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**SOCIAL, HUMANITARIAN, AND
CULTURAL COMMITTEE (SOCHUM)**

HUMAN RIGHTS VIOLATIONS IN THE NAME OF COUNTER- TERRORISM

BACKGROUNDER

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Welcome Letter

Dear Delegates,

My name is Sana Shams and it is my distinct pleasure to welcome you to Southpointe Academy Model United Nations 2019. Currently, I am a junior in the International Baccalaureate programme at Semiahmoo Secondary and am honoured to be serving as your Director for the Social Humanitarian and Cultural Committee.

Since attending my first conference, Model UN is a passion of mine that has continued to grow. Not only was I entrusted into a strong community of innovative individuals, but I have also been able to learn and develop invaluable character-building skills that extended to numerous other aspects of my life. It is my sincerest hope that the same will be true for you after SPAMUN 2019.

During our day together, we will be discussing the violation of human rights in the name of counterterrorism. Following the devastating attacks of 9/11, the international community united through the objective of decimating transnational and supranational terrorist activity. However, terrorism is not the sole monopolizer of the infringement of human rights, as State-sponsored counter-terrorism initiatives have declared an indefinite immunity to the regulations of fundamental human rights. While destabilizing radical Non-State perpetrators is a responsibility of utmost priority, the extent of human rights violations holds reciprocated value in SOCHUM. Henceforth, delegates must work to draft comprehensive resolutions that are equally encompassing of both concerns, ultimately reach a consensus of regulations.

Serving alongside me is my diligent Chair, Leo Li, a junior attending Steveston-London Secondary, in addition to my earnest Assistant Director, Albin Soni, a junior attending Southpointe Academy. As your dais team, we eagerly look forward to witnessing your unique contributions to the pressing issue at hand. Furthermore, we hope to foster your ideas on the way to a consensus and promote a promising platform for discussion. If you have any questions or concerns at all, please do not hesitate to contact us at sochum@spamun.org.

I wish you the best of luck and warmly welcome you to the Third Committee of the UN General Assembly at SPAMUN 2019.

Sincerely,
Sana Shams

Director of SOCHUM - SPAMUN 2019

Committee Overview

“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”

-Article 1 of the Universal Declaration of Human Rights

The Third Committee of the General Assembly, otherwise known as the Social Humanitarian and Cultural Committee, was established in 1948 following the development of the Universal Declaration of Human Rights. As a committee, SOCHUM mandates to issues pertaining to the protection and fair treatment of certain demographics, including but not limited to women, children and refugees, the promotion of fundamental freedoms and the protection of human rights - focussing on both national and international extents. Moreover, SOCHUM upholds cooperation and consideration of Non-State initiatives such as organization executives, NGOs, esteemed specialist rapporteurs, as well as established independent experts from subsidiary bodies.

Within SOCHUM is the Human Rights Council, established in 2006 by resolution 60/251, which serves as the main UN assembly for intergovernmental cooperation and matters specifically concerning human rights. Despite the committee's inability to enforce binding resolutions, the Third Committee's extensive compilation develop proposals open for continuous revision and development for ratification. Uniting its current 193 member states, SOCHUM's annual forums serve as a platform for discussion leading to sustainable and encompassing resolutions for the promotion of the aforementioned three facets of the committee.

Introduction

“The promotion and protection of human rights for all and the rule of law is essential to all components of the Strategy, recognizing that effective counter-terrorism measures and the promotion of human rights are not conflicting goals, but complementary and mutually reinforcing.”

-United Nations Global Counter-Terrorism Strategy
(General Assembly resolution 60/288, annex)

Following the devastating attacks of September 11, 2001, the global community was shocked by the malicious supranational extent of terrorism, and immediately responded with brute force in aggression of dismantling such forces. With the extrapolating violations of human rights, terrorism holds devastating consequences for the right to life, liberty, and physical integrity of

victions. Beyond individual costs, terrorism destabilizes governments, and in turn undermines civil society, jeopardizes peace and security, and sends social and economic development plummeting.

Following the declaration of the War on Terror, states have acted on their obligation of bringing the perpetrators of such acts to justice; however, measures of counter-terrorism have proven to blatantly violate fundamental human rights and the rule of law themselves. While international human rights have expressed flexibility, ongoing cases of mass violation has led to the scrutiny of limitations, bringing forth the pursuance of a legitimate purpose, as well as the question of derogation. To elaborate, coercive interrogation, ethnic profiling, interception of communications, and preventive arrests and detention are integral to the counter-terrorism strategy, but its unregulated constrictions leave the convicted degraded and denied presumable rights under State-issued law.

Despite the ratification of the Universal Declaration of Human Rights, the jurisdiction of sovereignty may dismiss certain clauses, therefore with the rise of the matter in recent decades, political scientists have developed several indicators of State respect. The most commonly utilized is the Political Terror Scale, which measures political violence on a 1-5 ordinal scale, directly linked with the Societal Violence Scale.¹ While these Non-State initiatives have established one of the first public-accessible evaluation scales, it does not dictate nor influence any legitimate action or State recognition. While acknowledging the conflict of interest in the War on Terror, delegates must equally direct their attention towards assessing the severity of violation as incentive and inaugurating a concensized appropriate response.

While the pursuance of counter-terrorism is a collective responsibility of the international community, the concern of human rights violation is of level importance, with SOCHUM ultimately seeking reciprocating enforcement.

Timeline

1999 — The Russian Apartment bombings, four consecutive explosions destructing civilian apartments and affecting over 1000, is debated to be the first scare of modernized standards of terrorism.

¹ <http://www.politicalterroryscale.org/About/History/>

2001 — Deemed the deadliest terrorist attack in modern history, the 9/11 attack killed near 3000 people. An operation conducted by the terrorist group Al-Qaeda, consumer aircrafts were hijacked and flown into the World Trade Center.

2001 — Declared on September 11, 2001, The War on Terror, also known as the Global War on Terrorism was launched by the United States as an international military campaign. The first major initiative was the War in Afghanistan, targeting the Taliban and Al-Qaeda.

2002 — The Guantanamo Bay Detention Camp was established by President George W. Bush's administration. Activities of the camp pertain to indefinite detention without trial, and acknowledged torture, resulting in Amnesty International declaring it as a major breach of human rights. Started as a counterterrorism strategy, the camp operates to this day.

2005 — The Commission on Human Rights passed Resolution 2005/80, creating a mandate of a special rapporteur "on the promotion and protection of human rights and fundamental freedoms while countering terrorism." The resolution has been revised and extended subsequently every three years and is effective to this day.²

2006 — The United Nations General Assembly adopts the Global Counter-Terrorism Strategy, expressing international consensus that "effective counter-terrorism measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing," following the scrutiny of brute force security and destabilization strikes.³

2007 — Due to international pressure, the Association of Southeast Asian Nations (ASEAN) formed the ASEAN Convention on Counter Terrorism, acting as the "principal instrument for strengthening regional counter-terrorism efforts. Article VII of the Convention guarantees the right to "fair treatment" to suspected terrorists. This however, is ambiguous and has been accusedly manipulated.⁴

2014 — Several European States are accused of infringing upon fundamental freedoms of detainees under US-led counterterrorism programs. Amongst the confirmed, Poland, Lithuania and Romania are proven by the European Court of Human Rights of illegally detaining and

² <https://www.ohchr.org/EN/Issues/Terrorism/Pages/SRTerrorismIndex.aspx>

³ <https://www.politico.eu/article/counter-terrorism-and-human-rights/>

⁴ <https://www.unodc.org/e4j/en/terrorism/module-5/key-issues/asian-region.html>

transferring the convicted to secret facilities, where they were tortured through various methods.⁵

2017 — On November 20, the International Criminal Court launched procedural investigation through Pre-Trial Judges for inspection of alleged war crimes and crimes against humanity in relation to the armed conflict in the Islamic Republic of Afghanistan. The ongoing investigation has resulted in a total of 699 victims represented under the ICC Victims Participation and Reparations Section.⁶

2017— Upon the adoption of the directive of Combating Terrorism, the European Parliament, the Council and the Commission declared the need to respect human rights and the rule of law in the fight against terrorism in the first clause of their joint statement.⁷

2018— On July 4th, the Council of Europe adopted the “Triple P” counter terrorism strategy for 2018–2022. The Strategy is based on the objectives of Prevention, Prosecution, and Protection, including direct victim assistance. The passing of this stressed the integrity of respecting human rights over jeopardization.⁸

Historical Analysis

Despite extended reign of the concept of terrorism, especially in the last two decades, there is still an absence of a definitive universal definition of terrorism; nonetheless, a generalized interpretation encompassing the idea is the planned execution of violence and destruction through the pursuit of political, religious, ideological or social objectives – presumably by Non-State actors. This categorization, however, discludes wartime matters. Until relatively recently, methods of modern terrorism bore a resemblance between those utilized by States in armed conflict. However, following the industrial boom of the nineteenth century, mass production of accessible weaponry facilitated a lack of targeting and inflicted a transition of both State and Non-State forces towards indiscriminate aggression. Hence, the first record of counterterrorism was the British Empire’s response to the escalating Fenian Dynamite Campaign coordinated by Irish Republicans in 1883. The campaign reigned through asymmetrical warfare, targeting infrastructure, government, and military in Great Britain, executed internally as well as through external exiled members. Ostensibly, being an initiative

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<https://eulogos.blogactiv.eu/2018/07/11/does-europe-turn-a-blind-eye-on-human-rights-violation-in-the-name-of-counter-terrorism-the-example-of-prisons-for-terrorists-in-europe/>

⁶ <https://www.icc-cpi.int/afghanistan>

⁷ libd

⁸ libd

before officiated universal human rights orchestration, smaller counterterrorism police forces dispersed globally, dismissing accountability of acts of inhumanity in argument of State authority and utilitarian security. While mass violation parallel to recent War on Terror aggressions were relatively absent, prisoners of State were subject to arrest and various extents of detention and torture undeterred by a lack of plausible evidence. Moreover, many linked to terrorist movements were convicted by the masses, yet denied fair legal trial, let alone representation.

With the rise of the concept of terrorism, and resultedly counterterrorism, the matter remained pertinent only on national and more so local terms. While the international community saw major influx of human rights abuses in the following decades with a multitude of wars, most notably the world wars, the concept of terrorism receded behind State-issued conflicts. Nevertheless, as the 21st century approached, both the political and public world was reintroduced to what would soon reign a global obsession. After the fall of the Soviet Union, the establishment of the Russian Federation in 1991 formed a compromise of Russia and certain former Soviet territories, most notably the Republics of Chechnya and Dagestan. Due to extreme nationalism and interior demographic conflict, separatist extremists allegedly orchestrated the Russian Apartment Bombings, a series of explosions intricated to execute maximum capacity damage in four apartment blocks across different Russian cities. The death of 300 people, and more than 1000 injured instilled a wave of fear across not only Russia, but ultimately speculating former Soviet States.⁹

In response to this radicality, the authoritarian government instead directed its attention towards the presumed roots of Chechnya and Dagestan, cultivating the First Chechen War, claiming thousands of civilian lives. While insurgencies gained momentum, Russian troops were scrutinized by international human rights groups for arbitrarily executing men in their homes, deliberately firing into civilian sectors, and leading a “massacre” resulting in over 100 civilian deaths.¹⁰ With the dominating political response to its terrorist attacks, Russia’s execution crowned the State’s counterterrorism strategy as the first significant case of international acknowledgement and criticism of State-induced human rights violations.

⁹ <https://www.cfr.org/backgrounder/chechen-terrorism-russia-chechnya-separatist>

¹⁰ https://www.washingtonpost.com/news/worldviews/wp/2013/04/19/9-questions-about-chechnya-and-dagestan-you-were-too-embarrassed-to-ask/?utm_term=.c71faddf65b3

Ultimately, while regarded relatively minor in comparison to the soon to be incursion of supranational extremism initiated by 9/11, the Chechen conflict brought forth the antithesis inevitable in counterterrorism strategies of reciprocated aggression.

Current Situation

The dawn of the twenty first century arguably marked a turning point in world history. The infamous 9/11 operation conducted by the terrorist group Al-Qaeda (where consumer aircrafts were hijacked and flown into the World Trade Center) is credited as the deadliest terrorist incident in human history. Arguably the biggest global shock by far, the United States then declared the War on Terror, with States turning to brute force in aggression towards malicious Non State Actors, most notably religious extremist bodies in the likes of ISIS. United in the collective responsibility of global response, the international community implemented an array of intrusive counterterrorism initiatives, independent of preexisting military operations. Unfortunately, the obligations imposed by the War on Terror have allowed States to jeopardize respect for universal fundamental provisions of international human rights and humanitarian law. This pertains to the dictatorial and often covert detention of non-citizens, concealed and unlawful deportation hearings allegedly linked to terrorism, and unrestricted military authorization.

Existing Guidelines; International and Regional Frameworks

International

First and foremost, above all other legislation, The Universal Declaration of Human Rights mandates internationally ratified fundamental rights, accountable and applicable to each man. Upon the absence of acknowledgement in the surge of counterterrorism, in 2006, the General Assembly adopted the Global Counter-Terrorism Strategy – a historic resolution marking the first occurrence in which all Member States have reached consensus on a common counterterrorism strategic approach. Dissecting the broad mission statement into four fundamental pillars, the Global Counter-Terrorism Strategy permeates the objectives, individually and collectively, to prevent and combat terrorism in the following: I. Measures to address the conditions conducive to the spread of terrorism; II. Measures to prevent and combat terrorism; III. Measures to build States' capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard; IV. Measures to ensure respect

for human rights and rule of law as fundamental basis for fight against terrorism. Particularly, it is the resolution's fourth pillar that is solely dedicated to the matter of human rights that dictates its notable significance over others.¹¹

Regional

In addition to internationally ratified documents, there are three major well-established regional systems for the perseverance of human rights: the Inter-American, European and African systems. Within each, function sub-organs constituting a vast body of human rights and criminal justice responses to terrorism and other national/regional security threats. While there are a multitude of other universal and regional human rights treaties aimed at the protection of vulnerable demographics such as ethnic minorities, the regional bodies of highest functioning are: the American Convention on Human Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms, and the African Charter on Human and People's Rights. Although not accomplished to a level degree, the Arab Charter on Human Rights and the ASEAN Human Rights Declaration are established and under progressive development nonetheless.

Civilian Violation

Embarking on eradicating terrorists, the War on Terror sought the inflation of proxy wars and military aggression. Nonetheless, regardless of plausible objectives, terror cells are frequently intertwined through civilian communities, so the occurrence of innocent deaths in airstrike is readily accepted for the achievement of ulterior motives. Since the initial international deployment in 2003, troops in Afghanistan, Syria, Somalia, Yemen, Iran, Iraq, Libya, and Pakistan infiltrated proxy wars and drone bombings of mass death tolls. According to a report by Physicians for Social Responsibility, an estimated 2 million people have been consequently killed, but these numbers are evidently only a fraction of reported deaths.¹² Moreover, airstrikes have left a multitude of regions uninhabitable, displacing millions with no record of survival or location. In response to the accumulating damage, conflict zones received State-sponsored international aid troops. While ostensibly of good intent, the lack of proper conduct have resulted in civilian exploitation. For example, with political and civilian contention fueled by the Central African terrorist group, the Lord's Resistance Army, the Ugandan government deployed

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https://www.unodc.org/documents/terrorism/Publications/Module_on_Human_Rights/Module_HR_and_CJ_responses_to_terrorism_ebook.pdf

¹²

https://www.huffpost.com/entry/with-more-civilian-deaths-reported-each-week-the-war_b_5943e11be4b024b7e0df4b19

expansive military troops in the Central African Republic. While fulfilling their promise of destabilizing terrorist civilian abductions, the troops left the country notorious not only in the region, but under international humanitarian agencies as sexual exploiters, accused of rape, exploitation and abusive reprisals.¹³

Flawed Execution of Conviction

Due to the exponential rate of terrorist activity, States have turned to negligence of the conduct of justice, exploiting and denying fair trial. To illustrate, in Iraq, thousands of citizens minimally linked to terrorism are being prosecuted in deeply flawed trials, with cooks, cleaners or supporters not involved in combat facing sentences of life in prison and even capital punishment.¹⁴ Furthermore, in Syria, Iraq and Libya, thousands of foreign wives and children of ISIS members have been held captive by the State, either in prisons or de- facto detention camps, regardless of pleas confessing unwilling involvement. In African regions strife with Boko Haram, security agents are holding children incommunicado and inflicting physical abuse to force confessions.¹⁵

UN Involvement

While the United Nations sought addressing the reemerged interest of counterterrorism in the 1990s, initiated by the UN Office on Drugs and Crimes' 1993 Res. 48/122 Promoting And Protecting Human Rights And Fundamental Freedoms While Countering Terrorism. This was shortly succeeded by the 1997 International Convention for the Suppression of Terrorist Bombings and the 1999 International Convention for the Suppression of the Financing of Terrorism. However, it was not until the aftermath of the 9/11 attacks that counterterrorism and correlating human rights concerns evolved into its current extent of attention.

Following 9/11, the UN Security Council utilized its powers under Chapter VII of the UN Charter to mandate states to adopt certain measures in combatting terrorism, ratifying Resolution 1373 in September 28, 2001.¹⁶ This resolution essentially collected pre existing treaties, but formulating it to be binding on all member states, ultimately resulting in the new entity, the Counter Terrorism Committee (CTC) of the Security Council. While several of the UN's committees in the General Assemblies and OHCHR passed resolutions pertinent to this matter on

¹³ <https://www.hrw.org/news/2017/05/15/central-african-republic-ugandan-troops-harm-women-girls>

¹⁴ <https://www.hrw.org/news/2018/07/09/lip-service-paid-human-rights-during-un-counterterrorism-week>

¹⁵ libd

¹⁶ <https://www.hrw.org/legacy/un/chr59/counter-terrorism-bck.pdf>

a yearly basis, the next breakthrough of international progression occurred in 2006. Adopted on September 8, the United Nations Global Counter-Terrorism Strategy served as an annexed Plan of Action (A/Res/60/288) became the first global instrument that sought to unite and accelerate national, regional and international efforts to counter terrorism. Enacting as the sole common strategic approach of all Member States proved to enhance the UN initiatives' international coordination, for it is reviewed every two years, seeking reports and further revision.

At present, the United Nations peacekeeping is incompetent in principal and operational setup to function as a counterterrorism entity. Regarding operational terms, the High-Level Independent Panel on Peace Operations (HIPPO), conveyed by former Secretary General Ban-ki Moon, set the limit with counterterrorism operations, stating: "UN peacekeeping missions, due to their composition and character, are not suited to engage in military counter-terrorism operations. They lack the specific equipment, intelligence, logistics, capabilities and specialized military preparation required, among other aspects."¹⁷ Currently, the UN's involvement is facing fluctuation concerning policy development on this issue, however there is an increasing pressure for various international sources. In response, following the Tuareg rebellion of 2012, UNSC deployed The UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) in 2013.¹⁸ Functioning under the mission to stabilise the region, which is undermined by inter alia violent extremism, MINUSMA's deployment is meant to serve as an active study case assessing the UN's capabilities in countering violent extremism.

Also important to note, The UN Office of Counter-Terrorism (OCT) was established through the General Assembly's Resolution 71/291. Thus, the Counter-Terrorism Implementation Task Force and the UN Counter-Terrorism Center, initially under the Department of Political Affairs, were transferred to the OCT. Coherently, these bodies aim to work through an immersion with UNSC bodies and Member States.¹⁹

Possible Solutions

Defining Terrorism

While the concept of terrorism has manifested society, there remains an absence of a universally accepted definition. While identification is blatant, specific classification of the nature is essential in constructing further action, as terrorism is cultivated by various intrinsic and

¹⁷ https://link.springer.com/chapter/10.1007/978-3-319-99106-1_8#citeas

¹⁸ libd

¹⁹ <https://www.un.org/en/counterterrorism/>

ulterior motives. The following are the most common and widespread categorizations: Extremist Political Terrorism, Separatist Terrorism, Religious Terrorism, and Pathological Terrorism. As previously discussed, a branching crisis in universal counterterrorism strategies is the ambiguous conviction of those even minimally linked to terrorism, regardless of the distinction between offenders and victims. Through the implementation of individual case studies, the analysis of the state of rule of law, ethnic, national and religious discrimination, political exclusion, socio-economic marginalization and inadequate governance will not only accelerate preventive measures, but also protect those victimized in conviction.

The Detention and Conviction of Terrorists in Respect to Human Rights

Regardless of heinous aggressions, terrorists and criminals held under the States are still entitled to human rights and criminal justice. By far, imprisonment is the most frequent sanction imposed on those guilty, however prior to that there is constricting detention. In all these circumstances, the scope for misuse of State detention is compelling, ultimately delivering unjust treatment implicating extrapolating violations on the victim. Solitary confinement, torture, threatening of others and essentially the neglect fundamental dignity are all conventionally utilized. For this reason, international human rights law must seek to project limits the extent to which the State may deprive an individual of their liberty, and develop the progression of detention procedural safeguards. Moreover, all those accused deserve a discerning legal trial, hence their sentence shall not be handled by military commissions, but instead by the standards of federal court. Unlike military commissions such as Guantanamo Bay, federal courts are eligible to try suspects for offenses involving fraud, immigration, firearms and drug trade. Furthermore, judgement by military commissions lack an encompassing assessment of the offender, as appeals impertinent to war crimes are procedurally overturned.

Catering to Civilian Repercussions

Through the surge of terrorism, numerous growing civil society initiatives have developed with the purpose of providing encompassing support to civil victims. Factually, terrorists target an array of regions, cultures and religions indiscriminately with motives of mass destruction and resultedly uninvolved civilians face the largest proportion of casualties. While it is difficult to encompass the needs of such expansive trauma, there is an unfulfilled need in cultivating support for vulnerable demographics, most notably traumatized and orphaned children, victims of sexual abuse, and the disabled. Internationally issued compensation and reparation goes beyond monetary delivery to the federal government, but should instead provide direct opportunities for medical, social and educational attention through a victim-centric approach.

Ultimately, the purpose of aid is to foster the process of reintegration to a functioning society, thus emphasizing the need for development in federal records of the internally displaced and establishing binding initiatives in the acquirement of independent stability.

Bloc Positions

Europe

Considering progression and consideration of the respect of human rights in counterterrorism, European regions rank the most accomplished. While federal and Non-Governmental initiatives are prominently advancing in compliance standards, the most influential are the following intergovernmental organizations: the Council of Europe, the European Union, and the Organization for Security and Cooperation in Europe. Founded in 1949, the Council of Europe principally aims to promote and uphold human rights, parliamentary democracy and the rule of law, functioning interconnectedly with the European Court of Human Rights.²⁰ While numerous conventions and binding treaties have been passed by these coalitions, military participation inflicting mass destruction remains at an influx by the most notable French, UK and German troops deployed in Middle Eastern Conflict zones, all of which have conducted broad targeted airstrikes killing thousands.

Africa

For the past decade, the African continent has been infiltrated by several different streams of terrorism, including Al Qaeda, Al Shabaab, Boko Haram, and the Lord's Resistance Army. Resultedly, the African Union (55 Member States), along with its predecessor, the Organization of African Unity (OAU) have taken active continental engagements, with the OAU's approach pertaining to non invasive development whereas the AU has further mandate to act on invasive and interventionist initiatives. Internally speaking, the African counterterrorism strategy is the most abrasive, with African Union military troops directly interfering with sovereign matters, however the brute force is conventionally supported by State-sponsored analysis. Therefore, the core of the continent's deployment strategy is formulated through the African Centre for the Study and Research on Terrorism (ACSRT), which undertakes a range of research, analysis, knowledge management and capacity-building activities.²¹

²⁰ libd

²¹ <https://www.unodc.org/e4j/en/terrorism/module-5/key-issues/african-region.html>

The Middle East

The Middle East, situated at the core of 21st century terrorism, falls behind the global standard of protecting human rights in counterterrorism. The sole intergovernmental organization of significance pertaining to this matter is the League of Arab States (LAS), established in 1945 with 22 nation members. Concerning compelling outputs, the bare minimum being non-binding resolutions or statements, the LAS lacks any mechanism enforcing human rights compliances, with the Charter stating decisions voted upon “shall bind only those that accept them.” In such judgement, the Middle East’s historical, regional, political and religious complexities have proved that the nations have collectively agreed upon the respect of sovereignty without external intervention. Developed and minimal conflict nations, such as Qatar and the UAE, and conflict central regions such as Syria and Iraq, are likewise committed to defeating terrorism, corruption and indistinguishable ulterior motives stemming from internal conflict such as civil wars ultimately increase extents of violation and terrorist utilization.

North America

By far, in retrospect, North America has been the most active region internationally in combating terrorism. The United States dominated the counterterrorism security agenda, extrapolating from the aftermath of Al Qaeda’s 9/11 attacks. To accelerate national intelligence and security apparatus, George Bush and Barack Obama cultivated a series of legislative, organisational, policy, and personnel reforms.²² Under Trump’s administration, these efforts are being continued, however there is a particular emphasis on foreign entry restriction, and scrutinized investigation programs for refugees and immigrants. Most notably, the United States is notorious for their coalition drone airstrikes, killing tens of thousands of civilians presumably against jihads. The second most significant is Canada, which has recently stressed further importance on respecting human rights but has in the past participated in deploying military troops. The primary establishment by the Canadian government is the Canadian Association of Chiefs of Police Counter-terrorism and National Security Committee, which works interconnectedly on municipal, territorial and provincial levels.²³

Central and East Asia

Despite heavy targets and destabilized governments, Central Asian countries such as Afghanistan and Pakistan have developed counterterrorism-human rights strategies, in collaboration with the Counter-terrorism Implementation Task Force. As a result, the CTITF has

²² [http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/621898/EPRS_BRI\(2018\)621898_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/621898/EPRS_BRI(2018)621898_EN.pdf)

²³ <https://www.publicsafety.gc.ca/cnt/rsrcs/pblctns/rsln-cnst-trrrsm/index-en.aspx>

developed direct regional Plan of Actions to implement the UN Global Counter-Terrorism Strategy. The secondary uniting entity in this matter is the Shanghai Cooperation Organization, founded in 2001 by China, Kazakhstan, Kyrgyzstan, Russia, Tajikistan and Uzbekistan. The purpose, according to their primary treaty is to ensure coalitions in the fight against terror, and the promotion of the enjoyment of human rights and fundamental freedoms in accordance with the international obligations and national legislations.²⁴ Another notable counterterrorism affiliation is the ASEAN Convention on Counter Terrorism, adopted with the principal instrument for enhancing regional counter-terrorism efforts. While less prominent in human rights violations, coalitions of the region have established for member states to hold “respect for fundamental freedoms, the promotion and protection of human rights, and the promotion of social justice and to uphold the United Nations Charter and international law, including international humanitarian law.”²⁵

Discussion Questions

- 1) Should protecting human rights to the highest degree possible be prioritized over the adoption of a utilitarian ideology?
- 2) What extent of accountability must States uphold in civilian injustice through counterterrorism activities?
- 3) What boundaries must be universally imposed in the extent of harm imposed in the name of counterterrorism?
- 4) Which reintegration methods must be established to build stability in war-torn societies?
- 5) What is the extent of prosecution? Where does the distinction lie between members of terrorism initiatives and victims, and how must the respected cases be convicted?
- 6) How must current counterterrorism strategies be reevaluated to respect fundamental rights to a higher degree?
- 7) Under which circumstances is it appropriate for the international community to interfere with sovereign states' violations of international security and humanitarian law? What are the appropriate approaches of intervention?

Further Reading

Regional Counterterrorism Module:

<https://www.unodc.org/e4j/en/terrorism/module-5/key-issues/index.html>

Human Rights and Criminal Justice Responses to Terrorism: Legal Training Curriculum

²⁴ http://eng.sectesco.org/about_sco/

²⁵ libd

https://www.unodc.org/documents/terrorism/Publications/Module_on_Human_Rights/Module_HR_and_CJ_responses_to_terrorism_ebook.pdf

UN Global Counter-Terrorism Strategy

<https://www.un.org/counterterrorism/ctitf/en/un-global-counter-terrorism-strategy>

In the Name of Counter-Terrorism: Human Rights Abuses Worldwide - Human Rights Watch Briefing

<https://www.hrw.org/legacy/un/chr59/counter-terrorism-bck.pdf>

Overreach: How New Global Counterterrorism Measures Jeopardize Rights - Human Rights Watch

<https://www.hrw.org/world-report/2017/country-chapters/global>

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