

## THE SOUFAN CENTER

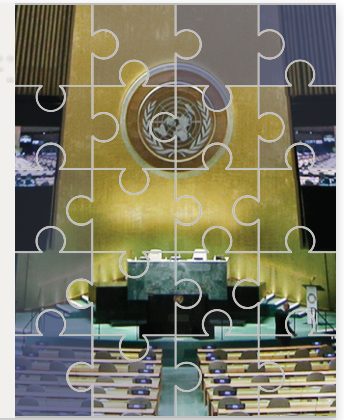
### ISSUE BRIEF

#### Form Over Function?

#### *Reviewing the UN Global Counterterrorism Strategy*

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February 2023



### KEY FINDINGS

- The forthcoming review of the UN Global Counterterrorism Strategy (GCTS) provides an important opportunity to assess its impacts and revisit the process and purpose of the reviews, and also consider how the GCTS review contributes to broader strategic priorities for the organization.
- The consensus which underpins the Global Strategy is key to making it a valuable normative tool; it is a rare collective statement from the world body that outlines an approach to counterterrorism balancing security, human rights, and a focus on structural conditions.
- Seven reviews have resulted in a lengthy and repetitive document and shaped an extensive array of activity by states and UN entities. Its length however compromises its value as a strategic communications tool, and there is a need for a comprehensive assessment about the impacts of the Global Strategy.
- After 9/11, the UN had to identify its comparative advantages amidst international counterterrorism efforts. Coming on 20 years of the Global Strategy, it is important to reassess the UN's role and comparative advantages in the current context, and ensure that its future counterterrorism efforts are responsive to contemporary dynamics and needs.
- **Recommendations:** Request a report in 2025 from the Secretary-General on the UN's role in countering terrorism and proposals for rationalizing the institutional architecture, followed by an implementation plan in 2026 on the 20<sup>th</sup> anniversary of the GCTS; request UNOCT to conduct an impact assessment of the GCTS; review current and existing UN policy tools to address emerging threats; consider expanding the review period to four years, institute an ad-hoc working group or a Group of Friends to discuss relevant issues in the interim; revitalize the Global Compact to ensure its working methods and deliverables are aligned with the needs and resources of the UN.

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## INTRODUCTION

In 2006, UN Member States did something unusual. Despite being unable to agree on a universal definition of terrorism, and having fought over whether terrorism truly had “root causes” or if that rhetoric was a perceived justification for terrorism, they managed to agree upon an overarching “global counterterrorism strategy” (GCTS). The Strategy is based on four pillars outlining measures to prevent and combat terrorism for states and for the wider UN system, including entities based at Headquarters (in New York and Vienna) and the field. Adopted by consensus<sup>1</sup> in the General Assembly, the GCTS was notable not necessarily for its constituent elements, but because it established a comprehensive approach that combined prevention, capacity building, and the integration of human rights as a fundamental component of counterterrorism measures (pillars 1, 3, and 4 respectively; pillar 2 outlined measures more traditionally associated with countering terrorism).<sup>2</sup>

A biennial review by Member States built into the strategy<sup>3</sup> has taken place regularly

since the initial adoption,<sup>4</sup> which takes the form of a resolution capturing all the content of the review discussions.<sup>5</sup> Though largely reflective of the strategy adopted by the European Union in 2005, which was itself reflective of the CONTEST Strategy adopted by the United Kingdom in 2003, the Strategy’s adoption by a UN membership constituted of diverse states with vastly different notions of counterterrorism was no mean feat.

However, today the UN faces a distinctly different global security landscape from when it first addressed the threat posed by al-Qaida (and subsequently, Islamic State / Da’esh) over two decades ago. The terrorist threat is now more diffuse and diverse, no longer centered on two specific groups. More international actors and organizations are involved in counterterrorism efforts, more legislation and international frameworks are in place, and more focus is placed on building knowledge and capacities to counter terrorism.

That the threat is constantly evolving is not new, but states have sought to continually ensure that the reviews of the GCTS reflect

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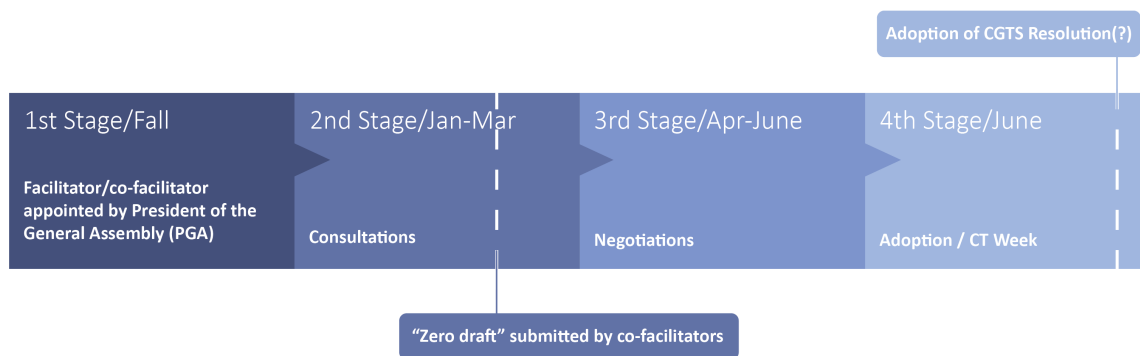
<sup>1</sup> Consensus adoption indicates that, even if not unanimous, no member state voiced formal disagreement with the resolution, though some states have disassociated themselves from a specific paragraph or two during the review processes.

<sup>2</sup> United Nations General Assembly resolution 60/288, *The United Nations Global Counter-Terrorism Strategy*, A/RES/60/288, (20 September 2006), available from <https://undocs.org/Home/Mobile?FinalSymbol=A%2FRES%2F60%2F288&Language=E&DeviceType=Desktop&LangRequested=False>.

<sup>3</sup> For more detailed analyses on the review processes in 2012, 2014, 2016, 2018, 2020/21, and earlier comprehensive reviews of the UN’s counterterrorism work, see the “Blue Sky” reports produced by the Global Center on Cooperative Security, with the most recent report accessible at: <https://www.globalcenter.org/wp-content/uploads/GCCS-Blue-Sky-V-2020.pdf>.

<sup>4</sup> GCTS reviews have taken place in 2008, 2010, 2012, 2014, 2016, 2018 and 2021; the 2020 review was postponed for a year owing to extraordinary circumstances brought about by the COVID-19 pandemic.

<sup>5</sup> United Nations General Assembly resolution 62/272, *The United Nations Global Counter-Terrorism Strategy*, A/RES/62/272, (15 September 2008); United Nations General Assembly resolution 64/297, *The United Nations Global Counter-Terrorism Strategy*, A/RES/64/297 (13 October 2010); United Nations General Assembly resolution 66/282, *The United Nations Global Counter-Terrorism Strategy Review*, A/RES/66/282 (12 July 2012); United Nations General Assembly resolution 68/276, *The United Nations Global Counter-Terrorism Strategy Review*, A/RES/68/276 (24 June 2014); United Nations General Assembly resolution 70/291, *The United Nations Global Counter-Terrorism Strategy Review*, A/RES/70/291 (19 July 2017); General Assembly resolution 72/284, *The United Nations Global Counter-Terrorism Strategy Review*, A/RES/72/284 (2 July 2018); United Nations General Assembly resolution 75/291, *The United Nations Global Counter-Terrorism Strategy: seventh review*, A/RES/75/291 (2 July 2021).



**Figure 1: GCTS review process (approximation)**

current priorities. With states eager to reference emerging threats and challenges and to ensure a balanced, comprehensive approach within the parameters set by the GCTS itself, the resolution has grown consistently longer. The first review offered 14 operational paragraphs; the seventh – and most recent – review contains 119, raising questions about its usability either for normative or operational purposes (see also figure 2 below).

Ensuring that the reviews of the GCTS emphasize approaches that are more inclusive of human rights, gender, and civil society engagement has meant that many of those paragraphs have been hard fought, and represent an important commitment on behalf of the international community. As such, they have been regarded as important additions by many states. However, the terrorist threat is constantly evolving. Since the last review, there have been a number of developments shaping the counterterrorism discourse, including the emergence of an increasingly transnational violent far-right movement; online hate, disinformation, and radicalization, with a focus on youth; the phenomenon of self-directed individual perpetrators who may be motivated by

multiple and fluid ideologies; and the role of some private military contractors in perpetrating acts that can be considered war crimes or terrorism. It is important to consider if and how these changes might be reflected in the review process, and to what end, especially balanced against the potential value of a more streamlined document.

Moreover, the environments in which many UN activities – related to development, gender equality, or peacekeeping, for example – are increasingly affected by the actions of designated terrorist groups. It is therefore important to go beyond the GCTS review text and consider if, where, and how the UN can respond to these phenomena in the first place, and whether they can be effectively addressed through the GCTS review process at all.

As the GCTS review resolution continues to expand in scope at a time when states also must confront extraordinary circumstances like the pandemic, skyrocketing global humanitarian needs, and conflict mitigation assistance (particularly interstate wars that risk nuclear confrontation), it is time to consider whether the current form and

content of the review *process* still follow the function for which it was intended. In particular, we must ask ourselves: Does it serve as a collective statement of the world body on terrorism? Does it inform the work of counterterrorism practitioners? Does it serve as a prioritization exercise for governments and UN entities? As one civil society expert recently noted, “if it says everything, it says nothing.”

This Issue Brief will consider the evolution of the GCTS reviews and address four key questions to guide negotiators and experts as the 2023 review gets underway.

- What is the added value of the Strategy itself and the review process?
- What is the purpose of the GCTS review, and does it continue to meet that objective in its current form?
- How does the GCTS review intersect with wider UN priorities and goals?
- What gaps exist, are they best addressed in a GCTS review, and if so, how?

## WHAT IS THE KEY ADDED VALUE OF THE STRATEGY AND THE REVIEW PROCESS?

### *Creating a common message*

Soon after the attacks of September 11, 2001, and amidst a call for greater international cooperation to counter terrorism among states and international organizations, senior UN experts and officials considered whether and where the

organization had a comparative advantage in addressing this emerging threat. They determined that “the Organization’s activities must be part of a tripartite strategy supporting global efforts to 1) dissuade disaffected groups from embracing terrorism; 2) deny groups or individuals the means to carry out terrorist acts; 3) sustain broad-based international cooperation in the struggle against terrorism.” In all cases, they determined that “the fight against terrorism must be respectful of international human rights obligations.”<sup>6</sup>

In 2005, four years after the Security Council first adopted Resolution 1373 (2001), which became the centerpiece of its response, then-UN Secretary-General Kofi Annan outlined a broader role for the United Nations largely in line with the previous determination. It could *dissuade* disaffected groups from choosing terrorism as a tactic to achieve their goals; *deny* terrorists the means to carry out their attacks; *deter* states from supporting terrorists; *develop* state capacity to prevent terrorism; and *defend* human rights in the struggle against terrorism. These “5D’s” formed the basis of a comprehensive UN approach to this emerging threat to international peace and security.<sup>7</sup> The 5D’s defined counterterrorism not only in security and military terms, but also highlighted the importance of addressing the “conditions conducive to terrorism” and upholding human rights, ensuring that the Strategy reflected all three core pillars of

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<sup>6</sup> United Nations General Assembly & 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), available from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N02/512/97/IMG/N0251297.pdf?OpenElement>.

<sup>7</sup> “Kofi Annan’s keynote address to the closing plenary of the International Summit on Democracy, Terrorism and Security,” (United Nations Secretary-General, 10 March 2005), <https://www.un.org/sg/en/content/sg/speeches/2005-03-10/kofi-annan-s-keynote-address-closing-plenary-international-summit>.

the UN's wider work – peace and security, development, and human rights. As senior UN experts and officials noted as early as 2002, “Security cannot be achieved by sacrificing human rights.”<sup>8</sup>

Moreover, as states began to adopt or update their own counterterrorism measures and strategies in alignment with their obligations under relevant Security Council resolutions already in place,<sup>9</sup> the adoption of the Global Counter-Terrorism Strategy in 2006 offered an important strategic communications tool:<sup>10</sup> a comprehensive reference framework agreed upon by all Member States as well as a common lexicon for a new area of work for the world body. One senior counterterrorism official from Europe recently called it the “keystone of the multilateral approach to counterterrorism,” noting it has both political and practical impacts, and that “as an international instrument adopted by consensus, it retains its universality,” shaping activities of the UN system and member states. Moreover, as some diplomats and experts recently observed, the review process creates the openings for debate and dialogue needed to

be able to deliver a common message in the end.

### ***Engaging the UN system***

The GCTS review resolutions also shape the activities of UN funds, agencies, and programs, including the UN Office on Drugs and Crime (UNODC), UN Development Program (UNDP), and UN Women, for example. The comprehensive approach of the resolutions offered UN entities ways of interacting and contributing to implementing the strategy in line with their own mandates, which may not be directly related to security issues. Many entities remained wary of engaging in UN counterterrorism efforts, or even to be perceived as doing so, for fear of having their work securitized or politicized (particularly in sensitive contexts or conflict zones), but the GCTS and its emphasis on “pillar 1” prevention-related activities offered an inroad to work on these issues through their particular areas of work – such as development, human rights, gender, and legal and criminal justice support.

Subsequent emphasis on “preventing violent extremism,” encapsulated in a Plan

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<sup>8</sup> United Nations General Assembly & 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), available from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N02/512/97/IMG/N0251297.pdf?OpenElement>.

<sup>9</sup> Following the bombings of US Embassies in Nairobi and Dar es Salaam in 1996, the UN established the sanctions regime (pursuant to resolution 1267) with a focus on al-Qaida and the Taliban. Subsequently the Taliban was removed from this list and placed on a dedicated sanctions list; and the group Islamic State/Da'esh, as well as numerous affiliates of the groups, were added to the list. For more, read: Howard Wachtel, “Assessing the Utility of the UN's Terrorism Sanctions Regime 20 Years after 9/11,” *Securing the Future Initiative*, 5 August 2022, [http://sfi-ct.org/wp-content/uploads/2022/08/Wachtel\\_Final-Design.pdf](http://sfi-ct.org/wp-content/uploads/2022/08/Wachtel_Final-Design.pdf); Edmund Fitton-Brown, “The UN Al-Qaida and ISIL (Da'esh) Sanctions Regime Impacts and Implications,” *The Soufan Center*, January 2023, <https://thesoufancenter.org/research/the-un-al-qaida-and-isil-daesh-sanctions-regime-impacts-and-implications/>. Resolution 1373 was adopted just days after the attacks of September 11, 2001 (Eric Rosand, “The Security Council as ‘Global Legislator’: Ultra Vires or Ultra Innovative?” *Fordham International Law Journal* 28, no. 542 (2004), <https://ir.lawnet.fordham.edu/ilj/vol28/iss3/2>). After the “7/7” bombings in London and the attack in Beslan in 2004, the Security Council adopted a resolution on combating incitement to terrorism, which also affirmed the importance of protecting human rights and civil liberties. See: United Nations Security Council resolution 1624, S/RES/1624 (14 September 2005), available from <http://unscr.com/en/resolutions/doc/1624>.

<sup>10</sup> Naureen Chowdhury Fink and Jack Barclay, *Mastering the Narrative – Counterterrorism Strategic Communication and the United Nations*, Center on Global Counterterrorism Cooperation, 2013, [https://globalcenter.org/wp-content/uploads/Feb2013\\_CT\\_StratComm.pdf](https://globalcenter.org/wp-content/uploads/Feb2013_CT_StratComm.pdf).

of Action put forward by former Secretary-General Ban Ki-Moon,<sup>11</sup> offered important openings for wider engagement and programming. This has not always resulted in even engagement across the UN system, with a number of entities highlighting a lack of resources and capacities to meaningfully engage with the expansive multilateral CT architecture.<sup>12</sup>

At the same time, there have been concerns among many UN entities and civil society groups that expanding the counterterrorism agenda<sup>13</sup> risks securitizing development and human rights work,<sup>14</sup> and also risks instrumentalizing many frontline organizations whose credibility might be compromised through association with security actors. Additionally, as one diplomat recently noted, it could also mean the work of civil society organizations could come under increasing scrutiny (and penalties) by the security sector in states given the association with counterterrorism.

Others have seen these as opportunities not necessarily to transform all existing UN work into counterterrorism, but to ensure that where CT measures are being

developed and implemented, they are reflective of lessons learned and expertise in other fields, including development, human rights, conflict prevention, gender equality, as well as monitoring and evaluation, particularly in sensitive contexts.<sup>15</sup> As most counterterrorism cooperation is conducted on a bilateral or regional basis between states, it is particularly important to ensure that the UN narrative can reflect the values and principles of the organization, while also retaining some influence and relevance to those developing legal and operational measures in real-time.

### ***Fostering consensus***

A key value added by the GCTS was its adoption by consensus, something that has been reaffirmed through the adoption of seven review resolutions by consensus. That complements the value of a comprehensive framework for the diverse and decentralized UN system and its Member States. Given that this consensus has often required more compromises than if the document were put to a vote, some have questioned whether it is worth seeking what some feel

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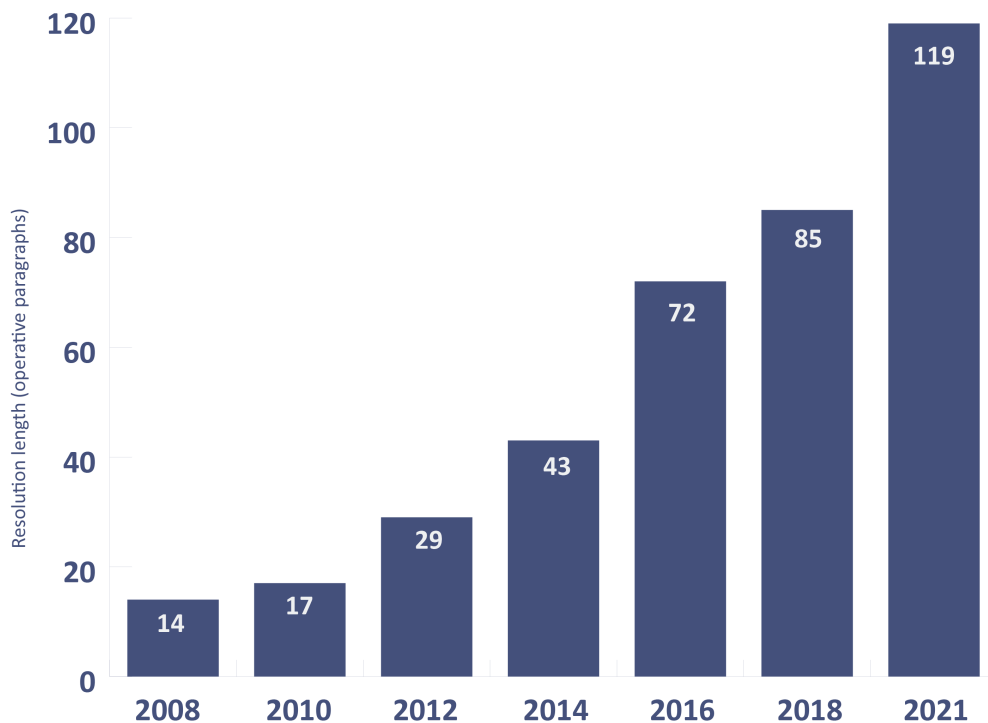
<sup>11</sup> “Plan of Action to Prevent Violent Extremism,” (United Nations Office of Counterterrorism), <https://www.un.org/counterterrorism/plan-of-action-to-prevent-violent-extremism>.

<sup>12</sup> See for example: “Interview with UN Special Rapporteur Fionnuala Ní Aoláin,” *Columbia Journal of Transnational Law*, 28 November, 2020, <https://www.jtl.columbia.edu/bulletin-blog/interview-with-un-special-rapporteur-fionnuala>.

<sup>13</sup> See for example: Fiona de Londras, *The Practice and Problems of Trans-national Counter-Terrorism*. Cambridge University Press, 19 January 2022. Doi:10.1017/9781139137010; David McKeever and <https://www.undp.org/sites/g/files/zskgke326/files/publications/Discussion%20Paper%20-%20Preventing%20Violent%20Extremism%20by%20Promoting%20Inclusive%20%20Development.pdf> Fiona de Londras, *The Practice and Problems of Transnational Counter-Terrorism*, *Journal of Conflict and Security Law* 27, no. 3 (2002): 485-492, <https://doi.org/10.1093/jcsl/krac022>

<sup>14</sup> “A Fourth Pillar for the United Nations? The Rise of Counter-Terrorism,” *Saferworld*, June 2020, <https://www.saferworld.org.uk/resources/publications/1256-a-fourth-pillar-for-the-united-nations-the-rise-of-counter-terrorism>; Melissa Lefas, Junko Nozawa, Eelco Kessels, “Blue Sky V: An Independent Analysis of UN Counterterrorism Efforts,” *Global Center on Cooperative Security*, November 2020, <https://www.globalcenter.org/resource/blue-sky-v-an-independent-analysis-of-un-counterterrorism-efforts/>.

<sup>15</sup> Naureen Chowdhury Fink and Alison Davidian, “Complementarity or Convergence? Women, Peace and Security and Counterterrorism,” *Oxford Handbook of Gender and Conflict* (2018): 157-170; United Nations Development Programme, *Preventing Violent Extremism Through Promoting Inclusive Development, Tolerance and Respect for Diversity* (New York: United Nations: 2016), available from <https://www.undp.org/sites/g/files/zskgke326/files/publications/Discussion%20Paper%20-%20Preventing%20Violent%20Extremism%20by%20Promoting%20Inclusive%20%20Development.pdf>.



**Figure 2: Increases in GCTS Review resolution length (OP's)**

is the lowest common denominator among states, and whether a vote would not allow for more forceful change and statements.

However, consensus adoption sends an important political message to member states and civil society and reinforces UN norms, particularly as the consensus has held for every review to date. Given that the review is a diplomatic process and results in a document aimed largely at shaping national and international policies, losing the consensus – even if the vote is perceived as a strong win by a group of states – could diminish the political value added.

The value of this consensus is not universally accepted, however. Some experts have noted that consensus comes at the cost of accepting unwelcome additions or formulations proposed by states, and some diplomats have favored breaking consensus and putting the review resolutions to a vote in order to preserve certain priorities in the text. Moreover, as some diplomats have noted, the absence of a single, all-encompassing, globally agreed definition of terrorism (in the UN GA's Sixth Committee on legal issues) is a stark and not insignificant contrast to the consensus achieved in the GCTS. To some, this contradiction risks undercutting the value of the consensus. Despite the lack of a universally agreed definition of terrorism, there are however numerous international



treaties that define several *acts* of terrorism, reflected also in UN Security Council Resolution 1566 (2004). Numerous binding Security Council resolutions have reaffirmed that all counterterrorism measures must comply with international law, including human rights, humanitarian, and refugee law.

Against the background of the U.S.-led “Global War on Terror,” achieving consensus on a UN framework that reaffirmed the purposes and principles of the Charter and highlighted the importance of development, conflict prevention, peacebuilding, and human rights aspects was seen by many as an important countervailing narrative.

#### **WHAT IS THE PURPOSE OF THE GCTS REVIEW, AND DOES IT CONTINUE TO MEET THAT OBJECTIVE?**

The GCTS review is intended to ensure that the world body’s overarching framework reflects contemporary dynamics and needs, and reaffirm the UN’s role in addressing them. The review process creates opportunities for states and stakeholders – including civil society organizations, international partner organizations, and experts – to ensure that the discourse on counterterrorism at the UN reflects emerging threats and trends, is up-to-date regarding the drivers of terrorism and responses to it, and includes a wider array of specialist agencies and experts.

For some states in the General Assembly, the GCTS review is the only opportunity to share their national security priorities or

shape the counterterrorism discourse at the United Nations, since, they do not have the opportunities to adopt binding measures offered to Security Council members. Moreover, many states believe that, in light of its universal membership, the General Assembly, not the Security Council, should be tasked with setting norms. Diplomats have often shared disquiet at the disproportionate influence that the Council, with its limited membership and five permanent, veto-wielding members, wields in shaping the CT agenda. This has even at times made negotiators reluctant to accept language lifted directly from Security Council resolutions into the GCTS review, notwithstanding the binding nature of some of Council resolution clauses.

However, the length and scope of the current iteration of the resolution raises questions about the functionality and audience of the GCTS review at this stage. Many experts report that the all-encompassing, unwieldy nature of the document risks rendering it unusable for policymakers or practitioners in capitals where counterterrorism measures are developed.

Moreover, the GCTS is not the only platform for UN Member States to debate the issue of terrorism; terrorism is regularly debated in the GA’s sixth committee on legal issues, and the issue of human rights and counterterrorism is debated in the GA’s third committee in the Fall. States are also free to propose their own resolutions on the issue, as Afghanistan and Spain did on the issue of victims of terrorism, for example.<sup>16</sup> The Security Council has also

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<sup>16</sup> United Nations General Assembly resolution 73/305, A/RES/73/305 (2 July 2019), available from <https://undocs.org/Home/Mobile?FinalSymbol=A%2FRES%2F60%2F288&Language=E&DeviceType=Desktop&LangRequested=False>, A/RES/73/305.



been proactive in addressing the threats posed by international terrorism since 1996, when it was first prompted to sanction al-Qaida by the East Africa bombings. Since the adoption of Security Council Resolution 1373 in the wake of 9/11, the Council has issued nearly 50 resolutions relevant to counterterrorism, including numerous binding obligations for states to amend their domestic approaches.<sup>17</sup> Indeed, there have been many calls for the Security Council to adopt fewer resolutions and instead focus on implementing the existing ones.<sup>18</sup>

In addition to resolutions, there is an extensive program of work and activities maintained by the Security Council Counter-Terrorism Committee (CTC) and the ‘1267’ Al-Qaida and Da’esh/ISIL Committee and their expert bodies, the Counter-Terrorism Executive Directorate (CTED) and the Monitoring Team, respectively. Still, this only represents a snapshot of some of the activity undertaken by bodies at one particular UN headquarters in New York. Other entities undertake their own counterterrorism-related activities and policymaking processes at UN offices in Geneva and Vienna; in regional and subregional bodies like the European Union, the African Union, the Organization for Security Cooperation in Europe; and in intergovernmental bodies like the Global Counter-Terrorism Forum.

Seven GCTS reviews have been completed. UN counterterrorism norms have been established by numerous Security Council and General Assembly resolution. However, given the nature of contemporary threats – which include groups and individuals motivated by a variety (and sometimes blend) of ideologies,<sup>19</sup> as well as emerging technologies including 3D printing, unmanned aerial systems (drones) and methods for communications, financing, and operations – it is important to consider the purpose for which the GCTS was adopted and whether the current iteration of the review process can meaningfully address these challenges, particularly given the proliferation of institutional actors and specialized bodies like the International Civil Aviation Organization (ICAO), the Financial Action Task Force, or Interpol, for example, that are dealing with different elements of counterterrorism.

#### HOW DOES THE GCTS REVIEW INTERSECT WITH WIDER UN PRIORITIES AND GOALS?

Evolutions in international approaches and priorities in relation to CT have been reflected in the GCTS review negotiations, as they have in Security Council resolutions. Terrorist attacks in London and Beslan (in July and September 2004 respectively) highlighted the importance of combating incitement; the emphasis on PVE brought greater focus on structural conditions,

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<sup>17</sup> Eric Rosand, Alistair Millar, Naureen Chowdhury Fink, *Counterterrorism and the United Nations Security Council Since 9/11: Moving Beyond the 2001 Paradigm*, Securing the Future Initiative, September 2022, available at: [https://sfi-ct.org/wp-content/uploads/2022/09/SFI-Report\\_Full.pdf](https://sfi-ct.org/wp-content/uploads/2022/09/SFI-Report_Full.pdf).

<sup>18</sup> David McKeever, “Revisiting Security Council action on counterterrorism: New threats; (a lot of) new law; same old problems?” *Leiden Journal of International Law* 34(2) (2004): 441-470, available at: <https://www.cambridge.org/core/journals/leiden-journal-of-international-law/article/abs/revisiting-security-council-action-on-terrorism-new-threats-a-lot-of-new-law-same-old-problems/3F6365BDA707C7B3261FEC23C20CF55B>.

<sup>19</sup> “IntelBrief: The Counterterrorism Challenge of ‘Salad Bar’ Ideologies,” The Soufan Center, 29 March 2021, <https://thesoufancenter.org/intelbrief-2021-march-29/>.

development approaches, and gender equality work, highlighting the importance of UNDP and UN Women, for example. The unprecedented outflow of foreign terrorist fighters to conflict zones in Iraq and Syria brought greater attention to issues like border management, aviation security, and law enforcement, highlighting the work of ICAO and Interpol and bringing more entities into the UN's counterterrorism work. However, it remains unclear if and how the GCTS review process contributes to the wider UN work on peace and security, human rights, and development.

The evolution of the original Counter-Terrorism Implementation Task Force (CTITF) from an informal task force of UN bodies occasionally cooperating on counterterrorism issues into the 40+ entities and more regularized structure that make up the UN Global Coordination Compact to Counter Terrorism (Global Compact),<sup>20</sup> and of the CTITF Office, which featured only a handful of people supporting the task force, into the UN Office on Counter Terrorism (UNOCT), headed by an Under-Secretary-General with closer to 200 staff and millions of dollars of programming (funded by largely extra-budgetary, or voluntary, resources from states outside the regular UN budget), speaks to greater institutionalization within the UN system. Yet several challenges remain:

**Resources:** Institutionalizing a core UNOCT team within the UN's regular budget, rather than leaving the office almost wholly dependent on voluntary contributions, offers

the staff more predictability and sustainability for its initiatives and programming. While it remains likely in the near future that there will continue to be significant extra-budgetary donations by states for specific programming or offices, it is critical for both the beneficiaries as well as the ability to monitor and evaluate the impact of the activity that there be a viable sustainability plan for the office. Moreover, this regularization can help ensure greater integration within the UN system.

**Global Compact:** With 45 entities and eight working groups, the Global Compact presents a valuable opportunity to exchange information and updates. CTED for example has shared approximately 25 confidential visit reports (with permission of visited states) through the platform, a process that was unthinkable in the early years of the process. However, reports from members of the group suggest there are ongoing challenges in getting information in a timely and impactful manner, and that opportunities to provide constructive feedback remain opaque at times. It would be useful to assess the Compact and determine a way forward that is commensurate with the level of activity and investment demanded by states and UN entities, often reflected in GCTS review process.

The meager references to terrorism in the Secretary-General's strategic planning policy report, *Our Common Agenda*,<sup>21</sup> calls into question the degree to which counterterrorism issues have been meaningfully integrated into

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<sup>20</sup> "UN Global Counter-Terrorism Coordination Compact," (United Nations Office of Counterterrorism), <https://www.un.org/counterterrorism/global-ct-compact>.

<sup>21</sup> United Nations, *Our Common Agenda – Report of the Secretary-General*, (New York: United Nations, 2021), available from [https://www.un.org/en/content/common-agenda-report/assets/pdf/Common\\_Agenda\\_Report\\_English.pdf](https://www.un.org/en/content/common-agenda-report/assets/pdf/Common_Agenda_Report_English.pdf).

the wider UN system and its strategic planning. Nonetheless, a number of the report's recommendations (promoting peace and preventing conflicts, adhering to international law and ensuring justice, improving digital cooperation, and working with youth) have direct bearing on terrorism and counterterrorism issues (i.e. targeting young people through disinformation and radicalization materials online, manipulating grievances relating to poor governance and security, and exploiting conflict settings to create bases of operations and recruit support).

In 2002, then-Secretary-General Annan's Policy Working Group on Terrorism had already found that the UN's comparative advantages in combating terrorism lay in the fields of preventing and mitigating conflict, addressing critical development and humanitarian needs, and reducing the appeal of terrorism through information. The development of Secretary-General Guterres' forthcoming *New Agenda for Peace*<sup>22</sup> provides a valuable opportunity to revisit the questions of how the UN might best contribute to international counterterrorism efforts in the current context, where many UN activities and missions are situated in areas where designated terrorist groups are active, and where predatory governments continue to prioritize security over human rights, despite evidence that such violations continue to fuel grievances and spur support for violent extremism.<sup>23</sup>

As many states shift their priorities from counterterrorism to interstate conflict; great power competition; and crises relating to climate, energy, and migration, for example, questions remain about the role and utility that the UN serves in different contexts. Undeniably, the organization provides much critical assistance in the field and is an important forum for states to engage in dialogue and diplomacy. However, given the increased attention by states to inter-state wars, the climate crises, more limited financial flows, the fallout of the global pandemic, and numerous regional sociopolitical challenges, how does – or can – the GCTS review contribute to the UN's wider work on these issues? Moreover, without being able to institute any measures for accountability, how can member states ensure that the GCTS and its reviews are not misused by states seeking to justify repressive actions in the name of counterterrorism?<sup>24</sup>

Prior to the next review process anticipated in 2025, Member States could first commission an assessment of the impact of the GCTS. They could also direct the UN system to focus on implementing existing measures, and develop a more regular forum for states to share feedback and inputs regarding counterterrorism that might replace the GCTS (one option might be a Group of Friends, or an ad hoc Working Group). The adoption by consensus of the GCTS carries an implicit obligation for states

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<sup>22</sup> "New Agenda for Peace," (United Nations Department of Political and Peacebuilding Affairs), <https://dppa.un.org/en/new-agenda-for-peace>.

<sup>23</sup> United Nations Development Programme, *Journey to Extremism in Africa: Pathways to Recruitment and Disengagement* (2023), available from <https://www.undp.org/publications/journey-extremism-africa-pathways-recruitment-and-disengagement>; United Nations Development Programme, *Journey to Extremism in Africa: Drivers, Incentives and the Tipping Point for Recruitment*, (New York: 2017) available from <https://journey-to-extremism.undp.org/v1/en/reports>; see also: Naureen Chowdhury Fink and Arthur Boutellis, "Between a Rock and a Hard Place: Counterterrorism and Peacekeeping in the Sahel," International Peace Institute Global Observatory, 20 July 2021, <https://theglobalobservatory.org/2021/07/between-a-rock-and-a-hard-place-counterterrorism-and-peacekeeping-in-the-sahel/>.

<sup>24</sup> Akshaya Kumar, "Chinese Diplomats Try Using UN as Shield for Xinjiang Crimes," Human Rights Watch, 1 November 2020, <https://www.hrw.org/news/2020/11/01/chinese-diplomats-try-using-un-shield-xinjiang-crimes>.

and the UN to account for its implementation and impact, as several diplomats recently noted.

### **ADDRESSING GAPS IN THE UN CT FRAMEWORK THROUGH THE GCTS REVIEW**

The expansion of the GCTS review resolution over the years suggests most themes related to counterterrorism have already been broadly covered. In 2016, important emphasis was placed for the first time on prevention, human rights, gender, and engagement with civil society, among others, and that emphasis has remained in place for the two following reviews. Over the past 20 years, some progress has been made in creating more transparent and inclusive processes. More civil society briefers are invited to UN Security Council counterterrorism meetings,<sup>25</sup> more emphasis has been placed on engaging with civil society in CTED's assessments and analyses,<sup>26</sup> and more opportunities have been created for civil society to provide inputs and feedback into UN CT processes and meetings.

However, many organizations still believe this progress has not created sufficient openings and opportunity for systematized and meaningful access to the UN system on counterterrorism, particularly during the GCTS review process. Reopening issues for debate risks jeopardizing the sometimes

fragile consensus achieved, while it is hard to imagine what additional issues may be meaningfully addressed.

One area where the GCTS could be valuable is in regards to the challenge facing peace operations in contexts involving designated terrorist groups. It will be important for the UN to develop a guidance or protocols for its staff and entities in these situations, especially as the UN and its members reflect on how to address the burgeoning terrorist threat in regions like the Sahel or Lake Chad Basin, or how to navigate the complexities of sanctions and counterterrorism measures in Afghanistan.

Still, it is not clear that these issues can be addressed through the GCTS review process. For example, in December 2022, the UN Security Council adopted a milestone humanitarian “carveout” across all UN sanctions, including the 1267 counterterrorism regime. Though the issue has been debated in the context of the GCTS review, and proved deeply contentious in the past, it was the adoption of a binding Council resolution that was able to address – at least in large part – the concerns of civil society actors about the negative impacts of counterterrorism measures on humanitarian action.<sup>27</sup>

The GCTS review process, and the regular report of the Secretary-General that

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<sup>25</sup> United Nations Human Rights Office of the High Commissioner, “Civil Society Workshop Document,” 2022, <https://www.ohchr.org/sites/default/files/2022-05/CIVIL-SOCIETY-OUTCOME-DOCUMENT-MALAGA-2022-1-1.pdf>; United Nations Office of Counterterrorism, “2022 UNOCT Malaga Conference,” 2022, <https://www.un.org/counterterrorism/2022-UNOCT-Malaga-Conference>.

<sup>26</sup> United Nations Security Council resolution 2617, S/RES/2617 (30 December 2021), available from [https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=S/RES/2617\(2021\)&Lang=E](https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=S/RES/2617(2021)&Lang=E).

<sup>27</sup> Naureen Chowdhury Fink and Agathe Sarfati, “Milestone in the Security Council: What the New Humanitarian ‘Carve-Out’ Means for UN Sanction Regimes,” IPI Global Observatory, 16 December 2022, <https://theglobalobservatory.org/2022/12/new-humanitarian-carve-out-un-sanctions-regimes/>; Agathe Sarfati, *An Unfinished Agenda: Carving Out Space for Humanitarian Action in the UN Security Council’s Counterterrorism Resolutions and Related Sanctions* (New York: International Peace Institute, March 2022), <https://www.ipinst.org/wp-content/uploads/2022/03/Humanitarian-Action-in-UN-Sanctions-Regimes-PDF.pdf>.

precedes review negotiations, provides an important opportunity to consider gaps in the UN institutional architecture and the substantive focus of its bodies, as indicated by paragraph 86 of the most recent GCTS review, for example, which shapes states' expectations of the regular Secretary-General's report on implementation of the GCTS (usually presented in the first quarter of the year).<sup>28</sup>

Previous reviews have resulted in directives that shaped the work of the CTITF and its successor organization, the UNOCT. Although reconciling or consolidating bodies like CTED, the Monitoring Team, and the Terrorism Prevention Branch of UNODC has long been deemed politically unrealistic, the viability and sustainability of the current arrangement should come into question amid increased financial constraints and other global crises. Recommendations to consolidate Security Council bodies like CTED and the Monitoring Team, at the very least, have already been floated.<sup>29</sup> States could however use the 2023 review process to direct the SG to focus on a more strategic approach to the next report, offering an assessment of the UN's impact to date (beyond the GCTS) and offering proposals to rationalize the multilateral architecture. Nonetheless, customary tensions between the GA and the UNSC will likely make any drastic changes unlikely.

Beyond the formalized processes for deliberating on terrorism in the General Assembly or Security Council, there are numerous policy processes – resolutions, activities, events – that, while not directly focused on the issue of counterterrorism, include it among a host of considerations. Resolutions on regional issues or organizations, for example, might have a counterterrorism component; counterterrorism priorities might intersect with other legal and thematic considerations (for example, if there are implications for sanctions compliance). These also require the attention of diplomats and experts, as well as resources in capitals, and are often presented on short and unexpected timelines.

Such fragmentation risks diverting expert attention and stretching diplomatic capacities; at best they may be neglected, but at worst, they may be misused or instrumentalized. Given that more than 20 years have passed since the attacks of September 11, 2001 catalyzed the proliferation of many of these measures and created an “exceptionalized” approach to counterterrorism,<sup>30</sup> the Secretary-General should consider a fresh posture for the world body that reflects contemporary dynamics and institutional capacities.

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<sup>28</sup> “Calls upon the Secretary-General to assess the need to further enhance the integration of the rule of law, human rights and gender, as cross-cutting elements of the Strategy, in the counter-terrorism efforts of the United Nations system in order to strengthen their effectiveness, including the need for internal advisory or monitoring and evaluation capacity in this regard, and to report on his assessment as part of the report foreseen in paragraph 118 of the present resolution for consideration by Member States;” This is linked also to paragraph 118, which “requests the Secretary-General to submit to the General Assembly at its seventy-seventh session, no later than February 2023, a report on progress made in the implementation of the Strategy, containing suggestions for its implementation by the United Nations system, as well as on progress made in the implementation of the present resolution.”

<sup>29</sup> Eric Rosand, Alistair Millar, Naureen Chowdhury Fink, *Counterterrorism and the United Nations Security Council Since 9/11: Moving Beyond the 2001 Paradigm*.

<sup>30</sup> Eric Rosand, Alistair Millar, Naureen Chowdhury Fink, *Counterterrorism and the United Nations Security Council Since 9/11: Moving Beyond the 2001 Paradigm*.

Early on, senior UN experts recommended that “measures should be taken to ensure that mandates of peacekeeping operations are sensitive to terrorism-related issues, providing, for instance, that civilian police officers receive appropriate training on measures to identify terrorist groups.”<sup>31</sup> Yet the GCTS reviews, despite their expanded length and scope, have not meaningfully grappled with how counterterrorism can (and cannot) intersect with peace operations and special political missions, a core area of the UN’s peace and security work. Setting out the 2023 priorities for the General Assembly,<sup>32</sup> Secretary-General Guterres noted the need for a new generation of peace enforcement missions and counterterrorist operations; even if deliberations cannot determine whether or not UN peace operations can undertake counterterrorism, they should outline guidance and protocols for how they should manage threats posed by terrorist groups to themselves and the communities they serve.

The expansion of the GCTS review resolution has resulted in lengthier negotiations, increasingly complex detail, and an investment by UN member state capitals and missions that may distract from other priorities, even counterterrorism issues that appear in other bodies. The 2023 review should be used to lay the groundwork for a strategic refresh of the process, with increased focus on impact, implementation, and integration. This will require changing

the format, timelines, and process of the GCTS review. Expanding the inter-review period from two to four years would allow the UN system to focus on implementation, rationalize the investment of time and expertise required by diplomats, and alternative platforms such as a potential Group of Friends or ad-hoc Working Group could allow states to continue debating critical issues as deemed necessary.

## RECOMMENDATIONS

- **Request Secretary-General’s 2025 Strategic report on UN counterterrorism efforts and architecture, with a 2026 implementation proposal report:** Member States should use the 2023 GCTS review to ask the UN Secretary-General to produce a strategic report on the roles and impacts of the UN in countering terrorism, with recommendations for a multilateral posture and architecture that reflects contemporary threats and dynamics. The report should not reproduce the list of institutional activities found in the regularly produced reports on UN responses to ISIL, but offer a crisp, strategic assessment of the UN’s comparative advantages in countering terrorism in the current context, and how to best leverage those advantages to achieve the goals set out in Our Common Agenda. This report should be produced in consultation with Global Compact members, civil society organizations, and communities directly affected by terrorism and counterterrorism. It should be

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<sup>31</sup> United Nations General Assembly & 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), Section V, Recommendation 23, available from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N02/512/97/IMG/N0251297.pdf?OpenElement>; see also: Arthur Boutellis and Naureen Chowdhury Fink, “Waging Peace: UN Peace Operations Confronting Terrorism and Violent Extremism,” (International Peace Institute, October 2016), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2893280](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2893280).

<sup>32</sup> “Secretary-General’s briefing to the General Assembly on Priorities for 2023,” (United Nations Secretary-General), available from <https://www.un.org/sg/en/content/sg/statement/2023-02-06/secretary-generals-briefing-the-general-assembly-priorities-for-2023-scroll-down-for-bilingual-delivered-all-english-and-all-french-versions>

presented to Member States no later than 2025, with an implementation planning report to be produced by the 20th anniversary of the GCTS in 2026.

- **Request UNOCT report assessing impacts of GCTS:** Member States should request that UNOCT assess the global impacts of the GCTS, as a basis for identifying gaps and needs moving forward, and whether and how the Strategy is effectively utilized by states. Such an assessment may include a combination of self-reporting from states, a review of relevant and existing global indexes or statistics on relevant issues, or a dedicated series of consultations with member states. Although causality may be difficult to attribute, understanding the impacts and implementation of the Global Strategy will be critical to determining the future course of the review process. This might be included as an annex in the report in recommendation I, or as an independent report.
- **Reevaluate existing tools for emerging challenges:** Member States and UN entities should review existing tools – including resolutions, framework documents, programs of work and events – to identify how these might be adapted to address emerging threats and trends. For example, activities focused on terrorism financing may be directed to target XRIRB actors; projects focused on countering terrorist narratives and countering incitement could be directed to focus on online radicalization of youth and complement efforts by partners like the Global Internet Forum to Counter Terrorism or the Christchurch Call.

- **Extend the GCTS review cycle to four years, and establish platforms for our regular debate and dialogue in between them:** Member States should use the 2023 GCTS review to lay the groundwork for a four-year review cycle, in addition to discussing the form and format of the review process itself. The GCTS review currently takes approximately three to four months to complete, leaving the UN system and states with only about a year and a half to respond to the resulting taskings and requests before preparations for the next review begin. A more flexible format, like a Group of Friends or an ad-hoc Working Group, could offer a forum for debate and dialogue on CT issues in between the processes (or in lieu of them), should states require such an arrangement.
- **Revitalize the Global Compact:** Although balancing the competing aims of institutional streamlining and fostering inclusion may prove challenging, states should use the 2023 review process to better understand the roles and impacts of the Global Compact, and whether and how these contribute to more effective engagement with the wider UN system or whether the form and working methods require reassessment to align with the resources and mandates of the member organizations.



## CONCLUSION

This GCTS review will be undertaken against the background of the ongoing war in Ukraine, de facto Taliban rule in Afghanistan, and concerns about future conflict in the Asia-Pacific region. For two decades, UN Member States and officials sought to define the role of the organization in relation to terrorism, beginning with Kofi Annan's *5D's* to Ban Ki Moon's *Plan of Action on PVE*. What will be the next UN iteration? So long as the GCTS and the review process exists, "de-prioritizing" it is not a viable option. The UN is a dynamic political space; what one set of states chooses to deprioritize, others may pick up and shape. This era of increased strategic competition underscores the importance of areas like counterterrorism, where states have long confronted the complex interests of adversaries and partners. Moreover, the withdrawal of French counterterrorism forces from the Sahel and issuance of a new U.S. counterterrorism strategy that stresses "partner-led, U.S.-enabled"<sup>33</sup> approaches underscore the urgency of determining a role for the UN in contexts that include terrorist groups.

Reports of the UN's demise are greatly exaggerated. As the war in Ukraine reaches its first anniversary, the Taliban appear increasingly settled in their role as de facto rulers in Afghanistan, a stalemate sets in Syria that does not address the needs of the victims of the conflict or groups like ISIL, and internal conflicts in places like Yemen and Myanmar continue to devastate civilian lives, critiques of the world body will be balanced out by calls for an increased role and activity to foster peace, protect civilians, and deliver critical humanitarian aid. In this context, states need to consider whether the GCTS review process, shaped in a different security environment, continues to serve the UN and its members in its current form. With the 2023 review forthcoming, and a starting point resolution that already exceeds one hundred operating paragraphs, it is time for member states to boldly reassess whether the form of this process really serves the function for which it was established.

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<sup>33</sup> Author discussions with U.S. counterterrorism officials.



# THE SOUFAN CENTER

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The Soufan Center (TSC) is an independent non-profit center offering research, analysis, and strategic dialogue on global security challenges and foreign policy issues, with a particular focus on counterterrorism, violent extremism, armed conflict, and the rule of law. Our work is underpinned by a recognition that human rights and human security perspectives are critical to developing credible, effective, and sustainable solutions. TSC fills a niche role by producing objective and innovative reports and analyses, and fostering dynamic dialogue and exchanges, to effectively equip governments, international organizations, the private sector, and civil society with key resources to inform policies and practice.