of laws that criminalise material support for terrorism. **The gap between rhetoric and reality is growing again.**

More recently, new rounds of anti-terrorism legislation have come under attack from Human Rights watchdogs, accusing governments of hastily drafting counterproductive laws and measures. Human Rights Watch has criticised France of adopting measures that interfere with the rights to liberty, security, freedom of movement, privacy, and freedoms of association and expression. "Excessive restrictions would be a gift to those who seek to instil fear, undermine democratic values, and hollow out the Rule of Law..." It is difficult to see how these measures comply with the earlier mentioned HR framework.

Politicians jump into Action Mode, without reflecting on the unintended or counterproductive consequences. Rather than being "complementary and mutually reinforcing", human rights and counter-terrorism once again appear to be at odds with each other, at least in the eyes of some policymakers and legislators. Having politicians, journalists as well as former intelligence directors lecture us about the nuisance of adhering to human rights and recommending to "park" them for a while - as happened after 9/11 - isn't exactly helpful either. **Let's not fall into the same traps of the previous decade.**

No one in this room questions whether repressive measures have a role in counter-terrorism. They do. And with the alarming growth of terrorist incidents, there is consensus that law enforcement, intelligence and border security must improve, as must internal and external coordination and cooperation. But if the GWOT has taught us anything, it is (1) that repressive measures must be compliant with international law; and (2) that the longer-term prevention of terrorism starts with addressing the root causes of radicalisation. This brings me to the second pillar of ICCT's mission: **prevention.**

2015 was also the year that world leaders convened in Washington in February and in New York in September to discuss ways to counter violent extremism. CVE (or PVE, as the UN prefers to brand it) is now widely acknowledged as a critical component in efforts to curb extremism and terrorism both at home and abroad. Increasingly, people are now realising that decades of neglect of socio-economic, cultural and political integration, are coming back to haunt us.

Likewise, the fault-lines between domestic and foreign policies and actions have vanished altogether. The breeding grounds for radical thinking and violent action are fertile; and although world leaders now acknowledge the importance of prevention alongside repression, not enough are actually putting the money where their mouth is. Investments in counter-terrorism are still very skewed in favour of security hardware, intelligence and the military; far too little is spent on education, empowering communities, building trust between state and civil society organisations, victims of terrorism, and the like. The gap between CT and Development assistance is narrowing, but we're still a long way away from joint analysis and planning.

The knee-jerk reaction is simply too tempting still. But the problem with knee-jerks is: they end up hurting the one in front of you. So perhaps a better response would be to look before you leap. To think and reflect, before you act. To make sure that your actions are based on the latest insights. To recognise that language matters; that context is everything; and that awareness and political will are probably even more important than possessing the necessary capabilities.

What better way to do so, than by taking into account the lessons of the past? And this is where research and analysis as well as monitoring and evaluation play a critical role. Effective policy and actions depend on a better understanding of the problems, as well as ongoing analysis of past and present policies, strategies and actions.

I've worked in many different sectors and believe me counter-terrorism has **a lot** to learn! If there were ever a need to know more about the what, the why, the how, and the "what works", it's now.

With the rise in terrorism, political momentum is growing – that momentum now needs to translate into the right policies, namely:

- Compliance with international law
- Stronger emphasis on medium- and longer-term prevention;
- Building a stronger evidence base for policy and action – through research and analysis, as well as rigorous planning, monitoring and evaluation.

Lo and behold! What a coincidence, these are precisely the pillars of ICCT's strategy.....

Ladies and gentlemen, I would now like to pass the microphone to my dear friend our distinguished keynote speaker, Dr. Hatem Ben Salem from Tunisia. Dr. Ben Salem is Cabinet Member as well as Director of the Tunisian Institute for Strategic Studies (ITES) and Professor of International Law at Tunis University. A former State Secretary to the Tunisian Minister of Foreign Affairs, Deputy Minister for Maghreb and African Affairs, State Secretary for European Affairs and Minister of Education, Dr. Ben Salem will give **a keynote speech** on Tunisia's transition challenges and opportunities and the importance of a rule of law based approach in countering radicalisation, violent extremism and terrorism.

Hatem, the floor is yours....