



**GLOBAL STUDY ON THE IMPACT  
OF COUNTER-TERRORISM ON  
CIVIL SOCIETY & CIVIC SPACE**



**UNITED NATIONS  
HUMAN RIGHTS  
SPECIAL PROCEDURES**

SPECIAL RAPPORTEURS, INDEPENDENT EXPERTS & WORKING GROUPS

# CHAPTER 1

## CROSS-CUTTING TRENDS

The Global Study explores the cumulative impacts posed by overlapping and intertwined practices, including vague and imprecise counter-terrorism and P/CVE laws and regulations, physical, digital, and judicial harassment in tandem with administrative measures including financial tools and sanctions, as well as reprisals and intimidation. Organizations and individuals experience the effects of counter-terrorism regulation in multiple dimensions and not just as singular actions related to one sphere.

This Chapter highlights overarching themes and patterns that have emerged across the chapters to follow, acknowledging in particular how specific counter-terrorism and P/CVE measures and practices are layered with related/adjacent measures tak-

en by States that produce reciprocally constructing phenomena operating to stymie both individual and collective rights, as well as their compounded effects when such measures are experienced together or sequentially by civil society actors.

## Part 1: Overarching Thematic Issues

Across the chapters of the Study, the following cross-cutting and intertwined thematic issues, patterns, and challenges come to the fore.

“Old-fashioned” methods of curtailing and harassing civil society actors continue to thrive but have been exacerbated by the weaponization of new technologies like spyware, biometrics, and drones (Chapter 3, Parts 1, 5). Impunity blossoms for the killing, injury, maiming, torture, detention, and disappearance of civil society actors, often in a widespread and systematic manner<sup>12</sup> (Chapter 3, Part 1). Reprisals are common,<sup>13</sup> and while the UN has generally effective methods to “name” reprisals, the pecuniary or negative consequences for reprisals against civil society actors are limited to non-existent for Member States. This creates a culture of impunity for such violence and harm. Such impunity, reprisals, and harm are often transnational and cooperative in nature.<sup>14</sup>

Criminalization of civil society actors and their work remains a consistent challenge,<sup>15</sup> but is increasingly compounded by an array of administrative measures too. The range of acts subject to criminal sanction appears to be expanding and moving into the pre-criminal space—justified on perceived or actual counter-terrorism and P/CVE dictates from the UN

Security Council and soft law standards<sup>16</sup> (Chapter 2, Part 1). The extension of criminal penalties for a range of terrorism offences in multiple national contexts,<sup>17</sup> including particularly for inchoate acts now deemed as ‘terrorism,’ has the practical effect of imprisoning civil society actors for extended periods, a form of carceral reckoning for civil society (Chapter 3, Part 1). The procedural protections that generally accompany criminal charges are absent, weakened, or ignored in terrorism cases creating a host of vulnerabilities to further and layered human rights violations. The Study highlights practices of cumulatively charging criminal offences, as well as examples of ‘release and catch’ patterns where civil society actors released on one set of ‘terrorism’ charges by courts are promptly rearrested and charged with different offences.<sup>18</sup> The use of an array of administrative measures against civil society actors and organizations, singularly and in tandem with these classically focused criminal measures further compounds these challenges (Chapter 3, Part 2). Such administrative measures have even fewer due process protections,<sup>19</sup> and can have extraordinary pernicious and negative effects.<sup>20</sup>

The Study identifies the revitalized deployment of counter-terrorism and security measures to address challenging social phenomena such as the perniciousness of organized crime,<sup>21</sup> or the management of the global pandemic<sup>22</sup> (Chapter 2, Part 1). Such measures have deeply gendered effects and are also co-related with other realities of social stig-

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12 Front Line Defenders (FLD) Input; FLD, “Global Chapter,” Global Analysis (2022).

13 See e.g., Annual reports of the UN Secretary-General on reprisals for cooperation with the UN.

14 BHR 1/2022; MAR 7/2021; AL TUR 11/2020; RUS 16/2018; AL SRB 2/2022.

15 FLD Inputs & Global Analysis reports that that 21.8% of their defenders have been subject to “other criminal charges”, 18% to national/state security/sedition charges, 12.8% to terrorism/membership or support of terrorist organization charges, 10.1% to defamation/insulting the state/damaging national unity charges and 9% to spreading fake news or propaganda charges.

16 A/74/335.

17 GBR 7/2020; FRA 2/2020.

18 EGY 12/2021; EGY 5/2021; EGY 2/2021; EGY 13/2020; EGY 4/2020; IND 19/2021.

19 This may include a posteriori rather than a priori judicial review and review through administrative rather than criminal law standards.

20 See e.g., A/HRC/40/52/Add.4 (Administrative measures include the delimitation of security perimeters, the closing of places of worship, placing individuals under house arrest, assigned residency and surveillance measures).

21 SLV 4/2022.

22 Fionnuala Ní Aoláin, Covid 19, Counter-Terrorism and Emergency Law (2023) (report prepared under the aegis of the UN Special Rappor-

matization and marginalization against communities with intersecting and unequal relationships of power and social capital viz-a-viz the State (Chapter 1, Part 2). Labelling and stigmatization of civil society remains ubiquitous. Moreover, the range of civil society actors caught by the reach of counter-terrorism and P/CVE misuse appears to be expanding, including trade unionists,<sup>23</sup> environmental activists,<sup>24</sup> indigenous peoples defending water and land rights,<sup>25</sup> advocates for migrants and refugees,<sup>26</sup> peace negotiators,<sup>27</sup> and beyond.

The Study acknowledges that complex cross-cutting global political developments have had sizable consequence for civil society. Specifically, the rise of populism; the strengthening of nationalistic politics tied to discourses of ‘othering’, xenophobia, and racism; the proliferation of coups and military-led governments (often using the tools and institutions of the security state to rise); the weakening of democracy and the emergence of governance forms that prioritize control, centralization of power, and lack of civilian oversight of the security sector have had both insidious and direct effects on the health and capacity of civil society. The Study also acknowledges the multifaceted consequences of climate change and the polycrisis on all national and global political systems.

Counter-terrorism and P/CVE regulation and implementation is deeply enmeshed with private enterprise. Banks and financial intermediaries, surveillance companies, social media platforms, media

enterprises and other businesses operate as lead actor, partner, sub-contractor and/or advocate in the perpetration and maintenance of counter-terrorism and P/CVE misuse and securitization narratives, without adequate human rights due diligence and mainstreaming.

Civil society actors operating in situations that meet the threshold for armed conflict under international law increasingly find themselves subject to counter-terrorism regulation,<sup>28</sup> and operating in high-risk environments where they are profoundly vulnerable to the violence of both State and non-state armed groups<sup>29</sup> (Chapter 2, Part 2; Chapter 3, Parts 3, 4). The use of lethal force in counter-terrorism operations poses grim and evidenced harms to civil society actors,<sup>30</sup> and investigations of death and injury in counter-terrorism operations suffer from acute procedural deficits (Chapter 3, Part 1). Moreover, impartial humanitarian action is mislabeled as “material support to terrorism,” and civil society actors working in high-risk areas of conflict are deliberately labeled as terrorists or their ‘fellow travelers.’

The disproportionate effect of counter-terrorism and P/CVE measures on minority groups, is a consistent finding of this Study (Chapter 1, Part 2; Chapter 2, Part 2; Chapter 3). Across regions, legal systems, and cultures, religious, ethnic, cultural, and linguistic minorities and those who represent or advocate for them find themselves facing the brunt of counter-terrorism measures. The social, legal, and political disadvantage often faced by these groups in

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teur on the promotion and protection of human rights and fundamental freedoms while countering terrorism).

23 Latin America & the Caribbean Consultation (Venezuela).

24 GTM 2/2022; EGY 9/2022; OTH 96/2022; NIC 2/2022; IND 2/2021.

25 North America Consultation (United States of America and Canada) (Standing Rock Sioux and Dakota Access Pipeline).

26 GBR 13/2018; Central & Eastern Europe Consultation.

27 UN Human Rights Experts, “Women’s full participation in Afghanistan’s public and political life as a guarantee of their fundamental human rights,” press release, 15 September 2021.

28 UN Human Rights Experts, “Afghanistan: UN experts call on US Government to unblock foreign assets of central bank to ease humanitarian impact,” press release, 25 April 2022; PHL 3/2021; PHL 1/2021; PHL 7/2019.

29 A/77/345.

30 UN Human Rights Experts, “Mali: UN experts call for independent investigation into possible international crimes committed by Government forces and ‘Wagner group,’” press release, 31 January 2023; EGY 5/2020.

society makes them easy targets for scapegoating and for their expression of difference to be deemed as a state security threat. The Study has heard that their very existence on their own terms is, in some national contexts, typified as a ‘threat to the social order,’ ‘undermining national cohesion,’ and/or ‘prejudicial’ to the security of the state.

The gendered nature of harm is evidenced throughout this Study. Women have historically been targeted and experienced significant costs for speaking out and for advocacy for their rights and the rights of others.<sup>31</sup> The Study evidences the scale and scope of harm to women and girls assisted and enabled by counter-terrorism and security discourses undergirded by new discourses of anti-gender ideologies, patriarchal reassertions, limitations on reproductive rights, and democratic backsliding seeking to undo hard-won gains of recent decades (Chapter 1, Part 3). Women and girls are harmed every day as they work in their communities, organizations, and families fighting for the most essential of their rights often in the name of security.

LGBT and gender-diverse persons, movements and organizations experience fierce global backlash under the same rubric of re-asserting family values, affirming moral orders, and push back against their rights gains<sup>32</sup> (Chapter 1, Part 3). The misuse of counter-terrorism and P/CVE strategies, institutions, and tactics is baked into such attacks. The Study further identifies exploitation of the language of extremism and terrorism in this regard in multiple countries and regions across laws, regulations, and

architectures (Chapter 2, Parts 1-2).

## Part 2: Vulnerabilities & Intersecting Forms of Discrimination

The misuse of counter-terrorism and P/CVE measures affects all of society and is experienced by individuals, as well as those engaged in civil society, non-profit, or collective work. While this Study acknowledges a broader societal challenge in the indiscriminate use of counter-terrorism measures against individuals and communities,<sup>33</sup> its pinpointed focus is on the use of counter-terrorism measures against civil society actors. Here, the data lay bare the kinds of targeting that result in distinct kinds of harm. Counter-terrorism practices and rhetoric are often directed at large groups of vulnerable people with tangible consequences for their collective human rights. For example, the identification of migrants as sheltering or facilitating terrorism makes society at large more hostile to welcoming and supporting refugee and asylum seekers.<sup>34</sup> Such rhetoric has made the work of representing and providing services to people seeking international protection (e.g., migrants, refugees, asylum seekers) fraught, criminalized, and difficult.<sup>35</sup> The extension of terror rhetoric from and the unrelenting gaze of the security state, often follows those seeking to adjust their immigration status upon entry into a country, and organizations who advocate for them.<sup>36</sup> The use of an emotionally searing terminology of terrorism to denigrate entire communities produces stigma,

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31 Report of the Under-Secretary-General/Executive Director of the UN Entity for Gender Equality and the Empowerment of Women: Normative aspects of the work of the UN Entity for Gender Equality and the Empowerment of Women (E/CN.6/2022/2), para. 42; E/CN.6/2022/3, para. 15; E/CN.6/2022/8, para. 28; Report of the Special Rapporteur on the situation of human rights defenders on the situation of women human rights defenders (A/HRC/40/60).

32 UN Human Rights Experts, “UN Expert warns LGBT rights being eroded, urges stronger safeguards,” press release, 30 August 2022.

33 MLI 3/2022; USA 26/2022; TJK 5/2022; KGZ 3/2020; ARE 6/2020; A/HRC/52/39, paras. 27-37.

34 USA 2/2017; Central & Eastern Europe Consultation; UN, Spokesperson for the UN High Commissioner for Human Rights Ravina Shamdasani (Hungary), press briefing, 3 May 2019; UN Human Rights Experts, “UN experts decry Hungary’s tough new measures against migrants and civil society,” press release, 11 September 2018.

35 UN, High Commissioner for Human Rights, Statement to the Commission on Human Rights, 58th session, 20 March 2002; UN Human Rights Experts, “UK must stop disproportionate use of security laws after conviction of Stansted 15,” press release, 6 Feb 2019; GBR 13/2018.

36 Asian Americans Advancing Justice - Asian Law Caucus (ALC) Input; A/62/263.

limits access for them to the public square and results in the over-regulation of particular communities who are both morally and substantively injured by the specter of terrorism being applied to them.

The Study recognizes that the methods and means of counter-terrorism and P/CVE are increasingly being used to regulate other marginal groups. For example, in Sri Lanka, counter-terrorism and counter-extremism were proposed to be legislatively co-mingled with compulsory rehabilitation for individuals affected by drug addiction.<sup>37</sup> During the Covid-19 pandemic counter-terrorism measures were applied to communities by military and police forces, as a means to ‘contain’ the health threat of the pandemic.<sup>38</sup> Given that illness and the death toll of the pandemic fell disproportionately on economically and socially marginal groups, the expansion of counter-terrorism to regulate health points to the comfortable pathways for exceptionality, and the ways in which counter-terrorism laws and practice are used against vulnerable or disempowered communities. Moreover, civil society that mobilized to address repressive responses during the pandemic faced immediate and lingering effects of the Covid-19 pandemic, particularly amidst lack of equal access to healthcare and vaccination. These challenges were ongoing for many civil society organizations while the Global Study was being completed.

Specific groups feel this stigma and harm more acutely than others. In the aftermath of 9/11, Muslim

communities— especially in the United States and the West— have experienced the unique burdens of being deemed ‘suspect’ by virtue of perceived or actual religious identity and belief.<sup>39</sup> Islamophobia has entrenched in multiple countries and Muslim communities and civil society actors have felt the consequences.<sup>40</sup> Numerous submissions to the Global Study identified the burden of prejudice and discrimination experienced by Muslims singularly and in community.<sup>41</sup> This includes monitoring of houses of worship (mosques), inclusion on terrorism lists, additional screening at airports, challenges with financial institutions including opening bank accounts, higher rates of charging and incarceration on counter-terrorism grounds, surveillance of homes, entrapment, navigating internal and external borders with difficulty, and targeting Muslim children in schools and educational settings<sup>42</sup> (Chapter 3, Part 2) as well as Muslim identity in public spaces (specifically for women) being subject to censure and monitoring.<sup>43</sup> For organizations serving and advocating on behalf of such communities, the challenges of operation and overcoming stigma have been significant.<sup>44</sup>

Civil society organizations advocating on behalf of minority religious, ethnic or linguistic groups face notable challenges and higher risks of being branded as ‘terrorists’, ‘extremists’ or ‘radicals’.<sup>45</sup> The language used by political elites in certain societies to describe individuals or groups, which legitimizes dehumanizing and demeaning their social and political positions clears the way for terms like

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37 LKA 4/2023.

38 Fionnuala Ni Aoláin, Covid 19, Counter-Terrorism and Emergency Law (2023).

39 A/HRC/46/30.

40 A/RES76/254.

41 North America Consultation.

42 Noting in particular the United Kingdom’s Prevent Strategy and the United Kingdom’s Prevent Duty guidance for England, Scotland and Wales; A/HRC/43/46, para. 32; Professor Charlotte Heath-Kelly University of Warwick (Heath-Kelly) Input (United Kingdom); Rights and Security International (RSI) Input (United Kingdom).

43 North America Consultation; Confidential Input (UK); Brennan Center for Justice (Brennan Center) Input (United States of America), Coalition for Civil Freedom (CCF) Input.

44 Action Droits Des Musulmans (ADM) Input (France).

45 Amnesty International Input (Cameroon); Confidential Input (Turkey); TUR 5/2020; TUR 6/2018; West, East, Central Africa Consultation.



‘terrorist’ to be widely deployed.<sup>46</sup> Groups and individuals that have faced historic discrimination, experience more persistent challenges in the misuse of counter-terrorism and P/CVE law and practice than others.<sup>47</sup> For instance, in North America, the linkage between the historical use of the coercive policing and intelligence capacity of the State<sup>48</sup> against black and brown communities and the post 9/11 use of counter-terrorism powers against these same communities cannot be understated. Patterns in the carceral responses to Muslim communities, the surveillance and over-policing of such communities, the patterns of charging particular kinds of offences and stigmatization of these communities, as well as the export of patterns of behavior in police, custodial and military settings overseas find connection with deeper challenges of racial injustice in both countries.<sup>49</sup> Across Asia and the Pacific, North America, and Latin America, indigenous communities have also borne the brunt of security measures as States seek to justify historic and/or ongoing land-grabbing, natural resource extraction, and environmental degradation.<sup>50</sup>

Dissenting citizens in some countries run unambiguous risks of being described as ‘terrorists’ or ‘extremists’, simply by virtue of disagreement with their governments.<sup>51</sup> Civil society actors living and working in situations where a democratically elected government has been overthrown and in conflict zones are at particular risk.<sup>52</sup> Some experience ‘red-tagging’ (their deliberate conflation with insurgent groups identified as communist by the state),<sup>53</sup> others find that any anti-military, anti-coup and pro-democracy sentiments to be particularly dangerous for both organizations and individuals,<sup>54</sup> and humanitarian actors operating in both context face unrelenting pressure and mis-labelling for undertaking clearly humanitarian action.<sup>55</sup>

Journalists increasingly run the risk of being targeted by counter-terrorism measures. Such targeting includes terrorist designations,<sup>56</sup> surveillance including the deployment of sophisticated spyware,<sup>57</sup> arrest and long-term detention,<sup>58</sup> and extra-judicial killings.<sup>59</sup> As critical voices in society exposing corruption, failures in the rule of law, and the opera-

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46 The Association for Human Rights (APRODEH) with the Episcopal Commission for Social Action (CEAS), the Study for the Defense of Women’s Rights (DEMUS), the Ecumenical Foundation for Development and Peace (FEDEPAZ), Peace and Hope Input, the Institute for Legal Defense (IDL) and the Center for Justice and International Law (CEJIL) Input; A/73/362.

47 Muslim Justice League (USA) Input; Confidential Input (Ecuador).

48 A/HRC/RES/47/21 (echoing the findings of other UN Human Rights entities).

49 North America Consultation.

50 See, e.g., Asia & the Pacific Consultation (Indonesia, Cambodia, Philippines); West, East, & Central Africa Consultation A/HRC/51/25, para. 49.

51 See, e.g., Asia & the Pacific Consultation (Cambodia, Laos, Vietnam, Myanmar); CIVICUS Input; Confidential Input (India); SHOOA for Human Rights Input (Algeria); Solidarity with Others (Turkey).

52wwSee, e.g., A/75/926-S/2021/570, para. 4; Chair of the Coordination Committee, “Afghanistan: Journalists at risk of persecution need urgent protection,” Statement at the 31st Special Session of the Human Rights Council, 24 August 2021.

53 PHL 3/2021; PHL 1/2021; PHL 7/2019; Report of the UN High Commissioner for Human Rights on the Situation of human rights in the Philippines (A/HRC/44/22).

54 People’s Empowerment Foundation (PEF) Input (Myanmar).

55 Confidential Input.

56 A/HRC/52/67, para. 49.

57 Fionnuala Ní Aoláin, Position paper of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism on the Global Regulation of the Counter-Terrorism Spyware Technology Trade (2023); A/HRC/52/39; Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions: investigation of, accountability for and prevention of intentional State killings of human rights defenders, journalists and prominent dissidents (A/HRC/41/36) and Annex to the Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions: Investigation into the unlawful death of Mr. Jamal Khashoggi (A/HRC/41/CRP.1); EuroMed Rights (EMR) Input, with Cairo Institute for Human Rights Studies (CIHRS), Committee for Justice (CFJ), and Egyptian Front for Human Rights (EFHR).

58 TUR 3/2022; TUR 4/2021; TUR 4/2020; TUR 14/2018; TUR 3/2011; DZA 1/2023; DZA 4/2021; ETH 3/2019; ETH 2/2014; ETH 4/2012; ETH 7/2011; ETH 4/2011; A/HRC/35/22/Add.2 (Tajikistan); UN, UN Secretary-General, “Secretary-General Notes Ongoing Protests in Pakistan after Former Prime Minister’s Arrest, Stresses Right to Peaceful Assembly, Due Process Must Be Respected,” press release, 10 May 2023 (SG/SM/21790).

59 A/HRC/41/CPR.1.

tion (or not) of government their necessity to the realization of freedom of expression regularly puts them in the direct crosshairs of the State. Subjecting journalists to counter-terrorism measures or defining them as terrorists or extremists is not merely personal targeting but more broadly aimed at undermining freedom of expression in society.<sup>60</sup> Targeting journalists has both retail and wholesale dimensions.

The evidence accumulated further shows that academics, judges, prosecutors, and lawyers may also be at significant risk. In some cases academics have been targeted utilizing private individuals sub-contracted to ‘spy’ and report on academic teaching and opinion from classrooms, and through the deployment of social media assets to demonize the views of scholars critical of the State or State policy.<sup>61</sup> Academics that have independently voiced scholarly or policy concerns may be at risk of being dismissed or disciplined by their universities.<sup>62</sup> Student associations are also at risk.<sup>63</sup> Independent judges and lawyers face particular challenges when counter-terrorism law and practice is directed to them, including reprisals.<sup>64</sup> Judges can be dismissed, accused of being ‘infiltrated’ by extremists,<sup>65</sup> lawyers can be accused of being in league

with their clients,<sup>66</sup> lacking security credentials to view relevant evidence, and are in many jurisdictions subject to death threats, intimidation, and direct harm when they represent individuals or organizations charged with terrorism or extremism.<sup>67</sup> Many face the risk of being charged with terrorism simply by virtue of providing legal services to their clients charged with terrorism.

Finally, in some countries, high-profile individuals are being singled out or tagged as terrorists,<sup>68</sup> with a slew of legal and political consequences including inter-state transfer,<sup>69</sup> terrorism charges for their political or legal work, lengthy imprisonment, concerns about torture, inhuman and degrading treatment or punishment, and a notable lack of access to and information about the conditions of confinement for such individuals<sup>70</sup> (Chapter 3, Part 1). High-profile targeting functions as a broader object lesson from the State. Such cases serve to communicate to civil society at large and the general public that dissent, advocacy for particular causes, and association with particular issues come at high costs. The bottom-line is that if those who appear to have protection by virtue of public standing, status or gender can be targeted, everyone is at risk and is cautioned against action or articulation.

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60 S/RES/1738 (2006) and S/RES/2222 (2015).

61 Confidential Input (Israel, a government affiliated organization Im Tirtzu published contact information of some 80 faculty members which it claims expressed ‘anti-Israeli’ opinions or refused to serve in the military).

62 TUR 2/2018; AL TUR 4/2017; Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression on his mission to Turkey (A/HRC/35/22/Add.3), para. 30.

63 See, e.g., A/HRC/43/51/Add.1, paras. 27, 54 (Colombia).

64 See, e.g., A/HRC/50/36, paras. 41-44, 59, 70, 76, 105, 116; A/HRC/48/55, paras. 47-48; Middle East & North Africa Consultation (Tunisia).

65 TUN 1/2015.

66 EGY 1/2022; EGY 12/2021; EGY 8/2021; EGY 5/2021; EGY 7/2020; EGY 7/2019; EGY 5/2019; AL EGY 14/2018.

67 CHN 1/2023; SAU 1/2023; ESP 11/2022; USA 26/2022; OTH 128/2022; OTH 126/2022; OTH 127/2022; OTH 125/2022; ISR 17/2022; IRQ 3/2022; IND 6/2022; SLV 2/2022; VEN 9/2021; JOR 1/2021; EGY 8/2021; TUR 10/2021; LKA 2/2021; EGY 5/2021; PHL 3/2021; TUR 9/2021; IRN 12/2021; VEN 3/2021; TUR 6/2021; PAK 3/2021; TUR 20/2020; TUR 18/2020; EGY 13/2020; CHN 16/2020; EGY 10/2020; USA 15/2020; IRQ 2/2020; BHR 2/2019; EGY 5/2019; SSD 1/2019; BHR 5/2018; EGY 14/2018; CHL 2/2018; ARE 1/2018.

68 RWA 1/2020; SAU 3/2021; PHL 3/2019; PHL 5/2018; UN Human Rights Experts, “The Philippines: Renewed allegations against UN expert are ‘clearly retaliation,’” press release, 1 May 2019.

69 MENA Rights Group Input; Amnesty International, “Algeria: Quash whistleblower’s death sentence: Mohamed Benhlima,” MDE 28/5608/2022, 16 May 2022.

70 USA 26/2022; USA 29/2020; USA 17/2020; USA 20/2013; EGY 11/2022; EGY 14/2021; EGY 10/2021; EGY 8/2021; EGY 5/2021; EGY 2/2021; EGY 15/2020; EGY 7/2020; EGY 4/2020; EGY 7/2019; EGY 14/2018; BHR 5/2018; BHR 2/2020; BHR 2/2021; TUR 9/2021; TUR 10/2021; TUR 7/2018; RUS 2/2020; RUS 17/2018; RUS 16/2018; CHN 8/2020; CHN 15/2018; SAU 3/2021; SAU 5/2020; SAU 3/2020; SAU 16/2019; SAU 14/2018; ARE 3/2020; ARE 1/2020; ARE 2/2019; SSD 1/2019; IRN 7/2019; IRN 14/2019; IRN 5/2020; IND 10/2020; LKA 4/2020.



## Part 3: Gender Identity & Sexual Orientation

Across regions, women and women-led civil society organizations not only face particularized challenges due to pre-existing discriminatory norms, laws, and policies, but are also uniquely targeted by the State through the full spectrum of counter-terrorism and P/CVE measures detailed in this Study. Often this corresponds to their defiance or perceived non-conformity with traditional gender norms or participating in social movements that enable such defiance.<sup>71</sup> Intersectional analyses reveal that sexual orientation compounds and exacerbates the risks of targeting both at the personal and professional levels within civil society, including but not limited to women-led civil society. LGBT and gender-diverse individuals and their organizations also experience such targeted misuse as a result of the work they undertake and their very identity. State reliance on the use of overly broad definitions of terrorism or extremism to stymie, criminalize, or prevent the exercise of legitimate rights and freedoms, and subsequently the work of civil society, including women's rights organizations, women-led civil society, and LGBT and gender diverse organizations and communities has drastically contributed to the realities seen in civic space today.<sup>72</sup>

This Part of the Study takes a critical and intersectional approach examining how the misuse of counter-terrorism and P/CVE is not only imbued with discriminatory practices pervading the whole of society but is leveraged as a tool to suppress critical voices advocating for rights linked to gender

identity and sexual orientation. This includes those speaking out against misogyny, patriarchy, or masculinity practices that validate violence and unequal distributions of power. The abuse of counter-terrorism measures is enabled by ongoing and prior power differentials that are context-specific. Misuse of counter-terrorism and P/CVE measures relies on "asymmetrical"<sup>73</sup> power dynamics and pre-existing forms of "domination"<sup>74</sup> over particular individuals and communities. The counter-terrorism playbook (Chapter 3) thus escalates or accelerates existing forms of marginalization under the cover of State responses to terrorism and violent extremism conducive to terrorism. When leveraged against already marginalized individuals and communities, including on the basis of gender identity and sexual orientation, they function to reinforce traditional notions and standards of heterosexual-patriarchal norms. These dynamics were observed to varying degrees and with particularities across all regional consultations undertaken for this Study and the impacts felt across women civil society members, women-led civil society organizations, and women's rights defenders. They are also felt within LGBT and gender diverse communities, their organizations, staff, and those who advocate for the rights of these individuals and communities.<sup>75</sup> The impact of counter-terrorism and P/CVE measures on women civil society and human rights defenders and LGBT and gender diverse rights defenders is mainstreamed throughout this Study.

Women civil society members and human rights defenders are targeted through the full range of counter-terrorism measures detailed throughout this Study.<sup>76</sup> This includes counter-terrorism financ-

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71 See e.g., Asia & the Pacific Consultation; West, East, Central Africa Consultation.

72 See e.g., C&SN Input (overly broad definitions of terrorism and impact on women's right organization, example of impeded access to foreign funding).

73 See e.g., Kvinna till Kvinna Foundation Input (highlighting how WHRDs are particularly vulnerable to the lack of a legally binding definition of terrorism and violent extremism, as States control who and what is considered terrorism without any due process, demonstrating asymmetrical power).

74 Bell Hooks, *Talking Back* (1989).

75 A/HRC/43/46/Add.1 para 2.

76 A/HRC/46/36.

# “IF YOU ARE AN ACTIVIST ON YOUR OWN, THEN YOU HAVE EVERY RIGHT TO BE SCARED.”

Human Rights Defender, In response to the Call for Inputs

ing measures (Chapter 3, Part 3), labeling or listing at the national level (Chapter 3, Part 4), arbitrary arrest and detention<sup>77</sup> and pre-trial detention without charge (Chapter 3, Part 1), unlawful surveillance, including through technology (Chapter 3, Part 5),<sup>78</sup> rape and other forms of sexual and gender-based violence, and more.<sup>79</sup> In addition, unique strategies of abuse have arisen in attempts to stifle women’s advocacy by directly operationalizing traditional gender norms and stigmatization within society — this includes physical assault, rape and other forms of sexual violence or threats thereof, including in custodial settings;<sup>80</sup> lack of adequate sexual and reproductive health care, including prenatal care in custodial settings;<sup>81</sup> destruction of reputations, and threats of rape and other forms of sexual violence

online;<sup>82</sup> further online harassment includes smear campaigns,<sup>83</sup> threats to expose private data and material (such as sexually explicit images), doxxing, and more.<sup>84</sup> For example, high profile women’s rights defenders have been listed and labeled as terrorists and subsequently experienced threats of rape online allegedly by military personnel,<sup>85</sup> and women human rights defenders have been accused of moral laxity or sexually promiscuous behavior online creating acute vulnerability to private violence.<sup>86</sup> False psychological diagnoses or forced institutionalization have affected some women human rights defenders.<sup>87</sup> 40.7 per cent of reviewed Communications on the use of security measures against human rights defenders addressed women human rights defenders. The Study also highlights

77 A/HRC/46/36; TUR 10/2021; TUR 20/2020; TUR 4/2020.

78 AL ISR 11/2021.

79 See e.g., Kvinna till Kvinna Foundation Input (labeling of feminist actors as terrorists and the use of listing without due process for women’s organizations, which in turn negatively impacts their ability to received funding in the places where it is needed most); NUPL inputs (chilling effect of the arbitrary arrest and detention of women civil society members, including women’s rights defenders/journalists/community organizers); S/2022/740 (2022), para. 63 (growing counterterrorism infrastructure and legislation and its use against women’s civil society organizations, human rights defenders and journalists); A/77/718 (2023), para. 61 routine misuse of counter-terrorism laws and measures and the particular impact on women’s rights organizations and women human rights defenders); A/HRC/52/39/Add.1, para. 31.

80 See e.g., Ambika Satkunanathan Input (Sri Lanka, violence against women protestors, as well as women police who come to aid women protesters; physical assault; as well as sexual bribery and economic harm when men family members are detained).

81 See e.g., NUPL Inputs (Philippines, documenting the lack of adequate provision of sexual and reproductive healthcare for women civil society in detention); see also AL CHN 12/2022; A/HRC/WGEID/98/2 para. 5; and the Bangkok Rules) adopted by the General Assembly in resolution 65/229, rule 10.

82 See e.g., the Kvinna till Kvinna Foundation Input, A/HRC/52/39/Add.1

83 EMR, CIHRS, CFJ, EFHR Input (detailing smear campaigns and the use their personal photos and information prior to arrest).

84 AL ISR 11/2021.

85 See e.g., NUPL Input (Philippines, documenting the misuse of red-tagging of civil society including women’s rights defenders and the environment of threats for women rights defenders online), see also Frontline Defenders.

86 A/HRC/52/39/Add.1 (Maldives).

87 S/2022/740, para 11; see also, Saiba Varma, *The Occupied Clinic: Militarism and Care in Kashmir*, (Duke University Press, 2020).

that those women at the frontlines in conflict societies, functioning as mediators and negotiators for their communities with both State and non-State actors, face extreme risks of physical harm compounded by the fears of being described as ‘touts,’ ‘traitors,’ or ‘terrorists’ for trying to keep communities safe.<sup>88</sup>

In addition to individualized direct targeting, women civil society organizations also face unique forms of attack and consequences.<sup>89</sup> Access to remedy for the use of any counter-terrorism or PCVE measure can be compounded by pre-existing legal inequalities. Women human rights defenders and their organizations have remarkably limited access to funding, which is exacerbated by situations of armed conflict, crisis, or emergency.<sup>90</sup> For example, in humanitarian settings, according to the latest UN data, only 9 per cent of all partners receiving funds from country-based pools went to women-led organizations.<sup>91</sup> From 2019-2020, bilateral funding to “support of feminist, women-led and women’s rights organizations” in fragile and conflict affected contexts decreased from 180 million USD in 2019 to 150 million USD in 2020.<sup>92</sup> Community based work is not only underfunded, but organizational capacities limited, leaving women rights defenders and civil society organizations unable to meet increasingly daunting requirements for their organizations related to preventing the financing of terrorism — outsourcing risk to local actors.<sup>93</sup> Funding is also often rigid, short-term, and uncertain, ineligible towards

core expenses, not on the scale of social or normative change, and unaligned with priorities, requiring local organizations to adapt to calls based on international or donor demands. This has led to women’s civil society (and civil society more broadly) around the world to call for increases in rapid and flexible funding for women’s organizations.<sup>94</sup>

Notably, counter-terrorism financing measures have stood out as a core tool used against civil society, including women civil society organizations, which exacerbate the pre-existing and extremely limited funding already reaching women civil society organizations, particularly in crisis contexts.<sup>95</sup> Without further due diligence, and specific safeguards and measures to protect women’s civic space and organizational sustainability, such measures will continue to heavily impact women’s civil society organizations.<sup>96</sup> Moreover, because of narrow understandings of violence prevention housed under the rubric of “P/CVE” programming objectives that remain State-centric, such funding does not regularly become available to address social norms and practices that perpetuate violence against women, or discrimination against people on the basis of sexual orientation or gender identity.<sup>97</sup>

Asymmetrical power dynamics between governments and women who do not conform to traditional gender roles through their activism are also institutionalized in the regulation and control of women civil society actors, women human rights defend-

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88 A/77/345, para. 40; Asia & the Pacific Consultation.

89 See e.g., Ch. 3, Part 1 (judicial harassment), Part 3 (CFT), Part 4 (sanctions and listing), Part 5 (new technologies); see also A/HRC/50/25 (2022), para. 41.

90 Gender, Justice and Security Hub, *Improving the funding of women’s peacebuilding activities (2021)*; S/2022/740, para. 13.

91 S/2022/740, para. 44.

92 S/2022/740, para. 89.

93 Confidential Input (Global).

94 See e.g., the work of the Women’s Peace & Humanitarian Fund on rapid and flexible funding for women human rights defenders; S/2022/740, para. 13.

95 See e.g., Confidential Input (Global); C&SN Input (Uganda, freezing of bank accounts of women’s organizations in advance of elections on the grounds of terrorism financing); Confidential Input (Occupied Palestinian Territory); S/2022/740.

96 UN Women, *Global Digital Consultation, Civil Society Voices on the Gendered Dimensions of Violent Extremism and Counter-Terrorism Responses (2020)*.

97 RSI Input.

ers, and women’s organizations. For women unaffiliated with an organization, public activism against patriarchal and sexist norms that confine women to the private sphere regularly result in both State and public hostility.<sup>98</sup>

Women activists have been subjected to national security charges for protest of and demonstration against veiling laws,<sup>99</sup> arbitrarily arrested and detained for their activism, organizing, and defying discriminatory restrictions on the rights of women, such as in Saudi Arabia related to restrictions on the rights of women to drive and the guardianship system,<sup>100</sup> subjected to targeting on terrorism charges along with charges of challenging “family values” for their social media presence, such as in Egypt,<sup>101</sup> and subjected to punishing forms of abuse during arrest and detention.<sup>102</sup> As noted above, online harassment and smear campaigns are prevalent for women human rights defenders and, in contexts of such asymmetries and both public and private expectations and restrictions on women’s bodies, such campaigns play an even greater role in mobilizing apathy or even vitriol in the public against women civil society and women human rights defenders prior to and during their arrest and detention.<sup>103</sup> The social and psychological costs for women are immense.<sup>104</sup> At the same time, counter-terrorism and corresponding emergency measures have implemented discriminatory controls of women and their freedom of religion and belief in overbroad prohibitions on women’s dress, particularly for Muslim women who wear

clothing that covers their face, as was the case in Sri Lanka where the regulation resulted in public attacks or harassment against Muslim women as evidenced in reports of the National Human Rights Commission.<sup>105</sup>

Asymmetrical power dynamics with the State and the challenges of women who do not conform to traditional gender roles or act in opposition or challenge to the State face unique challenges. Women are not just either perpetrators or victims as commonly referred to in “gendered” counter-terrorism literature.<sup>106</sup> They are also victimized by counter-terrorism and P/CVE measures that affect or target them individually, as well as their broader communities. In contexts where discriminatory practices against ethnic or religious minorities, such as Muslims in the United States, Canada, Australia, and elsewhere in the world, Muslim women whose communities are discriminately targeted, lose faith in and are unable to access basic services, including reliance on the police for well rooted fear of stereotyping or falling under the purview of the State. Moreover, such intersecting forms of discrimination against women on the basis of gender, as well as religious expression, create particular challenges for Muslim women in societies where Islam is discriminatorily represented and conflated with terrorism by governments and the media.<sup>107</sup>

When women’s civil society organizations are engaged in programming or donor supported work in the field of counter-terrorism or PCVE, civ-

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98 EMR, CIHRS, CFJ, and EFHR Input.

99 AL IRN 12/2021.

100 See e.g., Access Now Input; see also SAU 3/2021, A/HRC/WGAD/2020/33; see also Amnesty International (2022). Saudi Arabia: Quash 34-year prison sentence for student Salma al-Shehab.

101 EMR, CIHRS, CFJ, and EFHR Input.

102 EMR, CIHRS, CFJ, and EFHR Input (Egypt, arrest of female protestors).

103 EMR, CIHRS, CFJ, and EFHR Input.

104 Saiba Varma, *The Occupied Clinic* (2020).

105 Ambika Satkunanathan Input (Sri Lanka).

106 See, e.g., North Atlantic Treaty Organization (NATO), *Women in Terrorism and Counterterrorism Workshop* (2019).

107 See, e.g., Australia Muslim Women’s Centre for Human Rights (AMWCHR) Input; Report of the Special Rapporteur on freedom of religion or belief on countering Islamophobia/anti-Muslim hatred to eliminate discrimination and intolerance based on religion or belief (A/HRC/46/30), para. 49; CCPR/C/123/D/2747/2016 (France); CCPR/C/123/D/2807/2016 (France).

# ISSUE IN FOCUS

## Misuse of Counter-Terrorism Measures Against Women Civil Society

There are national examples associated with the misuse of counter-terrorism measures against women's civil society, women human rights defenders, and activists that utilize pre-existing discriminatory control over women's bodies, gender norms and inequalities, and the intersections of gender equality, women's rights, freedom of opinion and expression and freedom of religion and belief. Counter-terrorism measures have been misused against women activists and civil society for defying traditional gender roles and norms. Such measures, justified on the basis of counter-terrorism and national security, have been found to violate or impact women's rights, including:

- In the case of France, where, the Human Rights Committee found criminal bans on wearing of a full-face veil to constitute a form of intersectional discrimination based on gender and religion, in violation of article 26 and article 19 of the ICCPR (See e.g., CCPR/C/123/D/2747/2016; CCPR/C/123/D/2807/2016).
- In the case of Iran, where the Working Group found arbitrary deprivation of liberty of women rights defenders, including lawyers "acting against national security," for advocating against the compulsory veil (A/HRC/WGAD/2011/21; AL IRN 12/2021).
- In the case of Saudi Arabia, where the Working Group also found arbitrary deprivation of liberty for women's rights activists who were charged, convicted and sentenced under national security and counter-terrorism legislation for challenging male guardianship and the ban against women driving (A/HRC/WGAD/2020/33).

il society have reported, and as documented by UN Women, frequent examples of securitizing the gender equality agenda (Chapter 4). Women can often be portrayed as existing on a binary of victims or perpetrators,<sup>108</sup> where women and their organizations are disregarded as equal partners in

co-creating or in fact leading efforts towards peaceful and just societies. These dynamics are not only prevalent in the exclusion of women, women civil society and women's rights defenders in developing and creating counter-terrorism laws and policies, or in the lack of consideration of gender and

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108 See, e.g., Global Center for Cooperative Security (Global Center) Input.

women's rights in such laws, policies, and plans,<sup>109</sup> but also in PCVE policies and practice, which frequently compound stereotypical gender roles.<sup>110</sup> Even when such expertise is offered and organizations prepare inputs, the integration of gender and women's rights issues is often lacking or unintegrated.<sup>111</sup> As the women, peace and security agenda has addressed, adding the language of women and only "stirring" across all peace and security areas, including counter-terrorism is insufficient. As civil society have put pressure on governments, regional organizations, and the UN to improve their approach to women's meaningful participation in this field, however, some improvements have been made.<sup>112</sup> But existing gender analysis or gender-based monitoring of State responses to terrorism reveal concerning trends. For example, the United Nations Development Programme's (UNDP) Human Rights Observatory project in Cameroon was able to document 543 cases of human rights violations committed by security forces in the context of the State's response to violent extremism, including 60 gender-based violence cases.<sup>113</sup>

For LGBT and gender diverse civil society actors and organizations, there remains limited evidence on how counter-terrorism measures are being used to target and negatively impact their lives and work.<sup>114</sup> Documentation efforts remain extremely dangerous

and challenging given the strategic use by security actors of personal information about individuals' sexual orientation and gender identity corresponding stigmatization within the societies these individuals work, and the risks of challenging government security actors. Examples of extortion, bribery, and threats to expose individuals' sexual orientation and gender identity to the public or their community and family have led to the exploitation, cooption, and rights violations of civil society in many contexts.<sup>115</sup> Dismissals of legitimate cases by ombudspersons and domestic human rights institutions have also been documented.<sup>116</sup> The vulnerabilities inherent in societal stigmatization lead to a compounded inability to safely seek redress for rights violations. Broader legislative frameworks, such as in Russia, also widely categorize LGBT and gender diverse activists, as well as feminists, as extremist.<sup>117</sup> The registry of undesirable organizations, which includes civil society, among others, includes over 80 groups.<sup>118</sup> Registration of organizations or designations of civil society as foreign agents or extremist are closely tied in this context and have resulted in LGBT and gender diverse organizations being targeted.<sup>119</sup> In addition, LGBT and gender diverse activists and organizations that have recognized and are advocating against overly broad counter-terrorism measures at a domestic level have experienced distinct rights violations, including sexual harassment and assault during protest, detention without

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109 See, e.g., CIVICUS and Innovation for Change South Asia Hub (Kenya) (lack of integration of gender); A/HRC/43/46.

110 See, e.g., Global Center Input; C&SN Input (Cameroon) (organizations who advocate for gender equality are often cut out or overlooked in counter-terrorism and in disarmament, demobilization, and reintegration (DDR) efforts).

111 See, e.g., CIVICUS and Innovation for Change South Asia Hub.

112 See, e.g., Global Network of Women Peacebuilders (GNWP), Transforming Counter-Terrorism: From Securitization to Women-led Peace (2020); Mariam Safi, UN Security Council Briefing on Afghanistan, statement, March 2022; Kaavya Asoka, UN Security Council Open Debate on Women, Peace and Security, statement, January 2022).

113 See, e.g., United Nations Development Programme (UNDP) Input (Cameroon).

114 Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity on peace and security (A/77/235), paras. 33-34; Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism on human rights impact of counter-terrorism and countering (violent) extremism policies and practices on the rights of women, girls and the family (A/HRC/46/36), para. 3.

115 See, e.g., Confidential Input (Occupied Palestinian Territory).

116 See, e.g., NUPL Input (Philippines).

117 See, e.g., A/HRC/40/53/Add.1 (Malaysia); Asia & the Pacific Consultation.

118 Coming Out Input (Russia); see also, Tanya Lokshina, Russia Bans Key Platform for Civil Society Cooperation: The EU-Russia Civil Society Forum Designated "Undesirable, Human Rights Watch, 13 April 2023.

119 RUS 5/2012; RUS 7/2022; Coming Out Input.

charge, and, for transgender women, detention with men.<sup>120</sup> Moreover, beyond seeking redress, individual civil society members subjected to violence and rights violations on the basis of their sexual orientation or gender identity may also face challenges in accessing appropriate and adequate medical and psycho-social support for these harms.<sup>121</sup>

In addition, the challenges to the meaningful participation and inclusion of LGBT and gender diverse communities in counter-terrorism and P/CVE spaces are immense.<sup>122</sup> The risk to civil society given the lack of safe space to express their views at a community level makes engagement by the UN and other stakeholders challenging from a human rights due diligence and risk standard. Nonetheless, documentation within such frameworks of human rights due diligence and confidentiality should not only be required but is necessary. One area where discriminatory practices have widely benefitted from engagement with LGBT and gender diverse civil society is in identifying the emerging human rights challenges with biometrics—which can assign algorithmically-determined gender totally contradicting one’s identified gender<sup>123</sup> (Chapter 2, Part 3)—and the classification of individuals into gender binary categories without consent.

## Part 4: Victims of Terrorism & Victims’ Associations

Victims of terrorism and their associations are an in-

tegral part of civil society<sup>124</sup> Victims associations often address key State obligations, particularly related to the State obligation to positively protect the right to life<sup>125</sup> and obligations consistent with the protection of the rights of victims of terrorism and human rights more broadly.<sup>126</sup> The diversity of survivors and victims of terrorism and their organizations are just as unique as those civil society groups outlined above. Survivors may belong to communities or groups that experience marginalization and other forms of discrimination, including ethnic, religious, and linguistic minorities, or experience intersecting forms of discrimination in their personal lives and advocacy on the basis of gender, sexual orientation, ability, age, and more. Although, terrorism is a global challenge, not only are terrorist attacks more frequent in countries experiencing conflict, but they are also consistently deadlier, setting the scene for lack of access to justice and accountability, redress and repair, or immediate and long-term needs for health care and medical treatment for victims/survivors in these contexts.<sup>127</sup> In addition, a correlation is found between the impact of terrorism and countries where civilian victimization or State violence against civilians is high.<sup>128</sup> For example, in the context of Afghanistan, the historic persecution of the Hazara-Shia community includes grave legacies of violence, devastating death counts, and targeting by designated terrorist groups amidst a lack of State response. These realities have resulted in the highest numbers of casualties across all segments of communities, including targeting of girls’ schools, maternity wards, and more.<sup>129</sup> The levels of violence and subsequent harm, paired with pre-existing

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120 NUPL Input (Philippines).

121 Asia & the Pacific Consultation.

122 Confidential Input.

123 Trilateral Research Input.

124 A/66/310, paras. 20-28.

125 UN Human Rights Committee, General Comment No. 36 on article 6: right to life (2018) (CCPR/C/GC/36).

126 A/66/310, para. 20.

127 Institute for Economics & Peace, “Figure 2.5: Lethality rate, conflict and non-conflict countries 2007-2022,” the Global Terrorism Index (GTI) (2023) (last accessed 28 May 2023).

128 GTI, “Figure 2.6,” (2023).

129 See e.g., Ali Yawar, *A Community Under Attack: How successive governments failed west Kabul and the Hazaras who live there*, Afghan



forms of discrimination have resulted in no access to justice or accountability. Those civil society organizations advocating for transitional justice and accountability in the context of the State response to such attacks and the attacks themselves, find their work consistently undermined.

Victims, survivors, and their organizations play an essential and vibrant role through testimony, advocacy, and the provision of direct services to others, including through lobbying and litigation to advance the human rights of those injured or killed by acts of terrorism. The Study also observes divide and conquer strategies deployed by States to separate and place barriers between victims of terrorism and victims of counter-terrorism. The Special Rapporteur has cautioned against such practices among Member States and UN and regional counter-terrorism entities and urged the adoption of a human rights-based approach that avoids creating hierarchies of victimhood and places the equality, dignity, and rights of all victims equally at the heart of government policy. Protecting civic space for all victims is essential.<sup>130</sup> These false distinctions have resulted in political spaces where States express greater comfort in publicly addressing the harms experienced by victims, but fail to implement meaningful policy. States frequently treat victims of terrorism as objects of compassion or commodification, but few have demonstrably taken a human right-based approach to the advancement of victims' rights and treated victims and communities as autonomous rights bearers entitled to equality and dignity under law or as associational groups with rights to organize and advocate as one.<sup>131</sup> There are some notable exceptions to this assessment, including through aspects of national legal systems in France and Spain, along with international exam-

ples, such as the role of the UN Group of Friends for Victims of Terrorism led by Iraq (previously Afghanistan) and Spain.<sup>132</sup>

The eco-system of civil society cannot be selectively disturbed, or effects limited to some non-profit organizations and civil society actors, and not others. The broader diminution of civil society capacity can have paralyzing effects on organizations, associations, and individuals representing victims of terrorism. If civil society as a whole is viewed as inherently suspicious, victims/survivors of terrorism attacks do not easily escape the categorization that they are meddlesome, critical, unhelpful and operating contrary to a governments' political interests.<sup>133</sup> This may be a particular risk in societies where the line between State and non-state actor violence is porous, and where diversion of military and other assets from State to non-State actors contributes to the scale of terrorism threats and violence. In particular, issues of State responsibility for terrorism contribute to the perceived threat that victims of terrorism pose to governments when they request information, transparency and accountability for acts of terrorism.

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Analysts Network (2020); A/HRC/51/6, paras. 65-67; A/HRC/52/84; OTH 108/2022.

130 UN Human Rights Experts, "UN expert affirms the rights of child victims of terrorism, urges human rights-based approach," press release, 23 August 2022.

131 A/HRC/52/39 para. 51-53; A/HRC/46/36, paras. 32-38.

132 A/HRC/40/52/Add.4; "Launch of the Group of Friends of Victims of Terrorism," UN publication (2019).

133 West, East, Central Africa consultation (Mali).