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Review: A Role of Measures to Address Terrorism and Violent Extremism on Closing Civic Space

Sachal Jacob

Religious Freedom Institute - Pakistan

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The Role of Measures to Address Terrorism and Violent Extremism on Closing Civic Space. Report prepared under the aegis of the Mandate of the United Nations Special Rapporteur on the Protection and Promotion of Human Rights while Countering Terrorism (2018). Anne Charbord & Fionnuala Ní Aoláin.

https://www.law.umn.edu/sites/law.umn.edu/files/civil_society_report_-_final_april_2019.pdf

This report is well structured and greatly impresses upon the reader the effects that counterterrorism laws and policies have on the ability of both, the civil society to function normally as well as the widespread erosion of human rights and institutions within their specific context.

The report brings up the tensions between security and freedom, that are at the root of shrinking civic space. States hope to increase security in dealing with threats of terrorism but end up sacrificing civic space and freedoms. But the report is quick to take the position that a line has been crossed, human rights defenders face intimidation, violence and threats on many levels, in addition to limitations of their work.

In the worst cases, states actively utilize the guise of protection against terrorism to limit the functions of civil society organizations. The report is both cautionary and descriptive, detailing how states justify enacting a blanket approach to civil society regulation, put limits on operation of civil society organizations and in addition to try to limit funding streams. The report also presents other evidence as to how much of the limitations placed on civil society are intentional, including their exclusion from decision making and over securitization of state functions.

Secondary effects of the measures to increase security are also evident. Often occurring due to the need of the state to cover its tracks. These policies have started to extend to journalists, artists, lawyers and international humanitarian actors, trying to silence them and reduce their ability to act as watchdogs.

The authors proclaim that all this follows from a false equivalence. There is no evidence to the assertion that putting such limits on civil society can make the state more secure. However, Ní Aoláin and Charbord instead posit that placing these restrictions, may in fact do the opposite. There are many potential explanations, but one may be that civil society acts as a sort of buffer to the extremist groups, shielding individuals from their influence and providing alternative venues of engagement. On the other hand, there is evidence of these restrictions being damaging for civil society.

This is a landmark report in reassessing the impact of anti-terrorism and anti-violent extremism, adding the cost upon the civil society as a measure to their effectiveness. It also serves as a guidepost for governments, international organizations, NGOs and human rights practitioners in understanding how these policies make a difference, and help devise strategies to resist these.

Sachal Jacob
Religious Freedom Institute - Pakistan