

# The globalisation of Countering Violent Extremism policies

*Undermining human rights,  
instrumentalising civil society*

By Arun Kundnani and Ben Hayes

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## Foreword

This Report brings much needed attention to the global deployment of increasingly standardized policies countering violent extremism. The ubiquity of countering violent extremism as a discourse and a set of normative standards is obvious to both 'insiders' and 'outsiders' in the counter-terrorism and human rights fields. Action in the field of CVE has significant effects on the rule of law and on the perceived neutrality and even-handedness of states. In particular, as we pay closer attention to the conditions conducive to the production of terrorism, we are distinctly aware of the potentially symbiotic relationship between the production of violence from poor governance, accountability gaps in domestic law, and the repressive use of counter-terrorism as a means to extinguish legitimate democratic expression and participation. As the language of countering and preventing violent extremism finds its way into various policy, legal and political settings it is incumbent on human rights focused entities and organisation to understand its history better, to be aware of the legal grounding of this new language, and to pay attention when states and international organisation start to shape their policies and practices around this new vocabulary. Violent extremism in its many forms and manifestations is not the monopoly of any one ideology, and it is associated with the practices of groups that range the political spectrum from religious (of all the major monotheistic religious belief systems) to ethnic, to nationalistic of various hues and sensibilities.

As this important report illustrates, the definition of violent extremism is deeply contested. With regulatory practices moving from sanctioning the acts of individuals to anticipating those acts in a sweep of pre-emptive criminal regulation around the globe, it behoves the international human rights community to pay attention to this expansion and adopt a critical and rights based stance to evaluate new CVE institutions, policies, practices and laws. It bears reminding that CVE is a concept which continues to lack firm legal grounding in international law, even as it is invoked to expansive regulatory ends. There is a pressing need for human rights and rule of law analysis to be applied to the expanding domain of CVE, and an urgency to benchmark the effects on the full enjoyment of human rights as a result of these policies and practices.

I commend this report as an important initiative that engages these critical conversations, brings light to bear on international entities that are advancing CVE policies and practices without a firm grounding in international law, and with significant disregard to the legal obligations of states to respect and promote human rights. It is my hope that this timely report will spur further documentation and analysis, and encourage these critical questions to be taken up by a wide range of human rights actors. Thereafter, in turn, this Report should be brought to the attention of rule of law abiding states, encouraging their better selves to be at the frontlines of protecting and promoting human rights while countering terrorism, thereby serving the long-term interests and security of our shared humanity.

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## 1 Introduction

The globalisation of Countering Violent Extremism (CVE) policies is the most significant development in counterterrorism policy in the last decade. What began as a rhetorical commitment from a handful of agencies has developed into a plethora of policies, deployed from Finland to the Philippines. In 2016, even the singer Bono adopted the language of CVE, stating before the US Senate Committee on Appropriations that the US should deploy "a Marshall Plan to head off the rise of violent extremism in North Africa, the Middle East, and the Sahel." Today, the terms 'radicalisation', 'extremism' and 'violent extremism' are bandied about with such frequency and abandon that they have become synonymous with terrorism itself, despite their quite different meanings, and the lack of clarity as to how these concepts relate to one another.

Under the CVE banner, policy-makers at national and international levels have carried out engagement and outreach; capacity building and development aid; education and training; messaging and public relations campaigns;

surveillance partnerships between policing and non-policing agencies; and targeted ideological interventions on individuals. CVE policies have significantly widened the range of methods used by governments for countering terrorism and shifted their target from terrorist organisation to religious ideology and identity. Through the development of CVE, the war on terror has given itself a new vocabulary and a wider set of partnering agencies, from educators to artists.

What unites these policies is that they aim to reduce violent extremism by using methods beyond the use of military force and the coercion available under criminal law; they usually also aim to prevent the emergence of violent extremism before it has fully emerged in a region, community, or an individual, by addressing the underlying factors that give rise to it. Supporters of CVE policies see them as complementing more conventional, reactive counter-terrorism methods, offering the possibility of a long-term and holistic solution to terrorism. The forms these policies take vary from one context to another but the core ideas and principles are highly consistent – even as their implementation may be inconsistent – and have proven amenable to globalisation.

In this report we provide a critical account of the emergence of CVE policies and analyze their subsequent institutionalisation within three international bodies: the European Union, the United Nations, and the Global Counterterrorism Forum. While these frameworks were shaped primarily by western states, their international diffusion raises the prospect, as Steven Hawkins, Executive Director of *Amnesty International USA* put it, of repressive governments “taking advantage of ‘CVE-mania’” and “using international funding to violate human rights in the absence of appropriate safeguards”.

It is important to stress, however, that these violations and abuses are every bit as present in Western states themselves. As such the problem as we see it is not simply one of democratic states exporting coercive policies to less democratic ones, but rather one of supranational organisations – including those with human rights mandates at their core – legitimising these problematic approaches by adopting them uncritically.

We are also concerned that the CVE framework has broken free of its national bounds just as those states in which the policies originated are coming to terms with the return of another kind of violent extremism. With the far right in or close to power in key liberal democratic states, the professed liberalism that sought to shape globalisation in its own image is itself under great strain, and struggling to contend with the political ascendancy of right-wing populism and authoritarianism in many parts of the world.

In Western democracies and beyond, this has led to demands for public policies that combat not just the (withering) appeal of ISIS, but which aim to counter violent extremists of every stripe. The subsequent ascendancy of violent extremists and white supremacists in the USA and Europe has created something of a crisis of legitimacy for CVE policies, which are for obvious reasons unattractive to the Far Right when they target anything other than ‘Muslim extremism’. These political dynamics have fractured the international consensus on combatting violent extremism that emerged after ISIS declared it had established a ‘Caliphate’ in 2014, a consensus built largely on the back of the second Obama administration’s enthusiasm and support for CVE.

The Trump administration’s withdrawal of support for ostensibly ‘holistic’ CVE policies – both domestic and international – coupled with abject political inertia when it comes to the violent extremism perpetrated or promoted by other populist or authoritarian leaders thus offers a much-needed opportunity for critical reflection on the paradigm as a whole. With the UN now calling for all of its member states to devise and implement national Action Plans, there is an urgent need for policymakers to reflect on whether CVE policies and practices that are anchored in a failed ‘war on terror’, which by any objective measure has only increased politically-motivated violence and extremism, are fit for purpose.

This report begins by examining the origins and proliferation of CVE policies and the problems that have accompanied and continue to surround their development and implementation. We then examine CVE policy and practice across the three aforementioned international bodies. The final sections contain conclusions and recommendations stemming from our research, including a framework we have developed to analyze the legitimacy of national CVE policies through their impact on fundamental rights and democratic and pluralist aspirations.

Finally, we would like to note from the outset that for all the ‘CVE mania’, it is surprising how little qualifies as the ‘evidence-led policy’ we hear so much about in other fields. Not only should we be asking for evidence that CVE policies are effective in terms of countering the terrorism, ‘radicalisation’ and extremism they purport to address, we should also be ensuring that in the absence of such evidence, policies do not risk exacerbating the divisions and grievances on which extremism feeds.

## 2 The origins and proliferation of CVE policies

### 2.1 Of hearts and minds

The term ‘violent extremism’ entered public discourse at a moment of crisis for counter-terrorism policy-making in the United States. In early 2005, the US government had little to show for three and a half years of its so-called Global war on terror (GWOT). Central to its strategy in this initial post-9/11 period had been the use of military and extrajudicial violence to kill or capture and torture suspected alQaeda leaders – what was known as the ‘decapitation’ strategy – along with ‘regime change’ in Afghanistan and Iraq. During this period, discussion of the underlying causes that had given rise to alQaeda, beyond what US officials called the “evil mindset” of its leaders, was avoided.

The optimistic expectation that the Anglo-American occupation of Iraq would be welcomed and become a model for ‘regime change’ elsewhere had, by 2005, given way to the prospect of defeat by insurgents. Meanwhile, the bombings of Madrid’s commuter train system in March 2004, killing 191 people, demonstrated that alQaeda was able to influence supporters in the West to carry out acts of political violence, even as its organisational structure centered upon Afghanistan had been dismantled by the GWOT. President Bush promised that: “We will strike the terrorists abroad so we do not have to face them here at home.” But the opposite looked a more likely outcome: that the war in Iraq led to an increase in alQaeda activity in Iraq itself, where the organisation had previously been unknown, and in the West. Globally, the organisation seemed stronger than ever.

In a May 2005 high-level review of its counter-terrorism policy, the Bush administration sought to address these failures by moving away from a focus on alQaeda leaders and instead shifting towards what senior officials called a “strategy against violent extremism”. The intention was to broaden counter-terrorism policy from a focus on the alQaeda organisation to a wider perceived problem of “support in the Muslim world for radical Islam”. In doing so, the ‘shock and awe’ that had failed in Iraq would be complemented by new programmes aimed at winning ‘hearts and minds’. In other words, the ‘battle of ideas’ would be engaged alongside the battle for territory; the fight against ‘radical Islam’ would be cultural as much as corporeal, preventative as much as reactive. Moreover, the new strategy against violent extremism regarded Europe as a front line as much as the Middle East.

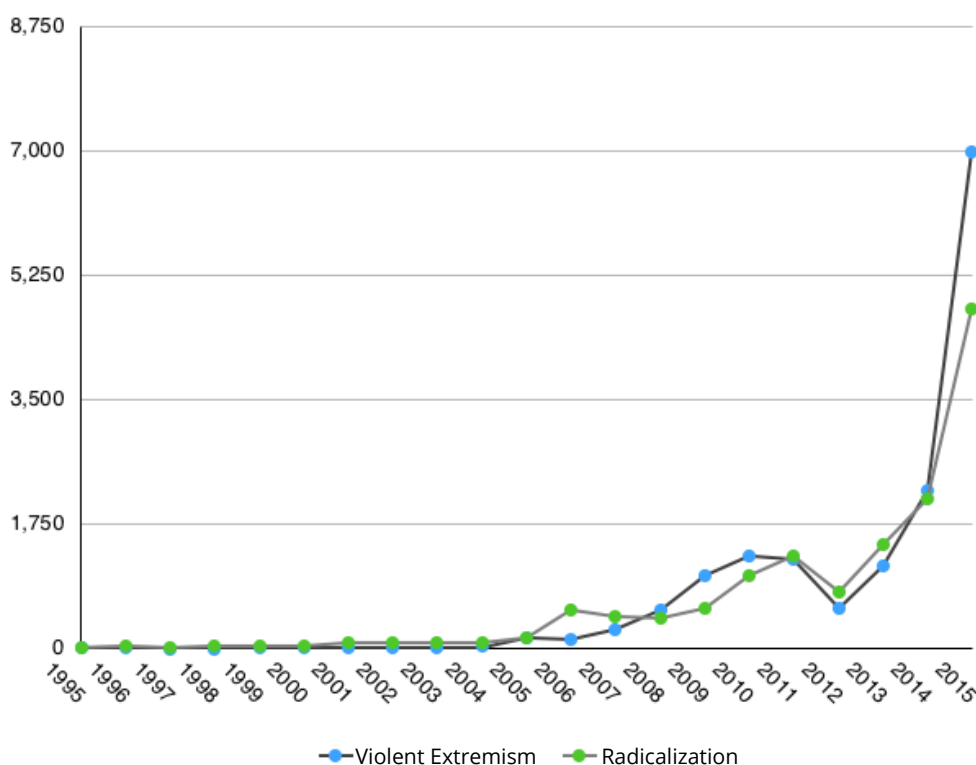
Before this shift by the Bush administration in 2005, the phrase ‘violent extremism’ was rarely used in English-language public discourse (see figure 1). When it was used, it was mainly in relation to the Far Right and neo-Nazism. But from 2005, it became one of the key terms of US counter-terrorism policy-making directed at ‘radical Islam’ in particular. Thereafter, its use proliferated globally. ‘Terrorism’, against which the United States had declared war in the days after 9/11, was itself an ambiguous concept that had not been defined objectively. But “violent extremism” was even more nebulous. The term suggested that ideological sympathy as much as violent actions were problems to be targeted; tackling violent extremism was therefore a broader project than fighting terrorism. But exactly which ideas constituted the ‘radical Islam’ the new strategy sought to counter was left vague. On the one hand, the shift in policy toward CVE meant a more holistic approach to counter-terrorism beyond a purely military and extrajudicial response. On the other hand, it meant that ideologies as well as organisation designated as ‘terrorist’ would be treated as dangerous, rendering suspicious vast numbers of law-abiding Muslims who could now be labeled as ‘radical’.

The shift in approach also enabled US and European Union policy-makers to find common ground, after a period of division between the Bush administration and some European governments, especially in the run-up to the 2003 invasion of Iraq. From 9/11 to 2005, analysts in EU police and intelligence agencies had disagreed with their US counterparts on the best approach to tackling terrorism. Whereas the US had favoured an overwhelmingly military and extrajudicial ‘global manhunt’ that made a taboo of discussing the wider causes of terrorism, EU analysts were using the

concept of “radicalisation” to describe a perceived cultural alienation of young European Muslims from the societies they had grown up in, and what analysts believed was the resulting danger of their becoming supportive of alQaeda’s worldview.<sup>1</sup> Then, with the Bush administration’s embrace of a strategy against violent extremism in 2005 there came an opening in the US for the kinds of analyses of radicalisation that EU agencies had been developing since 9/11. In broadening their strategy from the targeting of alQaeda leaders to a cultural battle against “radical Islam” within the West as well as elsewhere, US agencies needed an analysis of what led to support for violent extremism – the process that Europeans had been calling “radicalisation.”

Figure 1

Articles mentioning radicalization and violent extremism in English-language news sources, 1995-2015



A preventative approach to counter-terrorism necessarily required an analysis of what gives rise to terrorism in the first place. Thus, the taboo on discussing underlying causes of terrorism was broken in 2005, and the US began to import European models for understanding the radicalisation process and to develop their own models, which later became the main conceptual underpinnings for policies to counter violent extremism around the world.

## 2.2 Going Dutch

The Dutch General Intelligence and Security Service (Algemene Inlichtingen- en Veiligheidsdienst; AIVD) had pioneered the focus on radicalisation in the months after 9/11. In a December 2002 public report, it presented the first attempt to develop a model of the radicalisation process. The 2002 report already contained many of the key themes that would later dominate the analysis of radicalisation and policymaking aimed at countering violent extremism. It described what the AIVD believed to be a profile of the sorts of young men in the Netherlands who would most likely be recruited to “radical Islamic opinions” (which they identified as second and third generation young men of Moroccan origin); it discussed the danger of their radicalisation in terms of culture and identity, and the perception that a failure to develop a sense of belonging within Europe introduced vulnerabilities to recruitment by radicals; and it regarded radicalisation as a process involving stages of increasing indoctrination by religious ideology, culminating in sympathy or active support for “violent jihad.” Among the proposed recommendations was a proposal to partner with “moderate Muslims” to oppose radicalism.<sup>2</sup>

Following the murder in Amsterdam of filmmaker Theo Van Gogh on November 2, 2004, the AIVD became the first Western intelligence agency to publicly describe radicalisation as an essentially ideological process that could occur autonomously in Western countries without the involvement of a recruiting organisation. Its December 2004 report, *From Dawa to Jihad*, described radicalisation as driven by a “purely religious ideological component of radical-political Islam” disconnected from organisational recruitment or social and political context. At the same time, it classified various kinds of non-violent political organisation on a continuum with terrorism and therefore also to be regarded as threats to democracy.<sup>3</sup>

The first practical steps towards developing a Countering Violent Extremism (CVE) policy also occurred in Amsterdam in the aftermath of the Van Gogh murder. The city's municipal authority sought to create an “early warning” system that could identify young Muslims who were ideologically radicalizing and then intervene to stem this process. The aim was not to identify individuals who were actively preparing or engaging in acts of violence; that would be a matter for police investigation and prosecution through the regular criminal justice system. Instead, the objective was to gather information on individuals who expressed religious and political opinions that were lawful but were nevertheless perceived to indicate a risk of extremism. And so the pre-emptive strategy at the heart of contemporary CVE policies was born: a ‘Minority Report’ scenario in which “pre-criminals” are identified and targeted for intervention prior to any crime being committed.

To this end, a unit was created within the Dutch department of Public Order, Safety, and Security known as the *informatiehuishouding*, or Information House. Its activities became a template for CVE policy-making globally. It engaged in the cultivation of expertise on radicalisation through relationships with intelligence and police agencies, in order to develop an analysis of the ‘early warning signs’ that indicate radicalisation. It then encouraged various local agencies, such as neighbourhood organisation, schools, youth clubs, public service providers, and Muslim community organisation, to receive training in spotting these indicators of radicalisation and encouraged them to refer individual cases to them. Multi-agency panels then evaluated these referrals and developed interventions to try to divert the referred individuals from becoming extremists.

Because the identified persons were by definition law-abiding, the preventative action was not a criminal prosecution but a “soft intervention” aimed at increasing the “resilience to radical ideas of the individual and focus on bringing him or her back into society”.<sup>4</sup> This might have involved addressing social needs through offering an apprenticeship or educational opportunity but it also involved “an ideological intervention” by “theological experts of some stature.”<sup>5</sup> A 2005 US State Department cable released by Wikileaks notes that the Information House “has some tangential contact with law enforcement,” presumably to share details of individual case files, “but seeks to avoid overt ties because of political sensitivities.”<sup>6</sup>

Alongside these individually focused efforts, the Amsterdam municipal authority also introduced plans to combat discrimination and promote cultural integration on the assumption that the alienation of young Muslims from Dutch identity created a breeding ground for extremism. From 2005 onwards, other Dutch cities developed CVE approaches similar to that of Amsterdam.

### 2.3 British extremes

Britain followed a similar path towards developing its version of CVE policy, which was significantly influenced by Dutch security officials. Prior to the 7/7 attacks on the London transport system in July 2005, the term ‘extremism’ was generally used in UK government literature to refer to a range of extra-parliamentary political groups and movements: animal rights activism, radical environmentalism, the peace movement, anti-fascism, Black nationalism, Irish nationalism, anarchism, communism, Trotskyism, neo-Nazism, and Islamic political movements. The response of the state to these groups within the British mainland was to carry out surveillance, infiltration, and criminalisation – tasks assigned to police special branches and the domestic intelligence agency, MI5, reporting to the executive branches of government.

As late as 2004, Islamic extremism in Britain was still conceived in official literature as a matter of membership organisation that sought to recruit Muslims to participate in street-based political and religious activism. Successful recruitment by these organisation was taken to be a function of social disaffection and alienation among young Muslims. Extremist groups themselves may not have carried out or advocated violence but they “provide an environment for some to gravitate to violence.”<sup>7</sup>



From 2005, the analysis of extremism among UK security officials shifted away from references to formal groups and movements and towards an emphasis on attitudes, mindsets, and dispositions – similar to the shift in the Netherlands and the US at this time. Attention turned, above all, to concern about a free-floating Islamist ideology that did not spread through organisational recruitment but through a radicalisation process in which it captured the minds of the young and made them into “violent extremists” – the term had been adopted from the US by UK policy-makers in 2006. Extremism was pictured as a virus, flowing from radicalizer to radicalized, infecting, spreading, infiltrating.<sup>8</sup> Naively allowing Muslims too much independence and autonomy, in the name of multicultural tolerance, had encouraged the spread of the virus, it was argued. The search for other social explanations for extremism was abandoned; the aim instead was to stem the flow of dangerous ideas. Critically, an extremist was now someone who held a particular kind of ideology, even if he was not involved in any group or movement, and that ideology was understood as the underlying cause of terrorism.

With the “Preventing Violent Extremism” (PVE) policy introduced by Tony Blair’s government in 2006, this concept of extremism became institutionalized in policy. Over the next decade, the UK’s PVE policy became the most elaborate and well-funded counter-extremism policy in the world, and a key reference point for the globalisation of CVE policy-making. PVE initially contained three prongs:

- **Communities:** Local and central government funding was made available for targeted community engagement and capacity building within Britain’s Muslim populations. Imams were given English language training and funding for running mosques; Muslim women were given training in leadership skills and using the internet; and young Muslims were funded to engage in sports, art, and drama. According to government guidance issued in 2008, Muslim women and young people were key constituencies to recruit for this work: “Women can be a particularly effective voice as they are at the heart not only of their communities but also of their families, while peer-to-peer conversations between young people are often an effective means of communication.”<sup>9</sup> Local authority funding for this work was allocated based on the size of the Muslim population in each local area, as measured by the 2001 census, which was the first census to include a question on religion.<sup>10</sup> The purpose of this community-focused aspect of PVE policy was to empower what were called “mainstream” or “moderate” Muslim voices in opposing “violent extremist ideology.”<sup>11</sup>
- **Individuals:** Focusing on individuals at risk of becoming extremists, an early warning system based on the Amsterdam model, known as the “Channel” project, was introduced from 2007.
- **Overseas:** Administered through the Foreign and Commonwealth Office, civil society organisation and strategic communications projects in Pakistan, Egypt, and other parts of the Middle East were funded to carry out counter-extremist messaging.

By 2009, PVE had an annual budget of £140 million.<sup>12</sup> Two years later, PVE was renamed *Prevent* and the policy was explicitly directed at “non-violent extremism” as well as “violent extremism.” The capacity building and community development aspects of the programme were scaled back at this point, at least in part because some of the “moderate” Muslim voices that had been receiving government funding were attacked and branded as “extremists” by right-wing think-tanks, media and MPs.

In 2015, *Prevent* was implemented on a statutory basis, obliging every public service agency in Britain – from nursery schools to optometrists – to participate in the surveillance of young Muslims for signs of extremism. Never before during a time of peace in Britain had national security surveillance been so deeply embedded in the normal functioning of public life. Over 400,000 public sector workers received *Prevent* training that year,<sup>13</sup> and almost 4,000 people were reported as potential extremists under the programme.<sup>14</sup> Three eighths of the reported cases involved children under the age of eighteen.<sup>15</sup>

Another aspect of *Prevent* involved “strategic communications,” or the use of public relations campaigns to bring about cultural changes among Muslims in Britain and overseas. The government’s role in generating and funding fake social movements that aligned with desired CVE messaging was usually concealed.<sup>16</sup> One such campaign sought to create a “network of British Muslim women” who would provide “access to women’s civil society groups” in order to transmit the government’s counter-extremism messages to Muslim audiences.<sup>17</sup>

The work with the chosen 'grassroots' organisation was led by a secretive UK government department called the Research, Information and Communications Unit (RICU). It employed specialist PR agencies and new media companies to target young people who fit the profile of 'vulnerable young Muslim' with the manufactured 'counter-narratives'. Parliament was not informed of the activities and the policy was kept from public scrutiny by draconian secrecy legislation and the veil of 'national security' – raising issues of the policy's legitimacy. When journalists revealed the role of the government in these fake campaigns, the ensuing controversy was not in response to what the campaigns stood for, or the fact that they were government sponsored, but rather that they were presented as independent, community-based campaigns.<sup>18</sup>

In sum, the UK CVE strategy: (i) assumed religious ideology was the main basis for understanding and countering violent extremism; (ii) diverted vast sums of public funding into programmes that sought to penetrate local social relations and interactions within communities in non-transparent ways; (iii) established 'strategic communications' and cultural engineering as a key means of countering the purported spread of extreme ideologies; and (iv) assumed that individual radicalisation was a predictable and easily identifiable process that could be halted through recruiting a large number of public officials to participate in surveillance and targeted interventions.

## 2.4 Global proliferation

A decade after the early experiments in Amsterdam, domestic CVE policies – distinguished initially from previous policies by their focus on preventative action and on ideological drivers - had been adopted across northern Europe, in Canada, Australia, and elsewhere,<sup>19</sup> and were being further developed in a range of intergovernmental fora.

The first was the EU, which began its focus on 'radicalisation' through a confidential assessment of May 2004, produced in response to the Madrid bombings.<sup>20</sup> By the end of 2004, plans were underway to develop an EU strategy and action plan to address radicalisation and recruitment, leading to the establishment of a European Commission expert network by September 2005. By December 2005, the UK's *Prevent* policy was listed as one of the four strategic objectives of the new EU Counter-Terrorism policy. As Rik Coolsaet, a participant in the development of EU counter-terrorism policy, has noted, the UK "appears to have been decisive" in shifting the EU in the direction of making policies that focus on "the ideology behind violent extremism."<sup>21</sup>

In the United States, the shift that had been floated in 2005 as a "strategy against violent extremism" initially manifested itself at the level of analysis rather than in specific policy programmes. In 2006, the FBI produced an internal analysis of domestic radicalisation that was strongly influenced by Dutch and British ideas on the role of religious ideology in pushing individuals through various stages from ordinary citizen to terrorist.<sup>22</sup> The following year, the Intelligence Division of the New York Police Department published a report entitled *Radicalisation in the West: The Homegrown Threat*, which likewise pictured a staged radicalisation process driven by "jihadi-Salafi ideology." Critically, both documents suggested that radicalizing individuals could be identified by religious expressions and behaviours that were "subtle and non-criminal nature" but nevertheless indicative of a potential future risk of terrorism.<sup>23</sup> The NYPD and FBI launched intensive surveillance programmes of Muslim populations in the US on the assumption that the indicators of radicalisation described in their analyses could thereby be detected.

Under President Obama's administration, CVE policies came fully to the fore. Initially, the focus was international rather than domestic and led by the State Department's Office of the Coordinator for Counterterrorism. The Office's work in 2011 had three aspects: 1) "delegitimizing the violent extremist narrative," which included countering online extremism with a Digital Outreach Team; 2) "developing positive alternatives for youth vulnerable to radicalisation;" and 3) "building partner capacity to carry out these activities."<sup>24</sup>

Among the activities developed were:

- funding Muslim-American musicians to conduct hip hop tours of Muslim-majority countries;
- funding "moderate" clerics in Pakistan to communicate religious arguments against extremist ideology;
- funding a Pakistani version of "Sesame Street" that, it was hoped, would act as a bulwark against extremism;

- funding the preservation of religious shrines and the translation of religious texts by “moderate” scholars to counter the influence of Wahhabi ideology in Ethiopia;
- building relationships with Muslim community leaders in Europe.<sup>25</sup>

There was also extensive dialogue on CVE between the USA and EU in 2010-11, and the EU’s Radicalisation Awareness Network, launched in 2011, was structured around a set of shared interests in CVE outlined jointly by the EU and US (see further section 4.5, below).<sup>26</sup> By 2015, the US State Department was spending \$188 million on CVE programmes, which by then consisted of: analysis of the local drivers of violent extremism; capacity building with foreign governments; supporting civil society organisation to empower women and young people; supporting police-community relationships; conflict resolution; strategic communication; amplifying “non-violent religious voices”; and programmes to rehabilitate offenders.<sup>27</sup>

Before 2009, the US had thought itself immune to the radicalisation that European intelligence agencies had been concerned with. But a number of events that year altered this perception: the fatal shootings at the Fort Hood military base in Texas and at an army recruiting centre in Little Rock, Arkansas, and two separate attempted attacks in New York by Najibullah Zazi and Faisal Shahzad.<sup>28</sup> In the wake of these events, calls for the US to import a British-style domestic CVE policy began to grow. The US Department of Homeland Security established a Countering Violent Extremism Working Group and, in August 2011, the White House published a domestic Preventing Violent Extremism strategy – the first of its kind in the US.<sup>29</sup> At first, the main domestic CVE activity was community outreach with Muslim community representatives. Between 2012 and 2015, the FBI and local law enforcement held more than 2,500 engagement events, which aimed to “foster trust, improve awareness, and educate communities about violent risk factors in order to stop radicalisation to violence before it starts.”<sup>30</sup>

In September 2014, federal funding was introduced for multi-agency surveillance partnerships. The Justice Department announced a pilot programme along these lines to be run in Los Angeles, Greater Boston, and Minneapolis and St Paul in Minnesota. The pilot involved building a network of partnerships between law enforcement agencies, educators, social service providers, and community leaders – based on the Dutch and British models – to promote anti-extremist messaging locally, to identify young people at risk of radicalisation, and to carry out “soft interventions” to divert them from extremism.<sup>31</sup> Following bipartisan congressional support for the CVE Act of 2015, a new CVE office was established at the Department of Homeland Security (DHS) and, by 2016, over a \$100 million of federal funding was available to community organisation and local law enforcement agencies to develop programmes along these lines. The US federal government’s domestic CVE policy closely resembles Britain’s *Prevent* programme in the activities it carries out, even if more care was taken by the Obama administration to present the policy to the public as valuing freedom of expression and religion, and non-discrimination. However, these presentations of the policy have changed with the Trump administration. Whereas the UK government and EU policymakers have recently gone to great lengths to rebrand their CVE policies as addressing extremism in all its forms, the Trump administration has emphasized a focus on “radical Islam”. The idea of renaming the DHS’s CVE program as “Countering Radical Islam” or “Countering Violent Jihad” was floated by Trump transition officials. Almost all of the CVE grant recipients under the Trump administration have been law enforcement entities while funding for Muslim organisation and organisation tackling white supremacist violence has been cut.<sup>32</sup>

Support for CVE policies from the Obama administration provided a catalyst for international policy development that complemented efforts already underway at the European Union level. Frustration with the divergent views on how best to counter terrorism among UN member states had seen the USA and EU along with other countries establish an alternative body, the Global Counter Terrorism Forum (GCTF), in 2011. The idea was to accelerate counter-terrorism capacity-building in those predominantly Muslim states most invested in the ‘war on terror’ outside the strictures of the UN framework, which was perceived as ineffective and hampered by concerns about human rights and the root causes of terrorism. CVE policy was quickly established as a core priority for the GCTF. By 2016 the UN Secretary-General had adopted its own fully-fledged Plan of Action to Prevent Violent Extremism and was calling on UN states to do the same.

Subsequent sections of this report analyze the development of the EU, UN and GCTF CVE frameworks. It is important to stress, however, that the CVE policy is also being adopted or diffused through a plethora of other international organisations, including the Council of Europe (47 member states),<sup>33</sup> the Organisation for Security Cooperation in Europe (57 participating states),<sup>34</sup> the G20,<sup>35</sup> the African Union,<sup>36</sup> the Association of Southeast Asian Nations,<sup>37</sup> and initiatives like the Strong Cities Network.<sup>38</sup>

Amid this groundswell of global interest in CVE policy, however, none of these organisations have paused to question the impact, legitimacy or effectiveness of the policies within the countries in which they were first developed.

## 3 Problematizing CVE

A number of apparent paradoxes run through the CVE policy field. On the one hand, CVE policy-makers frequently claim to approach the problem of violent extremism in a holistic way that addresses root causes; on the other, they usually fail to adequately define what violent extremism is or present a plausible account of what causes it to exist – both of which would presumably be necessary in order to counter it. They claim their policies are designed to tackle violent extremism in all of its forms and yet their overwhelming focus is on Muslim populations. They use the liberal language of community partnership, empowerment, and engagement, and yet they want to broaden the range of behaviours considered problematic and requiring government intervention. They present themselves as implementing the softer alternative to the “hard power” of police investigation and military force, and yet they recruit non-policing agencies to conduct counter-terrorism surveillance. And they state their aim is to win the trust of Muslim communities, whom they are highly likely to alienate through their policies.

### 3.1 Vague definitions

Because CVE policies are oriented towards preventing potential acts of violence in the future, they depend strongly on a clear definition of the problem they are seeking to counter, and a plausible account of the causal mechanisms linking a policy action taken now with the likelihood that this will reduce the problem in the future. Unfortunately, CVE policies tend to be vague, selective, and inconsistent in defining violent extremism. For example, the 2011 White House CVE strategy defines violent extremists as “individuals who support or commit ideologically-motivated violence to further political goals.”<sup>39</sup> By this definition, the millions who support US military violence carried out for political purposes, such as regime change or humanitarian intervention, and who do so as a result of an ideology, such as American exceptionalism, are violent extremists. Yet no CVE programme exists to prevent teenagers from being indoctrinated into American exceptionalism. Denmark’s 2009 *Action Plan to Prevent Extremist Views and Radicalisation Among Young People* defines extremism as “totalitarian and anti-democratic ideologies, intolerance to the views of others, hostile imagery and a division into ‘them’ and ‘us’.”<sup>40</sup> Likewise, a great many people in Denmark could probably be categorized as having some intolerance of others, or perceive some people to be insiders and others outsiders. But no CVE initiative has been developed to spot the warning signs of Danish nativism.

British policy-makers have certainly provided the most elaborate yet inconsistent definitions of extremism. In 2011, the *Prevent* policy defined extremism as “vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs” – a definition that, like its US and Danish equivalents, is so broad and vague as to potentially catch large swathes of the population. To this general definition was added “calls for the death of members of our armed forces, whether in this country or overseas,” which has the merit of precision but would imply a much narrower target for the policy than what actually pertains.<sup>41</sup> The same government document defines Islamist extremism specifically as believing “the West is perpetually at war with Islam; that there can be no legitimate interaction between Muslims and non-Muslims in this country or elsewhere; and that Muslims living here cannot legitimately and or effectively participate in our democratic society.”<sup>42</sup> Two years later, a government task force on extremism and radicalisation offered yet another definition of Islamist extremism:

“It is an ideology which is based on a distorted interpretation of Islam, which betrays Islam’s peaceful principles, and draws on the teachings of the likes of Sayyid Qutb. Islamist extremists deem Western intervention

in Muslim-majority countries as a 'war on Islam', creating a narrative of 'them' and 'us'. They seek to impose a global Islamic state governed by their interpretation of Shari'ah as state law, rejecting liberal values such as democracy, the rule of law and equality."<sup>43</sup>

Taken together, these definitions of 'Islamist extremism' point in multiple, inconsistent directions. Is Islamist extremism a belief in theocracy, a refusal to interact with non-Muslims, a rejection of British culture, a rejection of liberal values, resistance to Western wars, intolerance of others, or agreement with Sayyid Qutb?

This abject lack of consistent definition provides for the opportunistic and politicized implementation of CVE policies. In practice, this has meant a vastly disproportionate focus on Muslims as the main population group perceived to be at risk of engaging in violent extremism. In the US, for example, law enforcement agencies, the Department of Homeland Security, and the Justice Department regularly engage with Muslim community activists across the country. They have yet to engage with the leaders of conservative movements to discuss the threat of Far Right terrorism. In the Netherlands, around 90 per cent of CVE resources have been focused on Muslim extremism.<sup>44</sup> In Britain, the first iteration of PVE policy used the size of the Muslim population in each local authority area as a proxy for the threat of extremism, and distributed resources accordingly. Since then, *Prevent* policy has remained predominantly focused on Muslims, though there have been some initiatives in recent years to address the resurgent Far Right.<sup>45</sup>

### 3.2 Empirical incoherence

In practice, when CVE policies are implemented, practitioners have not been frozen in their steps by a lack of precise definitions. Nor have they enacted policies that diverge wildly in their assumptions about the nature of violent extremism. Rather, CVE resources have been deployed in fairly consistent ways in spite of definitional ambiguities. The explanation for this is that practitioners are implementing policy in a broader political context that has powerfully embedded an implicit concept of violent extremism that associates it with "radical Islam." In this concept, a mixture of themes – separatism, illiberalism, theocracy, violence – are condensed into a single image of dangerous Muslims. Those who seek to dissent from this approach and, for example, focus on Far Right terrorism in implementing CVE programmes go against the grain of public discourse and have to contend with powerful political opposition.

In the US, it is difficult to justify the overwhelming focus on Muslim violent extremism when the data on terrorist plots is considered. In the US, from after 9/11 to 2016, 171 people were killed in terrorist incidents, according to the New America Foundation. Approximately half of these fatalities resulted from Muslims carrying out acts of violence.<sup>46</sup> In the EU, since 2012 there has been an increase in lives lost in acts of terrorist violence carried out by Muslim extremists. From 2013 to 2016, 293 people were killed in "jihadist" attacks, around three quarters of the total of lives lost to non-state terrorism in the EU over the period.<sup>47</sup> But there are significant variations across the region: more than half of the incidents occurred in France and most EU countries suffered no attacks. Moreover, prior to 2013, the threat from the far Right in Europe was similar in scale to that from jihadists: at least 249 persons died in incidents of far-Right violence between 1990 and 2012; 263 were killed by jihadists over the same period.<sup>48</sup>

As significant as the empirically unfounded focus of CVE policies on "Islamist extremism" is the particular set of assumptions about what causes terrorism. One of the attractions of CVE policies is that they start from the premise that there are underlying causes to terrorism that policy-makers ought to grapple with. The 2006 United Nations Global Counter-Terrorism Strategy, for example, calls for policy to address the "conditions conducive to the spread of terrorism." These are understood, in turn, as involving "preventing and resolving conflicts, encouraging economic development, reducing social exclusion and marginalisation and fostering understanding among peoples of varied religions and cultures through dialogue."<sup>49</sup>

These are all worthy objectives but there is no evidence-based account of the causes of terrorism that defines their role in countering violent extremism. In the absence of such an account, the danger is that development, human rights, and conflict prevention goals that ought to be pursued for their own sake get subsumed within a counter-terrorism agenda. Likewise, a theme common to the US State Department and UK Foreign and Commonwealth Office CVE programmes has been that broader development goals, such as poverty alleviation and increasing educational opportunities, will help reduce violent extremism – yet there is no evidence to demonstrate that such a causal mechanism exists.

The phrase “root causes” of terrorism, which has a history in UN discourse and remains present within the EU counter-terrorism strategy, has, over the last decade, been supplanted by the new vocabulary associated with CVE. “Root causes” tended to suggest that the primary factors in producing terrorism were, *inter alia*, the foreign policies of the US and its allies in supporting authoritarian regimes in the Middle East, supporting Israel’s military occupation of Palestine, and the war in Iraq. Despite the promiscuity with which CVE policy-makers accumulate long lists of factors that produce terrorism, Western foreign policy is rarely referred to.

A significant empirical incoherence underlying CVE policies lies in its reduction of the causes of terrorism to the process by which extremist religious ideology drives individual radicalisation. For some analysts, the role of extremist religious ideology is akin to a “conveyor belt” that mechanically pushes an individual into terrorism.<sup>50</sup> For others, the radicalisation process is more complex and depends not only on ideology but also on psychological factors, such as the experience of a recent traumatic event. Whatever nuances are added to the picture, the underlying assumption in these radicalisation models is usually the same: that some form of religious ideology is the key element in turning a person into a terrorist. A problem with this approach is that it places an over-emphasis on individual belief and downplays the role of social and political circumstances in understanding how political violence comes into existence. Scholars of terrorism have long argued that the causes of terrorism need to be understood on three levels: individual motivation and belief system, the decision-making and strategy of terrorist organisation, and the broader social and political context.<sup>51</sup> The studies of radicalisation developed after 9/11 have tended to ignore the second and third of these levels, with policy implications seen in CVE policy today.

Despite the hundreds of millions of dollars, pounds, and euros that have been spent conducting research to try to find a correlation between extremist Islamist ideology, however defined, and political violence, no empirical data has been found to support the assumption that extremist ideology causes terrorism. Close attention to the lives of Muslims (let alone others) involved in acts of violence shows that they rarely match the official picture of religious radicalisation. Take, for example, Mohamed Lahouaiej Bouhlel, the perpetrator of the Bastille Day attack in Nice in July 2016, in which eighty-four people were killed. Prosecutors searched in vain for evidence of a process of radicalisation that involved a progression toward becoming religiously extreme. What they found instead was someone with a range of mental health problems and no interest in religious ideology, radical or otherwise.<sup>52</sup>

Confronted with so many cases such as this, some of the leading scholars who had developed religious radicalisation models after 9/11 revised their analyses a decade later. Marc Sageman, the leading academic supporter in the mid-2000s of a religious radicalisation model, moved away from his earlier emphasis on religious ideology as a significant factor in causing terrorism. In 2013, he suggested that governments should “stop being brainwashed by this notion of ‘radicalisation.’ There is no such thing. Some people when they’re young acquire extreme views; many of them just grow out of them. Do not overreact – you’ll just create worse problems.”<sup>53</sup> Similarly John Horgan, director of the International Center for the Study of Terrorism at Pennsylvania State University, has said that: “The idea that radicalisation causes terrorism is perhaps the greatest myth alive today in terrorism research ... [First], the overwhelming majority of people who hold radical beliefs do not engage in violence. And second, there is increasing evidence that people who engage in terrorism don’t necessarily hold radical beliefs.”<sup>54</sup> Wrongly assuming a causal link between religious ideology and terrorist violence, most CVE policies see interventions in religious ideology as essential to their success. Not only is such an approach inconsistent with the evidence, it also risks producing greater harm by manipulating and criminalizing religious belief.

### 3.3 Undermining civil society

A major strand of CVE policy is the attempt to induce changes in cultural, religious, and political attitudes and opinions of targeted communities. This use of government “soft power” to “battle for the soul” of Muslim communities aims, ultimately, at a cultural transformation of Muslim identity, reshaping it into a pro-Western mold – perhaps the most ambitious aspect of CVE policy-making.<sup>55</sup>

In Britain, for example, *Prevent* policy has been defined in terms of promoting “fundamental British values,” implying a cultural shift among Muslim populations. The assumptions behind this approach were articulated in David Cameron’s “muscular liberalism” speech to the Munich Security Conference in 2011.<sup>56</sup> There, he stated that behind Muslim

terrorism lay “a question of identity”; that “the passive tolerance of recent years” had to be abandoned in favor of a much more assertive defense of British values against “Islamist extremism”; that British Muslims had to privilege their Britishness over their global allegiance to other Muslims. Essentially the same argument had been made on multiple occasions by ministers of the two previous governments.<sup>57</sup> *Prevent*'s method for achieving this is through the funding of Muslim voices who will advocate for this cultural change, through strategic communications, including social media campaigns, and through surveillance and individual ideological intervention.

To this end, the government has commissioned high-profile advertising and PR agencies to work with the chosen ‘grass roots’ Muslim voices to produce professional media campaigns. These campaigns are then rigorously promoted on social media to those areas and individuals targeted by *Prevent*.<sup>58</sup> But the fact that the campaigns are government sponsored “counter-narratives” is not disclosed, making it difficult if not impossible for internet users to tell the difference between independent civil society organisation and those who are effectively promoted by the government for counterterrorism purposes. In 2016, the UK government awarded advertising giants *M&C Saatchi* a four-year, £60 million contract to produce up to ten counter-narratives per year.<sup>59</sup> In the same year it emerged that the Pentagon had paid British PR firm *Bell Pottinger* over \$500 million between 2006 and 2011 to produce propaganda in Iraq, in the form of “short TV segments made in the style of Arabic news networks and fake insurgent videos which could be used to track the people who watched them”.<sup>60</sup> At the time of writing, the firm is close to collapse following its expulsion by the UK PR trade body for inciting racial hatred in South Africa.<sup>61</sup>

At times, counter-narrative efforts involve intervening in theological debates. *Prevent* has, for example, involved funding “mainstream” Imams and scholars to promote accounts of the meaning of Islam that differ from those of “extremists.” The US State Department’s CVE programme has sought to promote local Sufi traditions in Africa as a counter to the influence of Wahhabi interpretations of Islam. And, in 2010, President Obama’s senior counter-terrorism advisor John Brennan stated an official position on Islamic theological questions, such as the meaning of jihad.<sup>62</sup> In these ways, governments are taking on the role of “de facto theologians,” implicitly adopting an official interpretation of Islam.<sup>63</sup>

There are a number of problems with the use of these “soft power” methods to induce cultural change among Muslims:

- *Dissuades dissent*: The Muslim community representatives selected by CVE policy-makers to front campaigns for cultural change receive significant resources and public prominence. But because they owe their position and legitimacy as quasi-official community leaders to the government rather than to the community on whose behalf they claim to speak, they tend not to advocate for that community but instead become mediators of government messages to the community. Thus, the more organic process by which community representatives might otherwise emerge as genuine advocates is skewed and distorted. Community representatives who are critical of government policy are unlikely to be recruited for CVE campaigns and are therefore denied the resources available to others. In a situation where the resources distributed through CVE policies dwarf other sources of funding for community organisation, this fosters an atmosphere of political compliance and passivity. A mini-industry of government-funded CVE entrepreneurs and consultants then dominates public debate, substituting themselves for more genuine community voices. The grassroots knowledge that communities have about the root causes of terrorism may also be marginalized as a result, especially if their analysis calls into question government policy, for example by highlighting the role of foreign policy. CVE policies that fund community leaders may also contribute to ethnic, class, and sectarian conflicts related to the distribution of resources.<sup>64</sup> This in turn risks undermining the credibility of the NGO sector as a whole, because if the public is unable to tell which “grass roots” voices are genuinely authentic and which have been sponsored by the government for counter-terrorism purposes, they are likely to lose trust in both government and civil society.
- *Stifles transparency*: Community leaders funded by CVE policies to engage in messaging are in a double bind. On the one hand, they depend on government funding to carry out their work. On the other hand, that funding is given to them on the assumption that they have sufficient credibility within the community for their voice to be effective in conveying the government’s message. That credibility would evaporate if their role as government messengers became known. The tendency therefore is for CVE funding to be kept secret in order that

community leaders' messages appear as their own independent opinion, untainted by government influence. This, in turn, undermines the process of open and accountable debate that is essential to a healthy civil society.

- *Facilitates stigmatization*: CVE policies tend to lead to a focus on Muslims as collective bearers of a cultural problem. This fuels prejudice and discrimination and adds to the wider climate of Islamophobia. It also contributes to the securitization of questions of identity and belonging, on the false assumption that alienation from or rejection of Western culture represents a risk of terrorism. In particular, the training of large numbers of public service workers to look for signs of radicalisation among Muslims institutionalizes Islamophobia in the routine practices of government bureaucracy.
- *Undermines secularism*: The government sponsoring of Muslim organisation and religious leaders on the basis of theological criteria runs counter to secular principles of neutrality and non-intervention in religion, even though such principles are themselves upheld by many CVE policies as markers of a liberalism which Western Muslims should aspire to. As Asma Jahangir, the United Nations' Special Rapporteur on Freedom of Religion or Belief, pointed out in her 2008 report on the UK: "it is not the Government's role to look for the 'true voices of Islam' or of any other religion or belief. Since religions or communities of belief are not homogenous entities it seems advisable to acknowledge and take into account the diversity of voices. ... The contents of a religion or belief should be defined by the worshippers themselves."<sup>65</sup>
- *Reinforces gender stereotypes*: CVE policies have often supported established male community leaders on the grounds that their greater apparent influence makes them more valuable in messaging to Muslim audiences. On other occasions, they have positioned women's organisation and voices as especially effective in challenging extremist ideology, either on the grounds that women are naturally predisposed to oppose religious extremism or because women are seen as strategically useful as the "heart" of families and communities; either assumption reinforces gender stereotypes. An issue in Britain's *Prevent* policy is that support for gender equality is held to be a litmus test of extremism – but one applied solely to Muslim populations. The general danger in mobilizing gender in these ways is that issues of inequality are subsumed within a broader security agenda and the specific need to address women's rights is marginalized.<sup>66</sup>

### 3.4 Expanded surveillance

A key aspect of most CVE policies is the attempt to develop a surveillance system that can monitor communities for signs of radicalisation and then potentially conduct "soft interventions" with individuals suspected of becoming extremists. There are two respects in which CVE surveillance is distinct from the usual surveillance that intelligence and law enforcement agencies carry out as part of their investigative work to counter terrorism:

- It is not aimed at identifying individuals who are reasonably suspected of breaking the law by inciting, financing, preparing, or engaging in acts of terrorism; rather, it seeks to identify individuals who are in what policy-makers call "the pre-criminal space" – the stages in the process of radicalisation before a crime has been committed.
- It aims to partner with non-policing agencies – such as educators, medical professionals, youth workers, community representatives, family members, and so on – to exploit the information these agencies are able to gather in the normal course of their interactions and to transform them, in effect, into policing agencies.
- Training of non-policing professionals, community representatives, and family members in spotting the signs of radicalisation necessarily involves simplifying a complex field. It is hard to imagine how non-specialists can be adequately trained to make reasonable judgments on whether an individual warrants concern. Given that there is no scholarly consensus on the process of radicalisation, there is actually no evidence-based knowledge to impart in CVE training on the indicators of radicalisation.<sup>67</sup>

It is no surprise, therefore, to find that much of the training in this area is devoid of substance and results in either treating ordinary behaviour as suspicious or regarding legitimate forms of religious and political expression as problematic. Take for example the fact that the behaviour of teenagers and younger children is a particular focus of CVE programmes and that behaviour which would usually be interpreted as normal for teenagers, such as changing groups of friends, changes of dress, or expressing feelings of alienation and anger at the world, are, for Muslim



teenagers, projected as indicators of extremism, leading to a disproportionate number of Muslims selected for “soft interventions.” The usual principle that the best interests of children should be upheld in policy-making tends to be set aside in CVE policy.

For example, the Greater Boston CVE policy developed by the US Attorney's Office regards young people who are “feeling isolated and alienated” or angry at US foreign policy to be at risk of radicalisation.<sup>68</sup> In a 2015 pamphlet produced by the London Borough of Camden to help parents spot radicalisation, the warning signs listed were: showing a mistrust of mainstream media reports and a belief in conspiracy theories, and appearing angry about government policies, especially foreign policy.<sup>69</sup> Moreover, expressions of Islamic religiosity, such as adopting forms of clothing, are often taken as signs of extremism by CVE policies.<sup>70</sup> Without a plausible account of the radicalisation process that could enable accurate predictions to be made of future risk, there is no reasonable basis on which to select persons for “soft interventions.” What policy-makers call the “pre-criminal space” is therefore better described as a non-criminal space, where freedom of expression, freedom of religion, and privacy rights become endangered through the use of policy.

In recent years, Britain's *Prevent* programme has generated numerous cases that illustrate these problems. For example:

- A ten-year-old child was referred for requesting a prayer room at school;<sup>71</sup>
- At a nursery school in Luton, a four-year-old boy faced referral after he drew a picture of his father cutting a cucumber with a knife, which staff misheard described by the child as a “cooker bomb”;<sup>72</sup>
- In London, a teenager was referred after mentioning the word “ecoterrorist” in a class discussion about environmental activism.<sup>73</sup>
- Multiple students have been referred for wearing “Free Palestine” badges or advocating in schools for the campaign to Boycott, Divest, and Sanction Israel.<sup>74</sup>

CVE policies regularly recruit non-policing professionals, community representatives, and family members into sharing information on individuals thought to be radicalizing. In drawing these individuals into partnering with CVE programmes to become the “eyes and ears” of the counter-terrorism system, their existing relationships, based on professional norms or relationships of trust in families and communities, are undermined. The primary duty of educators to their students, for example, is to empower through the inculcation of knowledge, which implies a quite different relationship from the investigative and coercive role of a police officer. CVE policies tend to blur these distinctions between policing and non-policing agencies, encouraging non-policing agencies to act more and more like policing ones. This likely undermines the trust in public (non-policing) institutions that CVE policies are ostensibly meant to foster. It is therefore essential to defend the autonomy of non-policing spheres from the intrusion of policing norms.

Moreover, governments implementing CVE programmes are rarely transparent about the use of information generated through these surveillance partnerships. It is reasonable to expect that, through their relationships with local police forces, intelligence agencies have access to the case files generated in the course of CVE work with individuals thought to be at risk of radicalisation. In this way, intelligence agencies are able to gather information on individuals who are not reasonably suspected of threatening national security but are nevertheless of interest to them, for example because of their radical political views. By straddling the distinction between national security and social services, CVE policies are able to combine the powers of both without the corresponding mechanisms for accountability: they adopt the secrecy associated with the national security sphere while benefiting from the intimacy and trust associated with work in community development, education, and child protection.

### 3.5 Internet censorship

CVE strategies and radicalisation models have increasingly used the internet as a mechanism to realize their aims, justified by their assertion of the internet as a source of inspiration for violent extremists. Strategies to combat the “terrorist use of the internet” have been around for many years but it is ISIS’ prolific use of social media, including the live-streaming of attacks, which has seen irresistible pressure brought to bear on technology companies who had earlier maintained their distance from government efforts in this area.

Whereas monitoring extremist websites and those who visit them has long been a source of intelligence for national security agencies, more recent initiatives focus on the censorship of those sites, either by compelling internet service providers (ISPs) to block access by their customers, or pressuring social media companies to ban certain users or remove specific content. Although most countries criminalize incitement to terrorism and violence – with European states going as far as criminalizing speech that creates a danger that a terrorist offense or violent act may be committed<sup>75</sup> – government counter-terrorism agencies have effectively shunned the legal system in favour of *ad hoc*, “voluntary” arrangements with ISPs and social media platforms that allow them to pursue a much broader range of “terrorist propaganda”. This approach relies on tech companies’ terms of service, which routinely prohibit incitement to violence and threats against minorities, rather than law enforcement by the courts. It was pioneered in the UK, which established the world’s first Counter Terrorism Internet Referral Unit (CITRU) in 2010. CITRU is the central contact point for police and intelligence officers seeking to block web pages or close social media accounts, and refers their requests to service providers, search engines and content platforms. In late 2014 the UK Home Office introduced a referral site allowing members of the public to submit reports about “articles, images, speeches or videos that promote terrorism” and “websites made by terrorist organisations” to CITRU via its website. In April 2016, the scheme was extended from “terrorist material” to “material promoting terrorism or extremism”, including content that “encourages violence” and websites made by “extremist organisations”.<sup>76</sup>

By December 2016, CITRU claimed to have removed 250,000 “terror items” from the internet since 2010, with almost half that number removed in 2016 alone.<sup>77</sup> In February 2016, Twitter announced that it had shut down more than 125,000 “ISIS-related” accounts. A year later, account suspensions were reported to number more than 360,000. Nevertheless, and despite the obvious challenges they face, the perception that social media companies are not doing enough to counter terrorism and violent extremism online persists.

Following the Charlie Hebdo attacks in Paris in January 2015, the EU launched a Europe-wide blocking initiative modelled on CITRU. The EU Counter-terrorism Internet Referral Unit began operating in July 2015 and is housed at EUROPOP. Although the idea of “terrorist propaganda” conjures up the image of horrific videos of ISIS beheadings and such like, violent material is said to make up just 2% of what is blocked.<sup>78</sup> Regardless, the level of censorship of alleged terrorists and extremists has now reached levels that would have been unthinkable just a few years ago.

The challenges of developing credible policies in this area that respect fundamental rights, including the right to freedom of expression, are thus particularly pronounced. In November 2016, the *Global Network Initiative (GNI)*, an influential consortium of internet service providers and NGOs, criticized “government pressure on companies to restrict or remove content outside the legal process” and cautioned against “laws and policies that may have serious consequences for human rights without necessarily providing effective strategies to counter violent extremism or stem recruitment by terrorist organisation”.<sup>79</sup> GNI’s report also observed that governments were “pressur[ing] companies to change their terms of service” and setting “precedents for extra-judicial government censorship without adequate access to remedy, accountability, or transparency for users and the public”.

Despite the unease, the extra-judicial model of censorship that CVE strategies have promoted continues to develop apace. In December 2016, Microsoft, Twitter and YouTube announced that they were applying the technology they had developed to combat the proliferation of child pornography, which assigns a digital “fingerprint” to images removed by one company to enable the others to automatically remove the same content. Of course, while child pornography is plainly illegal, the identification of terrorist propaganda is much more subjective due to the overbroad definition of terrorism. It is all but entirely subjective with regard to “extremist content”, which still lacks a clear definition. The result is that digital media corporations largely defer to governments, which use the label of “extremist” to censor their opponents. Facebook, for example, grants 95 per cent of requests from the Israeli government to close down Palestinian accounts, leading to a significant censorship of civil society organisation, such as the Palestine Information Centre.<sup>80</sup>

With the censorship genie now well and truly out of the bottle and colliding with fresh concerns about “fake news”, and with machine learning and sentiment analysis seen in some quarters as long-term solutions to the “problem” of unfettered access and unregulated dissemination of information via the internet, the prospects of deploying such tools

in a proportionate, even-handed and accountable manner appear to be diminishing rapidly. And having agreed to promote government-funded counter-narratives, Silicon Valley now finds itself embroiled in large scale, extra-judicial censorship on the one hand *and* the discreet dissemination of government approved messages on the other.

What little concern there is about these kinds of measures have come from digital rights and freedom of expression groups. While concern for human rights provides a firm basis for questioning the legitimacy of these policies, it is important to stress that what is at stake here is something much more political: the widespread restriction of information about political violence and 'terrorist' groups that is available to the public and the intentional engineering or reworking of political opinions by the state through the tool of censorship. This is particularly relevant to Muslim communities, who find their access to information about not just political violence, but political opinions and religious pronouncements perceived to be related to political violence, moderated by the actions of an unaccountable network of police agencies and social media compliance units.

### 3.6 'Abuse' of CVE programmes

One of the biggest concerns about CVE programmes is that the breadth of behaviour that can be considered 'extremist' can be applied to perfectly legitimate political activities such as protests, demonstrations and direct actions. While this is clearly the case, the broader narrative around the 'abuse' of counterterrorism risks legitimizing inherent problematic policy frameworks by suggesting they only become problematic when applied to someone other than a 'terrorist' suspect. Nevertheless, it is right to point out that as CVE policies have become more entrenched they have increasingly been used to target environmental protestors, pro-Palestinian groups, democracy activists and social justice activists.

It is also important to stress that the potential for the abuse of CVE policies merely enhances a problem that has long existed with respect to counter-terrorism law more broadly. As the former UN Special Rapporteur on Counterterrorism and Human Rights has explained, overly broad definitions of 'terrorism' have been used "to target civil society, silence human rights defenders, bloggers and journalists, and criminalize peaceful activities in defence of minority, religious, labour and political rights" around the world.<sup>81</sup> These findings were echoed by "Dangerously disproportionate", an *Amnesty International* report on the impact of counterterrorism policies in Europe published January 2017, which identified systemic human rights violations related to states of emergency/emergency laws; the principle of legality; the right to privacy/surveillance; freedom of expression; the right to liberty; freedom of movement; the stripping of nationality; and the principle of *non-refoulement*.<sup>82</sup> In carefully chosen words, Amnesty went as far as to suggest that: "Brick by brick, the edifice of rights protection that was so carefully constructed after the Second World War, is being dismantled".

With survey-after-survey suggesting that support for human rights in European states has dwindled as the rhetoric of the war of terror has contributed to a growing belief that human rights law is an obstacle to effective counterterrorism, CVE policy is being devised and implemented in an increasingly impressive climate. Counterterrorism policy and practice is also frequently cited in the growing discourse and on the closing of civil society space, with CIVICUS suggesting that "only two percent of the globe's population of some 7.5 billion people can now claim to live in countries where the freedoms to speak out against injustice, organise and protest peacefully are adequately protected".<sup>83</sup>

Yet for all of the stated inter/governmental concern about 'populism', the Far Right and attacks on the international rule based system, there is little if any analysis of the way counterterrorism narratives and practices intersect with the rising crises of democracy, human rights and the spectre of fascism. This is all the more surprising given the obvious ways in which the Far Right has piggy-backed onto official narratives about terrorism, extremism and Islam by re-inventing itself as a 'counter-jihad' movement that addresses the apparent shortcomings of the state.

### 3.7 Lack of formal legal and political accountability

The problems described above are exacerbated by the difficulty in challenging problematic CVE policies, which tend to be based on executive decisions rather than on legislative frameworks. This means that policies are implemented through partnerships between state agencies, local government, civil society partners and service providers, with very little formal accountability beyond the state bureaucracy.

Whereas the exercise of legal powers that violate fundamental rights or institutionalize discrimination can be challenged in the courts, the implementation of CVE policies is based on their incorporation into the governance and practices of other agencies – social services, places of worship, community centres, youth programmes etc. – making it very difficult to challenge practices that undermine fundamental rights.

It is also the case that as international organisation like the EU and UN have established increasingly broad counterterrorism frameworks, their ability to serve as arbitrators of proportionate and rule-of-law based policies at the national level has diminished. This too has left a vacuum in terms of legal and political accountability.

A lack of a formal legal framework for the implementation of CVE policies is compounded by a lack of publicly available information, making it difficult to even assess how and where CVE policy is being implemented and by whom. This is particularly the case at the international level, where any attempt to understand policy development and implementation is a significant endeavor.

## 4 The European Union

### 4.1 Background

The EU's CVE framework has been twelve years in the making. As such the EU now has what appears to be a comprehensive strategy to combat what it terms "radicalisation leading to violent extremism". In fact, the EU's interest in 'radicalism' actually long pre-dates the war on terror, with the establishment of the 'TREVI group' in 1975 as an intergovernmental forerunner to the 'Schengen' and 'Third Pillar' police cooperation frameworks. TREVI – "Terrorisme, Radicalisme et Violence" was established following a series of meetings on terrorism attended by the ministers of EEC states. At the turn of the century, following the violent confrontations between police and protestors at EU summits, including those in Genoa and Gothenburg where protestors were shot, the EU's Working Party on Terrorism turned its attention to "violence and criminal damage orchestrated by radical extremist groups, clearly terrorising society".<sup>84</sup> This pre-9/11 overture foreshadowed the use of counter-terrorism legislation for political policing and public order purposes that would later become so prevalent.

Initially concerned with "radicalisation and recruitment", the first iteration of what would become the EU's contemporary CVE strategy was produced in September 2005. It was also drawn up by the EU Council's Working Group on Terrorism, comprised of senior officials from the interior ministries and security agencies of the member states. The term 'radicalisation' was not explicitly defined, but described in the document as the "practical steps an individual must take to become involved in terrorism", a process that was said to have been "greatly enhanced" by globalisation and the Internet.<sup>85</sup> The objective of the strategy was to prevent people being radicalized and recruited by terrorist groups through the pursuit of three overarching goals: (i) disrupting the activities of the individuals and networks who draw people into terrorism; (ii) promoting "mainstream opinion" over the voices of extremism; and (iii) promoting "yet [sic] more vigorous security, justice, democracy and opportunity for all".<sup>86</sup>

An "Action Plan" to implement the strategy was also drafted in 2005, but this was withheld from public and parliamentary scrutiny and remains unpublished. The Strategy was updated in 2009 and 2014, while the Action Plan was kept under almost constant review (it was revised frequently between 2007 and 2010, and again in 2012). None of the Action Plans were ever published in anything more than a heavily redacted form. This meant that the detail – the specific actions that the EU was taking to implement the strategy – has never been subject to meaningful public scrutiny. The significance of their omission from public record cannot be understated: the 2007 Action plan, for example, already contained 79 separate measures (policies, practices or initiatives) to be implemented by the EU and/or the member states. The Swedish Presidency, which oversaw updates to the Action Plan in 2009, was "of the firm opinion that the revised version... should be a public document",<sup>87</sup> but was overruled by the other members of the EU Council.

For all the tinkering with the Action Plan, however, the objectives of the EU's Strategy remained fairly constant for around a decade. 'Radicalisation' was essentially seen as a conveyor-belt process in which 'vulnerable' Muslims were susceptible to external influencers – first Al-Qaeda then, from 2008, a broader church of "radical Islamists" – said to espouse an "extremist worldview" that "distorted the reality of Western policies and conflicts around the world in order

to justify violence”.<sup>88</sup> The assumption underlying the EU CVE strategy was that the radicalisation process could be spotted and disrupted by limiting the activities of the radicalizers and recruiters. As such, the focus was on the ‘preachers of hate’, the ‘radical Islamist’ schools and Mosques, ‘terrorist use of the Internet’, Islam in prisons, and so on. These interventions were supplemented by a broader strategy of empowering moderate Muslim voices in order to win the ‘battle for hearts and minds’ - a premise that had long been seen as a cornerstone of the ‘War and Terror’. As the EU strategy had put it, western governments had “to get our message across more effectively” in order to “change the perceptions of European Western policies particularly among Muslim communities, and to correct unfair or inaccurate perceptions of Islam and Muslims”.<sup>89</sup> As noted above, this use of government ‘soft power’ aims, ultimately and ambitiously, at a cultural transformation of Muslim beliefs and identities.

## 4.2 Beyond Islam

The EU Strategy did not undergo significant change until 2014, when the European Commission began to play a much greater role in policy development,<sup>90</sup> and some of the core assumptions of the EU’s “radicalisation and recruitment” strategy were abandoned in favour of the more orthodox thinking on CVE that had by now taken hold in the EU member states. Crucially, during this period, the underlying challenge for the EU was extended from preventing radicalisation and recruitment to Islamic terrorist groups to combating violent extremism *writ large*.

This shift was undertaken in order to “prevent the emergence of a new generation of terrorists”,<sup>91</sup> and to “counter all radicalisation leading to violent extremism, regardless of the religious and/or political ideology behind it”.<sup>92</sup> This shift evidently prompted a significant debate among the EU member states, but the vast majority of the relevant EU Council documents (more than 75%) continue to be withheld from public scrutiny.<sup>93</sup>

While failing to provide an EU definition of either ‘radicalisation’ or ‘extremism’, the EU’s most recent CVE strategy documents purport to address the variety of “channels of radicalisation” – such as “home-grown”, “lone actors”, “foreign fighters” etc. – and the “complex and multifaceted human and social conditions” that provide the “fertile ground” for radicalisation.<sup>94</sup> But for all the nuance, typologies and acknowledgement of the inherent complexities, the idea of some kind of linear pathway persists.

It is also asserted by the EU that this process has somehow sped-up as “the global terrorist threat has become more decentralized, more complex, and in many respects harder to detect, due in part to an ever more rapid process of radicalisation”.<sup>95</sup> What has led to the quickening of pace is not explained.

The European Parliament, which has been entirely excluded from the CVE decision-making process, defines ‘radicalisation’ as “the phenomenon of people embracing intolerant opinions, views and ideas which could lead to violent extremism”.<sup>96</sup> In managing to strip ‘radicalisation’ of any connection to ‘radical’, this is a definition notable only for its incoherence.

Despite the vast increase in scope of EU CVE policy from 2014, and the absence of clarity or precision as to exactly what it is that it is being countered, the core premises of the EU’s strategy remain largely the same: spot the signs of radicalisation, intervene to prevent the radicalism from taking hold of the individual, all the while ramping-up the efforts to win the battle for ‘hearts and minds’ by empowering ‘moderate voices’ and combatting extremist use of the internet.

## 4.3 From dangerous spaces to ‘bio politics’

Perhaps the most significant change to EU CVE policy in recent years is the adoption of the ‘whole of society’ approach to extremism found within the UK’s *Prevent* strategy. In the latest iteration of the EU’s strategy for countering radicalisation, the locus of the policy is shifted from external actors (the radicalisers and recruiters) to the individual’s vulnerability and resilience. In turn, the scope for counter-extremism interventions is widened from the ‘dangerous spaces’ identified by the earlier iterations of the policy (radical Mosques, Muslim communities, prisons, Internet sites etc.) to encompass the entirety of what French philosopher Michel Foucault called ‘biopolitics’. What this means in practice is that radicalisation has been cast as an omnipresent and omnipotent threat that all of society’s institutions have an obligation to counter.

Current policy therefore aims to “detect alarming behaviour and act on the early signs of radicalisation, by having all relevant actors communicate and work closely with parents, peers and wider family”.<sup>97</sup> Lest there be any doubt as to who these responsibilities fall upon, “all relevant actors” is spelt out as “teachers, staff at universities, social workers, youth workers, healthcare providers, volunteers, neighbours, sports coaches, religious and informal leaders, local police officers” – all of whom are duty-bound to monitor their communities for signs of radicalisation and report them to state authorities.<sup>98</sup> In 2016 and 2017 the EU’s Radicalisation Awareness Network, which is discussed further below, brought together psychologists, psychiatrists, academics, social care workers, police, criminologists and security and intelligence agencies to identify relevant methodologies to identify ‘lone actor terrorism’.<sup>99</sup> This continually expanding cast of “relevant actors” is reflected in the development of EU funding for counter-radicalisation work, as shown below in section 4.7.

Finally, we note that whereas the scope of EU counter-radicalisation policy knows no apparent bounds, the long-standing commitment to address the ‘root causes’ of terrorism and radicalisation have been gradually scaled back as the policy has developed. In 2005, the EU had resolved to “eliminate the structural factors supporting radicalisation both within the Union and outside it”. This would be achieved by targeting “inequalities and discrimination” inside the EU while promoting “good governance, human rights, democracy, as well as education and economic prosperity” externally, all the while “working to resolve international conflicts”.<sup>100</sup> However, the EU’s limited political accomplishments and capacities led to a palpable shift in their ambition to tackle these root causes in 2008 when “must eliminate” was replaced by “strive to eliminate”.<sup>101</sup> In 2014 the pretence of actually trying to address structural factors was dropped altogether.

Vague commitments to the values and principles espoused by the EU Treaties and the ECHR are retained in the CVE strategy, with the caveat that “this work is significant and valuable in its own right, and need not have an exclusive and explicit counter-radicalisation or terrorism focus”.<sup>102</sup> At the same time, in practice, more and more of the ‘root causes’ work funded by western states – aid, development, peace-building, technical assistance etc. – has increasingly formed part of their security and counterterrorism agendas, compromising the impartiality and neutrality of development and humanitarian actors on the ground.

Western foreign policy has meanwhile been airbrushed from the ‘root causes’ debate, to the preposterous extent that those of us who maintain this has to be at the heart of any in any credible causal analysis for the rise of terrorism across the world are now routinely referred to by CVE cheerleaders inside and outside of governments as ‘useful idiots’, ‘apologists’, ‘terrorist sympathisers’ and so on.

#### 4.4 The institutional framework

According to the most recent European Commission Communication on CVE, “the absolute priority must be to prevent more people from being radicalised and ensure that those who already are enter de-radicalisation programmes and are prevented from spreading terrorist propaganda and hate speech”.<sup>103</sup> The implementation of such policies is devolved to the Member States which are on the “front line” through their “security and judiciary bodies, teachers, social workers and civil society”.<sup>104</sup> The EU thus plays “a supportive role by mobilising its policies, its coordination capacity and its financial instruments, to assist national actions and provide real added value on the ground, within the limits of its competences”.<sup>105</sup>

While providing flexibility, this devolved framework has meant that those member states, interest groups and experts with the most developed CVE frameworks have been able to set the agenda at the European level, avoiding legislative scrutiny or a debate-led process. This includes the UK, which took the lead in strategic communications; Spain, which ran a series of trainings and workshops for Imams; Sweden, which developed proposals to enhance the capacities of local police officers to recognise and counter radicalisation; and Germany, which launched the internet monitoring project, ‘Check the Web’, a forerunner to the EUROPOL ‘terrorist content’ referral system. Germany and the UK also put civil society initiatives on the EU agenda. Germany wanted to “bring together influential Muslim civil society, media, popular culture and academic and religious leaders from EU member states and third countries” to “engage in dialogue on ways to counter radicalisation”, while the UK pushed its ‘counter-narratives’ agenda. It proposed establishment of an EU “network of civil society groups which could provide an alternative message to that of extremism and

radicalisation". It proposed that this network, "formed initially in Europe and neighbouring countries", could "eventually become a global grouping".

The process by which the EU CVE policy was developed has in turn led to the incorporation of many of the problematic features of national CVE frameworks, while avoiding the difficult conversations about fundamental rights, legitimacy, effectiveness, and the questionable underlying assumptions on which they are built. The non-legislative character of EU policy has also meant that the European and national parliaments have been excluded from the decision-making process (the European Parliament's role has been limited to one non-binding Resolution in 2015),<sup>106</sup> and there has been only minimal scrutiny from civil society organisation outside of the self-selecting confines of the EU's expert networks (see further below).

EUROPOL, the EU Police Office, has also played an important role in EU CVE policy development on a number of issue areas. This includes, from 2007, intelligence gathering and information sharing on "extremists returning from armed struggle in conflict zones, terrorist organisations, the role of religious converts and women with regards to radicalisation, training venues in the EU, and 'home-grown terrorism'".<sup>107</sup> EUROPOL is also at the forefront of the EU's efforts to remove "terrorist content" from the Internet (see further below). Its annual "EU Terrorism Situation and Trend Reports" (TESAT) are also influential in framing the EU's approach to terrorism and violent extremism. The political effects of these reports are significant, in that they provide at least some of the scaffolding for the EU-level discourse on terrorism and violent extremism – but their scientific quality is debatable. EUROPOL itself admitted that that the bulk of what might – in the context of the EU definition of terrorism – be considered Far Right terrorism against refugees and minorities in Europe is almost systematically excluded from statistics due to a decision, at least for the 2017 TESAT report), that it would exclude "violent assaults by right-wing extremist individuals and groups [...] targeting asylum seekers and ethnic minorities in general".<sup>108</sup> Arrests related to "anarchist terrorism" in Spain were however included in the report even though all those involved were released without charge after a judge found that the "terrorist organisation" of which they were accused of being part by the police was neither an organisation, nor terrorist. This inconsistent treatment of what constitutes terrorism is typical of the subjectivity as to what should be countered and why that surrounds the CVE field at both EU and national levels.

#### 4.5 EU Radicalisation Awareness Network and Centre of Excellence

In 2006, the European Commission established an Expert Group on Violent Radicalisation with a mandate to assess the current European research on radicalisation and to identify "gaps where more could be done". This group, active between 2006 and 2008, provided a springboard for what would then become the Radicalisation Awareness Network in 2011, discussed below. It was

Among the initial Expert Group recommendations was the need to pay "more attention" toward "the nexus between terrorism and counterterrorism as a potential driver for further and wider radicalisation towards violence and terrorism". In other words, this group had argued that it was critical to assess the way in which policies designed to fight terrorism could in fact be contributing to its very proliferation. In addition to the 'root cause' dimension of disproportionate or extrajudicial counterterrorism policy and practice, EUROPOL Terrorism Situation and Trend Reports suggest that terrorist organisations have continually adapted their strategies in response to and anticipation of counterterrorism.<sup>109</sup> Yet despite the potential significance and implications for policy-making of these kinds of analysis of the broader social and political context in which "radicalisation" takes place, they were completely overlooked by the time the EU Radicalisation Awareness Network (RAN) came into being in 2011. This is symbolic of the way in which critical and dissenting voices have consistently been marginalised as CVE policies have developed.

Established with the support of a Brussels-based communications agency,<sup>110</sup> the EU RAN is comprised of "frontline or grassroots practitioners from around Europe who work daily with people who have already been radicalised, or who are vulnerable to radicalisation".<sup>111</sup> 'Practitioners' includes "police and prison authorities, but also those who are not traditionally involved in counter-terrorism activities, such as teachers, youth workers, civil society representatives, local authorities representatives and healthcare professionals".<sup>112</sup> "Victims' groups", policy makers, local authorities, law enforcement, prosecutors, security officials, counter terrorism specialists, think tanks, institutes and academics are also part of the network.<sup>113</sup> It is tasked with "pooling, deepening and disseminating expertise in preventing radicalisation to

terrorism and violent extremism” in order to provide “specific support to stakeholders in the Member States in designing comprehensive prevent strategies, setting up multi agency frameworks and networks and implementing concrete projects”.<sup>114</sup> This significant mandate was not discussed with the European Parliament and in the absence of a formal legislative decision by the EU, no accountability or performance mechanisms were devised.

Although its structure has subsequently changed, the RAN originally reflected a set of shared interests outlined by the US and EU in 2010, with seven of its eight working groups devoted to topics outlined as priorities.<sup>115</sup> The White House noted in December 2011 that it was “considering supporting the [RAN] by providing access to USG [US government] CVE practitioners and experts,”<sup>116</sup> although it is unknown whether US officials have participated in the network.<sup>117</sup>

There are now nine working groups:

- RAN C&N (Communication & Narratives)
- RAN EDU (Education)
- RAN EXIT (Exit, “deals with the process of moving from a radicalised and violent mind set and/or environment towards mainstream society”)
- RAN YF&C (Youth, Families and Communities)
- RAN LOCAL (Local Authorities)
- RAN P&P (Prisons & Probation)
- RAN POL (Police)
- RAN RVT (Remembrance of Victims of Terrorism)
- RAN H&SC (Health & Social Care)

The groups are co-led by CVE practitioners from the member states. This process has seen the EU import policies from member state level and disseminate them through the RAN network. For example, the UK has exported its counter-narrative programme to the EU through the C&N group, which was previously co-chaired by Najeeb Ahmed, a Home Office Prevent coordinator.<sup>118</sup><sup>119</sup> While it is hardly surprising that those in influential positions recommended projects with which they were familiar or involved, this process of policy development, in which policies and practices are injected from the member state level to that of the EU level, runs the inherent risk of harmonizing the coercive and problematic elements of CVE discussed above while ignoring the questions of fundamental rights, due process and accountability that are festering in many member states. As one observer put it:

“What looks at first glance like a well-meaning social policy approach to tackle problems of social injustice, xenophobia and inequality turns out to be a Trojan Horse spreading surveillance and threat-based screening practices across the community, since the underlying rationale assumes a linear pathway from radical attitudes to violent criminal acts of terrorism.”<sup>120</sup>

The RAN working groups are coordinated by the RAN Steering Committee, which is chaired by the Commission and on which the chair of each working group has a seat. A place on the Steering Committee is also reserved for the RAN Centre of Excellence, which was launched in October 2015 and described as “an EU knowledge hub to consolidate expertise and foster the dissemination and exchange of experiences” to “add a new practical dimension to the cooperation between stakeholders on anti-radicalisation.”<sup>121</sup> In other words, it provides the logistical and administrative support. A paper by the EU Counter-Terrorism Coordinator explained that: “The RAN Centre of Excellence provides Member States with expertise and guidance, where requested, e.g. in designing prevent strategies or setting up networks of practitioners. This support can take the form of the deployment of a RAN advisory team, a train-the-trainer course or a workshop on a specific topic.”<sup>122</sup>

More detail on the role of the Centre of Excellence is set out in the ‘Charter of Principles Governing the Activities of the RAN Centre of Excellence’ yet the information offered is limited.<sup>123</sup> According to this document, by the end of 2015 the RAN consisted of approximately 2,000 stakeholders from across the EU; a year later, this figure had increased to over 3,000. Who exactly these individuals are is not at all clear: the RAN does not publish lists of its members, and the



Commission has not responded to our requests for information on its membership. The rules of procedure for the Centre of Excellence set out the eligibility requirements for an organisation to become a member of the RAN,<sup>124</sup> although the network is also open to “contributions from a wider range of participants active in the relevant areas whenever working group leaders or the Steering Committee consider it beneficial.”<sup>125</sup>

The RAN's operations are currently financed through a €25 million “framework contract” running from 2014 to 2017, with Dutch consulting company *Radareurope* responsible for the bulk of the coordination and running of the network, including the work of the RAN Centre of Excellence. *Radareurope* is a subsidiary of *Radargroep* established in 2013 and describes its clients as “public organisations, mainly governmental”.<sup>126</sup> It works in the fields of security, inclusion, health, youth and labour,<sup>127</sup> and states that: “We mainly provide policy advice on countering radicalisation and violent extremism.”<sup>128</sup> According to European Commission documentation, by the end of 2016 some €8.5 million had been distributed to *Radareurope* for its work on the RAN. *Radargroep* itself has also received EU funding for counter-radicalisation work, with a €50,000 ‘Study on preventing radicalisation and recruitment to terrorism and violent extremism in Hungary’ carried out in 2013.

Several structural deficiencies are pervasive throughout the RAN, as evidenced by a January 2017 report commissioned by the European Parliament. First, it is “lacking a structured instrument to monitor how participants disseminate the good practices they picked up during the workshops into their own organisations,” which in turn means there is no mechanism by which to assess RAN's impact and effectiveness. Secondly, concomitant to the lack of policy coherence and ever-changing approaches to radicalisation and extremism, “it misses the flexibility to draft its programmes and training workshops in a manner that can meet the latest trends in the threat developments”.<sup>129</sup> There has been no institutional follow-up on the study commissioned by the European Parliament, and while it recently announced the creation of a new ‘Special Committee on Terrorism’, it is not at all clear that the RAN falls within its “strictly defined responsibilities”.<sup>130</sup> This suggests that the RAN may continue to escape meaningful scrutiny, with no-one beyond its institutional supporters in the Commission responsible for the assessment of its work or effectiveness.

Considering that the RAN is a key component of the wider EU institutional framework on radicalisation and counter-terrorism, intended to be its grassroots arm, it is profoundly concerning that in effect it is a sprawling network about whose activities we know very little, with no formal legislative basis, no provisions for democratic accountability, and significant questions over its approach and effectiveness.

#### 4.6 Countering terrorist propaganda online

The internet has become an increasingly important venue for the enforcement of EU counter-terrorism and CVE policies. Whereas early responses to terrorism focused on terrorist organisations, government spokespeople in Europe now frequently apportion blame to internet service providers and social media companies who they say have abdicated their responsibilities in this area – often before anything is known about the perpetrators or motivations.

The clamour for censorship of terrorist propaganda has seen the EU essentially replicate the UK's extra-judicial framework, described in section 3.5 above, to “tackle the surge of hate speech as well as the dissemination of extremist or terrorist material online”.<sup>131</sup> The EU is similarly committed to “strengthen[ing] the individual's resilience against such propaganda” – by producing counter propaganda. In doing so internet companies are increasingly expected to act as privatized policing and state messaging agencies, in an attempt not only to censor ‘terrorists’, but to shape political opinions.

As with the Radicalisation Awareness Network, this approach began outside of the formal EU legislative process, with the establishment of the Internet Referral Unit (IRU) in EUROPOL on the basis of a set of EU Council Conclusions (that is a consensus document drawn up by national officials and adopted by the member states with no input from the national or European parliaments). The IRU was only later given the backing of EU law when new Regulation on EUROPOL was adopted.<sup>132</sup> As noted above, at the core of this approach is the reliance on commercial service providers' terms of service rather than new legal powers in order to seek the removal of content deemed ‘terrorist’ in nature from the web. This circumvents the legal system and relies on the powers these companies reserve themselves to block social media users or remove social media posts that violate ‘community guidelines’, powers whose use is increasingly politicized, both in rhetoric and practice.

Despite the concerns expressed by the social media platforms<sup>133</sup> – who once claimed their companies were built on a Silicon Valley ‘ethos’ of freedom of expression – a relentless political campaign that implicates ‘the Internet’ in ‘radicalisation’ has resulted in a series of agreements with governments that has consolidated the process. As the *European Digital Rights Initiative* (EDRi) has noted, the synergies with the way copyright infringement is policed points toward the wider privatization of the policing of free speech online, a development that has not received the critical attention it merits. EDRi also stresses that the ‘voluntary’ nature of the arrangements means that there is no formal accountability for the outcome, and no possibility for the Court of Justice to rule on the compatibility of this EU policy with the EU Charter of Fundamental Rights.

Ten years in the making, and prior to the establishment of the IRU, the EU framework can be traced to the aforementioned “Check the Web” project, which commenced in 2007.<sup>134</sup> This established a centralised database of ‘extremist material’ gathered online by national police forces from across the EU. Between 2007 and 2015 around 10,000 pieces of online propaganda were placed in the database for the purposes of surveillance and analysis.<sup>135</sup> With the establishment of EUROPOL’s IRU in July 2015, the emphasis switched from the *identification* to the *removal* of terrorist and extremist content – even as there is still no definition as to what constitutes such content.

The IRU brings together EUROPOL officials and national police officers to trawl the internet for material they consider to be terrorist in nature, hosted on major media platforms such as *Facebook*, *Twitter* and *YouTube*. Such material is then referred to these companies for takedown: usually not on the grounds that it breaks the law, but that it breaches the companies’ terms of service. As noted by the EU Counter-Terrorism Coordinator, this allows the removal of more content than would be permitted by the courts because the terms “often go further than national legislation and can therefore help to reduce the amount of radicalising material available online.”<sup>136</sup> It should be recalled that the EU itself had criminalized “public provocation” to terrorism in 2008, and incitement to terrorism in 2002.<sup>137</sup> The 2008 EU criminal law provisions were aimed directly at “reduc(ing) the dissemination of messages and material that may incite people to commit terrorist attacks”. They have been usurped by a ‘voluntary’, privatized mechanism.

Following the formation of the Internet Referral Unit, the EU Internet Forum was established in December 2015. This Forum brings together industry, governments, law enforcement and civil society partners, providing a formal framework for the *ad hoc* discussions on terrorist/extremist content that had preceded these initiatives.<sup>138</sup> This Forum may also provide support for the EU’s counter-narrative programmes,<sup>139</sup> which are developing under the auspices of the RAN working group on “Communication and Narratives” and its EU-wide Civil Society Empowerment Programme.

According to statistics published by the EU in December 2016, up to October of that year the unit had requested 15,421 removals, with 88.9% of the requested content removed. In July 2016 EUROPOL reported that: “The IRU is modestly staffed but continues to grow and will reach 21 staff members by the end of 2016. We expect further increases in 2017.”<sup>140</sup> Although EUROPOL’s director has stated that he does not want to play “whack-a-mole” with terrorists online, this appears to be precisely what the agency is doing.

Thus the medium-term intention is apparently to automate the take-down process as far as possible, by deploying artificial intelligence to identify ‘terrorist’ and ‘extremist’ content and introducing “upload filters” to prevent material that has been identified as such from being re-published or disseminated across multiple social media platforms. EU proposals to make upload filters mandatory to prevent copyrighted material from being shared online, as part of its overhaul of copyright legislation, have already drawn heavy criticism from academics, lawyers, civil society groups and parliamentarians. The legality of these proposals has also been questioned by EU member states and at the time of writing it is uncertain what the future holds for the proposed “censorship machine”.<sup>141</sup> The use of automated upload filters to prevent illegal file-sharing is currently the subject of significant debate in respect to the proposed EU copyright legislation and the outcome of this debate could influence future decisions regarding the extent to which these filters are used or required.

Finally, it is notable that the use of social media and other digital communication tools by terrorist organisation and their sympathizers has led to relentless calls from senior politicians and law enforcement figures for the creation of ‘back doors’ into encrypted software. As the EU Council itself has observed: “The main distribution tools for jihadist propaganda are freely available through encrypted communications software, also used for operational

communication”.<sup>142</sup> The fundamental flaws in proposals to create back doors for state agencies are widely appreciated by information security specialists, who point out that it is not actually possible to do so without developing security flaws that could be exploited by all manner of hostile actors, in turn undermining the security of everybody using those applications. Nevertheless, politicians and senior officials from across the EU continue to rally against encryption after every terrorist attack, although the European Commission at least appears to have paid heed to the warnings of technical security specialists and others, with recent promises not to introduce any measures that would weaken encryption.<sup>143</sup>

## 4.7 Funding programmes

Our research suggests that between 2007 and 2020 EU expenditure on initiatives related to radicalisation could total more than €400 million. The bulk of this funding has come from three main sources: 1) the Commission's Directorate-General for Migration and Home Affairs (DG HOME); 2) the Commission's Service for Foreign Policy Instruments (which handles spending for a variety of different budgets), and 3) the EU's Security Research Programme, spread across the 2007-13 Seventh Framework Programme (FP7) and the 2014-20 Horizon 2020 programme.<sup>144</sup> More recently, counter-radicalisation initiatives have also begun to appear in the funding programmes of the EU's DG for Neighbourhood and Enlargement (DG NEAR), the European Audiovisual and Culture Executive Agency (EACEA) and the DG for International Cooperation and Development (DEVCO).

The most consistent source of funding has been DG HOME (until 2010 known as DG Justice, Freedom and Security, when DG JUSTICE and DG HOME became separate entities). Between 2007 and the end of 2016 (the period for which records are available) almost €31 million was spent by DG HOME on a host of ad-hoc projects involving efforts at countering radicalisation in prisons, the establishment of various more-or-less temporary transnational networks, the (fruitless) search for an empirical evidence base for what causes radicalisation, comparative research, “training of trainers” and efforts against “self-radicalisation”. Projects have involved a broad spectrum of organisation: from councils, universities, NGOs and religious groups to interior ministries, corporations, police and border authorities, and security and intelligence agencies as a growing number of organisation have been drawn into the world of counter-radicalisation policy. The scope of these projects varies widely and details on their content are scanty and in many cases little more than a title and budget is available.

Annual work programmes – such as those involving transport policing – provide a little more detail. For example, while the European Commission has for several years funded the policing networks AIRPOL (airport policing), RAILPOL (railway policing), AQUAPOL (waterways policing) and TISPOL (road policing), it does not appear that radicalisation was an overt concern for these groups until very recently. The 2015 work programme for the ISF-Police notes that AIRPOL (which received an annual grant of €500,000) had “expertise” on “radicalisation issues” that “could be an excellent tool to deliver quick results”. The following year awards to both RAILPOL (€300,000) and AQUAPOL (€100,000) noted the issue of “radicalized staff”, such as Saleh Abdesalam who “worked as a mechanic for Brussels metro”.<sup>145</sup>

Since 2014 there has also been consistent funding for the EU Syria Strategic Communications Advisory Team (SCAT), which has established “a network of Member States looking into ways to tackle the national and local communications challenges in discouraging their citizens from travelling to Syria or other conflict zones”.<sup>146</sup> SCAT is modelled on and staffed by former employees and consultants to the Research and Information Communications Unit, which leads the UK's counter-terrorism propaganda operations. “Counter-narratives”, or as they are explicitly referred to in one of the work programmes for the EU's security research programme, “counter-propaganda techniques”, have been on the EU agenda for much longer.<sup>147</sup> Funded projects include:

- In 2007 the University of Cambridge received almost €314,000 for the ‘Development, testing and production of de-radicalising educational resources for young Muslims in Great Britain and the European Union’;
- The UK's West Yorkshire Police received almost €291,000 in 2011 for ‘Social Media Anti-Radicalisation Training for Credible Voices’, alongside the Hungarian interior ministry's counter-terrorism centre and the European Police College, amongst others;

- Germany's Violence Prevention Network received over €268,000 in 2011 to establish a 'European Platform of Deradicalising Narratives'; and
- Germany's *Bundeskriminalamt* (BKA, federal criminal police), alongside Austria's Federal Agency for State Protection and Counter Terrorism, the Dutch Coordinator for Security and Counter Terrorism and a number of universities, received over €731,000 in 2014 for a project entitled 'Countering Propaganda by Narration Towards Anti-Radical Awareness'.

The relentless pursuit of 'scientific' radicalisation theory has also received EU funding with projects such as:

- 'Why do some individuals get radicalized and others don't? An empirical analysis of the push and pull factors encouraging and preventing radicalisation and de-radicalisation processes among victims, victimizers and their communities of reference', led by Rey Juan Carlos University (Spain, 2010, €258,000)
- 'Radicalisation and de-radicalisation: what has worked in the UK?', led by the Lokahi Foundation (UK, 2011, €223,000)
- 'Developing innovative methods for comparative researches on violent radicalisation among the youth to help prevention', led by Political Capital Limited (Hungary, 2012, €119,000)

EU programmes have also provided direct funding for law enforcement and security agencies including the following projects:

- In 2009 the Belgian Federal Police led a host of law enforcement agencies (as well as the Swedish Security Service) in search of answers a €114,870 question: 'How can the community policing philosophy act as a lever to prevent radicalisation in the global fight against terrorism?';
- In 2010 the 'Belgian Integrated Police' received €316,000 for the project 'CoPPRa 2: training of first line police officers on how to detect and respond to signs of radicalisation';
- In 2013 the BKA received almost €343,000 for the 'European Expert Network on Terrorism Issues (EENeT) - Focussing Radicalisation June 2014 - Mai 2016'; and
- In the same year the Lithuanian Criminal Police Bureau, the Estonian Internal Security Service and Lithuania's 'VIP Protection Department' cooperated on a €149,000 project entitled 'Enhancing the Cooperation of Law Enforcement Agencies in Combating Self Radicalisation'.

Other trends that can be observed include an increasing focus on funding for projects that appear to be geared towards ensuring inter-agency working and cooperation; investigations into monitoring social media and online activity for detecting and understanding radicalisation; ensuring cooperation amongst Europe's different national criminal justice systems and authorities; and involving family members of radicalized individuals or "formers" (those who have been successfully de-radicalized) in counter-radicalisation work.

Meanwhile, beyond the projects directly financed and supervised by the Commission, a massive €314 million from the EU Internal Security Fund (ISF-Police) will apparently be spent on CVE initiatives by Member States as part of their national programmes for the budget between 2014 and 2020.<sup>148</sup> Of the national programmes that are publicly available, those of the Belgian, Bulgarian, Greek, Swedish and Slovenian authorities mention projects related to radicalisation. However, despite the amounts of money involved, more precise details on how exactly the money has been spent and to what ends are unlikely to be known at the EU level until the funding streams are formally evaluated after the money has been spent.

As the focus of CVE policies has widened, more and more agencies have been drawn into developing and implementing counter-terrorism policies. While from 2007 to 2010, DG HOME (and its predecessor, DG JLS or *Justice, Liberté et Sécurité*) was the only Commission department providing funding for counter-radicalisation projects, in 2010 the Service for Foreign Policy Instruments began distributing funds. By 2015, three agencies - DG JUSTICE, DEVCO (development) and the EACEA (culture/media) - began funding CVE initiatives. In 2016, 'radicalisation' began to appear in DG NEAR (neighbourhood/enlargement) funded projects and in 2017 DG EAC (education/youth/sport) launched a pilot project to "support bottom-up sport-related projects targeting young people who are considered at risk of radicalisation."<sup>149</sup>

In addition to the multitude of ad-hoc research and cooperation projects supported by the European Commission, the EU's framework research programmes – first FP7 (2007-13) and then Horizon 2020 (2014-20) – have supported a number of well-funded CVE-related research and development projects. Between 2007 and 2013, €13.8 million from the Seventh Framework Programme went to five radicalisation-focused projects,<sup>150</sup> and so far the Horizon 2020 fund has provided over €27 million for seven different projects.<sup>151</sup>

Amongst the first set of conclusions produced by this research came from the SAFIRE project, which stated:

“What we concluded after the three and a half years of SAFIRE is that the radicalisation process is not all that abnormal at all. In fact, in many ways it resembles the way many adolescents develop (most radicalisation occurs during adolescence), just in a particular and sometimes extreme form. The implications of this is.... If the radicalisation process is “normal” development gone awry, then principles of “normal” interventions apply to effectively curb this process.

This is a significant conclusion in that up until now, many interventions focussed on radicalisation were specifically geared towards radicals as a specific and unique group. The conclusion we draw, however, is that this is not necessary. Applying normal social work practices to radicals should be at least as effective.”<sup>152</sup>

As with the aforementioned body of scientific literature that calls into question the core assumptions of counter-radicalisation and CVE strategies, this EU-funded research has been completely disregarded by EU policymakers precisely because it calls into question the maintenance and expansion of those policies.

- Those responsible for funding CVE R&D have instead asserted the promise of advanced technology to identify and neutralize the “threat” posed by radicalisation. This has given way to some of Europe’s largest security and defense companies turning their attention to CVE in projects that bring together academic researchers, private companies, law enforcement agencies and civil society groups. These EU-funded projects include: *Identification and analysis of content*: French arms giant *Thales* is participating in EU-funded projects, PERICLES and TENSOR, on the automated “detection and analysis of terrorist-related content on the Internet” through data-mining and big data analytics, where it is joined by its Italian counterpart *Leonardo* (formerly Finmeccanica) and Europe’s principal lobby group for the homeland security industry, the European Organisation for Security (EOS).<sup>153</sup> The projects will receive €3.4 million and just under €5 million from the Horizon 2020 budget, respectively. Another technology-centred project, DANTE (just under €5 million), is focused on ‘Detecting and Analysing Terrorist-related online contents and financing activities’.<sup>154</sup>
- *Development of predictive analytical tools*: The RED-alert project promises to “bring data mining and predictive analytics tools to the next level, [by] developing novel natural language processing (NLP), semantic media analysis (SMA), social network analysis (SNA), Complex Event Processing (CEP) and artificial intelligence (AI) technologies” to counter-extremism.<sup>155</sup> The RED-alert consortium (which will receive just over €5 million) features *IBM Israel*, the Spanish and French interior ministries and the Israeli Ministry of Public Security, among others.
- *Development of counter-narratives and measures*: Another project, TRIVALENT, promises “countermeasures ranging from early detection methodologies to strategies, ways and techniques of counter-narrative, involving LEAs together with experts and civil society actors at local, national and European level”.<sup>156</sup> The PERICLES project focuses on “advanced and validated counter-propaganda techniques”, addressing “violent left-wing and right-wing as well as religious ideologies”.<sup>157</sup>
- *Explanations of radicalisation*: Attempts to model “radicalisation” are apparently continuing to replicate the same models. The PRACTICES project, for example, promises to evaluate the “existing procedures of registration, identification youth in the process of radicalisation in an urban space” and “explain social course of transition to radical action, to provide concrete tools for action”.<sup>158</sup> Meanwhile the DARE project is concerned with the way in which “social inequality and discrimination give rise to perceived injustice which may motivate engagement with radical ideologies and actions”.<sup>159</sup>

The €400 million that the EU has already apportioned to CVE between 2007 and 2020 is likely to be significantly expanded under the next EU “Multiannual Financial Framework” (MFF), which will run from 2021 to 2027. European

Commission proposals are due in April 2018 and the European Parliament is already coming under significant pressure to adopt the MFF package prior to its elections the following year – which would significantly less time for debate than was the case with previous financial frameworks. The marginalisation of critical voices at the EU level coupled with blind support from the member states for anything that purports to counter terrorism means that any proposed budget increases for CVE are unlikely to receive the scrutiny and attention they deserve.

## 5 The United Nations

### 5.1 Background

There is considerable fragmentation and significant elements of policy incoherence across the UN counterterrorism framework which are reflected in the development of its CVE policies.

The United Nations Security Council was at the centre of the international response to 9/11. Prior to the attacks on the USA, the UN had already established a framework that imposed an asset freeze, travel ban and arms embargo on the Taliban. Post 9/11 this was expanded to encompass any individual or entity designated by the Security Council to be members or supporters of Al-Qaida, anchoring the war on terror in supranational legal obligations. These measures were supplemented by UNSC Resolution 1373, adopted in the immediate aftermath of 9/11, and described by legal experts as “the most sweeping sanctioning measures ever adopted by the Security Council”.<sup>160</sup> Mirroring key elements of the emergency legislation adopted in the USA,<sup>161</sup> the Resolution was designed to further enlist the cooperation of all UN signatories, requiring them to introduce laws to criminalize, prevent and disrupt support for terrorism and to freeze the funds of those who commit terrorist acts and those associated with them.<sup>162</sup>

In 2005 the Security Council adopted Resolution 1624, calling on States to prohibit incitement to commit acts of terrorism and stressing “the importance of the role of the media, civil and religious society, the business community and educational institutions” in this endeavour.<sup>163</sup> Although the Security Council would later describe this Resolution as the bedrock of its CVE policy, it was overwhelmingly concerned with preventing the identification, suppression and criminalisation of ‘terrorist’ speech, prefiguring the widespread concern about the impact of freedom of expression and other fundamental rights that surrounds these measures today.

Yet even with terrorism at the heart of a series of Security Council Resolutions, these texts have never actually included a definition of what terrorism is. In the absence of a commonly agreed definition at the UN level, states implementing the Security Council Resolutions have been left free to decide who the ‘terrorists’ are on the basis of their national and foreign policy interests. This politicisation has seen longstanding violent conflicts between states and non-state actors recast into domestic ‘wars on terror’, undermining legitimate struggles for self-determination and criminalizing support for such causes. As the former UN Special Rapporteur on Counterterrorism and Human rights has noted, overly broad definitions of ‘terrorism’ have been routinely used “to target civil society, silence human rights defenders, bloggers and journalists, and criminalize peaceful activities in defence of minority, religious, labour and political rights”.<sup>164</sup>

By 2006 there was already widespread concern at the UN level – not least on the part of developing countries and the human rights community – about the trajectory of the US-led ‘war on terror’, the failure to take the root causes of terrorism into account, and the impact of counterterrorism measures on democracy and fundamental rights. These issues were duly addressed in the UN’s Global Counter-Terrorism Strategy,<sup>165</sup> which was unanimously adopted by the General Assembly in 2006 as part of a concerted effort to increase the legitimacy and coherence of the UN’s counterterrorism efforts. The Strategy, which was reaffirmed by the UN in 2010, comprised four ‘pillars’: (i) tackling the conditions conducive to the spread of terrorism; (ii) preventing and combating terrorism; (iii) building national and UN capacity to do so; and (iv) ensuring respect for human rights and the rule of law. However, as the outgoing UN Special Rapporteur on Counterterrorism and Human Rights observed in February 2016: “Unsurprisingly”, pillars (i) and (iv) “have attracted the least attention and remain relatively unimplemented compared to the more operational and security focussed Pillars II and III”.<sup>166</sup>

Although the UN’s Global Counter-Terrorism Strategy provided a normative framework that better reflected the UN’s values and principles, the role of ‘counterterrorism’ in the protracted conflicts across the Middle East and North Africa

has continued to divide its membership, with the dominant mandate of the 15-member UN Security Council failing to command worldwide legitimacy. In September 2017, the BRICS countries called for comprehensive reform of the UN and the Security Council to better represent developing countries, many of whom have been critical of the self-interest that has shaped the latter's actions and inactions.<sup>167</sup>

Moreover, the failure to develop an effective UN counterterrorism capability beyond the rigid international terrorist blacklisting system spawned by the sanctions resolutions, has placed limits on the UN's overall capacity and marginalized key UN entities. As the *Center on Global Counterterrorism Cooperation* noted ahead of the 2010 UN counterterrorism review, the global strategy's potential to "provide for collaborative, holistic counterterrorism efforts is either unknown or largely overlooked beyond New York, Geneva, and Vienna".<sup>168</sup>

Subsequently, the 'root causes' and fundamental rights-based approaches to counterterrorism that human rights organisation and INGOs have long supported have developed in silos, in the form of *ad hoc* UN Security Council resolutions on issues such as the role of women and youth in peace and security, and critical reports from UN Special Rapporteurs working under the auspices of the UN Human Rights Council.<sup>169</sup>

Among the reasons that UN counterterrorism policy has been so fragmented and incoherent is that there are more than 30 different UN agencies and bodies working on counterterrorism-related issues.<sup>170</sup> The most relevant to this report are the UN Security Council's Counterterrorism Committee (CTC), the CTC Executive Directorate (CTED), the terrorism sanctions monitoring committees, the Counterterrorism Implementation Task Force (CTITF) and the UN Counter Terrorism Centre (UNCCT), which provides capacity-building assistance to Member States. In June 2017, the CTITF and the UNCCT were moved out of the UN's Department of Political Affairs into a new Office of Counter-Terrorism headed by an Under-Secretary-General in an attempt to provide strategic leadership across the UN's counterterrorism framework.<sup>171</sup>

## 5.2 From countering terrorism to preventing violent extremism

The decisive shift in UN counterterrorism policy to the prevention of violent extremism (PVE) followed the seizure of large swathes of territory in Iraq and Syria by the 'Islamic State' (ISIS) in 2014 and palpable concern about that organisation's ability to attract recruits internationally. As with the policy-making that followed 9/11, the implications of this event were that it pitted 'hard security' against the more holistic approaches envisaged by the UN's Global Strategy.

In September 2014, the Security Council adopted Resolution 2178 with the aim of 'stemming the flow' of 'foreign fighters' – people travelling to Iraq and Syria to join ISIS or, at that time, any one of the scores of armed groups involved in the wider regional conflict. The Resolution, which mandates extended surveillance, travel restrictions and counter-radicalisation policies, was described by a former UN Special Rapporteur as "a huge backlash in the UN counterterrorism regime, comparable to Security Council Resolution (SCR) 1373", and moreover, that Resolution 2178 "wipes out the piecemeal progress made over 13 long years in introducing protections of human rights and the rule of law into the highly problematic manner in which the Security Council exercises its supranational powers".<sup>172</sup> Another former UN Special Rapporteur on counterterrorism warned that in the absence of definitions as to what is meant by 'extremism' and 'radicalisation', the Resolution paves the way for "Governments to use the resolution to justify repressive measures against political dissenters with the apparent endorsement of the Security Council," similar to the ways unclear definitions of terrorism have been applied, as noted above.<sup>173</sup>

Although Resolution 2178 had a few CVE provisions and a reference to the need to "address conditions conducive to the spread of violent extremism," the binding elements of the Resolution concerned top-down, state security-led initiatives; this focus on security detracted from any language concerning human rights or root causes. Following the Resolution's adoption in 2015, the UN Counter-terrorism Implementation Task Force established an *ad hoc* Working Group on Preventing Violent Extremism (PVE), renewing the focus on the more collaborative elements of the UN's counterterrorism aspirations.

Later that year the Security Council adopted resolutions that highlighted the importance of including women and youth in CVE strategies. Resolution 2242 urges Member States and the United Nations system "to ensure the participation and leadership of women and women's organisation in developing strategies to counter terrorism and violent



# Plan of action to prevent violent extremism

## Addressing Drivers of Violent Extremism

Conditions Conducive & Structural Context
Lack of Socio-Economic Opportunities
Marginalization & Discrimination
Poor Governance, Violation of Human Right & Rule of Law
Unresolved Conflict
Radicalization in Prison
Processes of Radicalization
Individual Backgrounds & Motivations
Collective Grievances and Victimization
Distortion & Misuse of Beliefs, Political Ideologies & Ethnic and Cultural Differences
Leadership & Social Networks

## Setting The Policy Framework

Global Framework
United Nations Charter Universal Declaration of Human Rights Global Counter-Terrorism Strategy General Assembly Resolutions Security Council Resolutions
National PVE Plans of Action
National Ownership
All-of-Government
All-of-Society
Regional PVE Plans of Action
Coherent UN support
All-of-UN

## Taking Action 7 Priority Areas

Dialogue & Conflict Prevention
Strengthening Good Governance, Human Rights and the Rule of Law
Engaging Communities
Empowering Youth
Gender Equality and Empowering Women
Education, Skill Development and Employment Facilitation
Strategic Communications, the Internet and Social Media

extremism";<sup>174</sup> Resolution 2250 urges States "to consider ways to increase inclusive representation of youth in decision-making at all levels in local, national, regional and international institutions and mechanisms for the prevention and resolution of conflict, including institutions and mechanisms to counter violent extremism".<sup>175</sup>

Such was the enthusiasm for CVE policies that even the UN Human Rights Council (HRC), which had previously focused on the "protection of human rights and fundamental freedoms while countering terrorism" (giving a mandate to the aforementioned Special Rapporteur on this topic), jumped on board. In October 2015 the HRC declared itself to be deeply concerned with "the profound threat posed by acts resulting from violent extremism" and the "violations of international humanitarian law by violent extremists and terrorists" with no mention of the violations of international human rights law being generated by counterterrorism policies themselves. Adopting a Resolution tabled by Albania, Bangladesh, Cameroon, Colombia, France, Iraq, Mali, Morocco, Peru, Turkey, Tunisia and the USA, the HRC demanded that the international community take concerted action on CVE. Crucially, the Resolution failed to define "violent extremism", and failed to include the human rights safeguards or references to the protection of "independent, diverse and pluralistic civil society" found in previous HRC Resolutions. Ireland, Belgium, Denmark, Estonia, Iceland, Mexico, Poland, Sweden and Switzerland put on record their concern that the Resolution "undermines existing standards on creating and maintaining a safe and enabling environment for civil society".<sup>176</sup>

*Article 19*, an international human rights NGO, pointed out that Human Rights Council's uncritical support for CVE programmes undermined its earlier resolutions on combatting religious intolerance, protecting 'civil society space' and 'human rights defenders', the rights to freedom of opinion and expression, human rights on the Internet, and the right to privacy in the digital age.<sup>177</sup> A confidential memo from the UN Human Rights Commissioner dated March 2016



obtained by *Foreign Policy* magazine appeared to confirm this view, stating that “all too often measures that lack basic elements of due process and sweeping definitions of terrorism are used to marginalize or even criminalize otherwise legitimate activities disproportionately targeting minorities, opposition groups, human rights defenders, journalists or civil society organisation”.<sup>178</sup>

The UN Secretary-General issued his own Plan of Action to Prevent Violent Extremism in January 2016. Drafted by the CTITF, it contains more than 70 recommendations for national, regional and international action.<sup>179</sup> Echoing the UN Global Counter-Terrorism Strategy adopted a decade earlier, it suggests that the creation of open, equitable, inclusive and pluralist societies, based on full respect for human rights and with economic opportunities for all, represents the most tangible and meaningful alternative to violent extremism and the most promising strategy for rendering it unattractive.<sup>180</sup> All UN Member States are in turn encouraged to adopt national PVE programmes based on the strategy.

The UN's PVE strategy is still in its infancy. But for all of its ambition it already seems destined to suffer the same fate as its predecessor, the UN's Global Counter-Terrorism Strategy, whose holistic elements were largely overlooked by the key UN counterterrorism bodies. This time around, those tasked with furthering the embrace of the strategy have, thus far, focused overwhelmingly on top-down, government led initiatives such as Internet censorship and “counter-narratives”. Meanwhile the other more progressive elements of the strategy, such as the role of women in countering terrorism and violent extremism,<sup>181</sup> and the development of broad-based national PVE plans,<sup>182</sup> have been confined to briefings and side events.<sup>183</sup> This does not bode well for those who believe that the Security Council is the place where such issues can be fruitfully addressed.

### 5.3 All out for censorship and counter-narratives

In May 2016, the Security Council requested the Counter-Terrorism Committee to present a proposal for a comprehensive international framework with recommended guidelines and good practices to effectively counter the ways in which terrorist groups use their narratives to encourage, motivate, and recruit others to commit terrorist acts.<sup>184</sup>

The proposal was the culmination of more than five years of discussions at UN level, which began with a UN Working Group on the Use of the Internet for Terrorist Purposes under the auspices of the CTITF. In 2011, this Working Group staged the “Riyadh Conference on the Use of the Internet to Counter the Appeal of Extremist Violence” in Saudi Arabia, a country declared an “Enemy of the Internet” by *Reporters Without Borders* and notorious for the mass beheading of alleged terrorists, apostates and blasphemers.

The Conference was co-funded by the German government and Saudi royal family and brought together around 150 policy-makers, experts and practitioners from the public sector, as well as members of international organisation, industry, academia and the media. At the top of the list of Recommendations from the summit was to “Promote counter-narratives through all relevant media channels (online, print, TV/Radio)”.<sup>185</sup> The summary of the proceedings produced by the CTITF proposed that States should “build networks of credible voices, across terrorist groups, gangs, cults and other sectors of society (for example sports stars), and provide an institutional home such as an NGO which could coordinate their activities and provide them a platform”.<sup>186</sup> The idea that states should manage the affairs of NGOs was unprecedented for the UN; the thinking was clearly modelled on what was then still a covert UK policy, with the UK Research, Information and Communications Unit leading the discussions in Riyadh.

The counter narratives agenda – that relies upon the heavy promotion of counter narratives through multiple outlets including through platforms like NGOs that states ‘provide’ – was subsequently finessed and incorporated into the 2016 UN Global Strategy on CVE, which calls on member states to “Develop and implement national communications strategies, in close cooperation with social media companies and the private sector... to challenge the narratives associated with violent extremism”.<sup>187</sup>

The UN Counter-Terrorism Committee's proposal to the Security Council on counter-extremism and the Internet came in May 2017. Its report claimed to provide an overview of “public private” partnerships and “counter-narrative” initiatives to date though did not include any actual examples.<sup>188</sup> As noted above, the central premise of the counter-narrative agenda is that “States and others must enter more fully into the ‘marketplace of ideas’, to emphasize terrorists’ inhumanity, reveal the flaws in their arguments and offer alternative points of view”.<sup>189</sup> Meanwhile the public-private

partnerships are designed to “reduce the accessibility of terrorist content online, including by blocking, filtering or removing such content” and assist in the promotion of the counter-narratives.<sup>190</sup> In effect, the CTC’s proposal was a marriage of state censorship and propaganda.

The CTC did acknowledge that, in some countries, state requests for the removal of ‘terrorist’ content constitute a violation of applicable human rights obligations. It then notes that these concerns have been effectively circumvented in practice by pressuring social media companies to adjust their terms of service and introduce ‘voluntary’ policies and practices to achieve the same ends, a practice noted above as being used within the EU and which has been sharply criticized by the *Global Network Initiative*, representing major Internet service providers.<sup>191</sup>

As to the counter narratives, the CTC noted that “Many States and experts in the field believe that focusing attention only on countering terrorist narratives is unlikely to succeed”; that “Governments acting on their own are not well suited to mounting effective counter-narrative campaigns”; and that it is necessary “to preserve the independence of civil society organisation”. It is hard to imagine a less credible basis on which to found UN policy, with the CTC also stressing the need to “take into account genuine feelings of powerlessness and alienation and provide credible alternatives, especially to vulnerable young people searching for a sense of meaning in their lives”.<sup>192</sup>

Nevertheless, on 24 May 2017, the CTC’s less than enthusiastic proposal was incorporated into a binding Security Council Resolution 2354 on countering terrorist narratives, co-sponsored by close to 60 delegations, with all the nuances and limitations now stripped from the text.<sup>193</sup> A month later, the UN Counter-Terrorism Committee Executive Directorate (CTED) welcomed an announcement from *Facebook*, *Microsoft*, *Twitter* and *YouTube* that they had formed the Global Internet Forum to Counter Terrorism.<sup>194</sup>

Modelled on the public-private partnership established by the EU (see further section 4.6, above), the goal of the Forum is to “develop and implement new content detection and classification techniques using machine learning” and “standard transparency reporting methods for terrorist content removals”, and to foster cooperation with smaller tech companies.<sup>195</sup> The Forum will partner with two existing UN initiatives in this area: “Tech Against Terrorism” and the “ICT4Peace”.<sup>196</sup> The Forum also has a mandate to further the UN “counter-narratives” work by learning from and contributing to one another’s “counter-speech efforts”, and empowering and training civil society organisation and individuals who may be engaged in similar work.

In August 2017, it was reported that the artificial intelligence deployed by YouTube to flag and remove “extremist content” had resulted in the removal of “masses of videos and blocking channels that document war crimes in the Middle East”.<sup>197</sup> *Middle East Eye*, the monitoring organisation *Airwars* and the open-source investigations site, *Bellingcat*, were among the websites that had videos removed for “breaching YouTube’s Community Guidelines”.

## 5.4 An alternative vision

In February 2017, the United Nations Development Programme (UNDP) published a report entitled “Preventing Violent Extremism through Inclusive Development and the Promotion of Tolerance and Respect for Diversity”.<sup>198</sup> The report was the product of a meeting held in Oslo in March 2016, where development practitioners, academics, government representatives and activists met to discuss a development-centered response to radicalisation and violent extremism. The meeting was organised by UNDP’s Oslo Governance Centre and the Governance and Peacebuilding Cluster in the Bureau for Policy and Programme Support.

The UNDP is an interesting actor from a counter-extremism perspective because it has a larger presence on the ground than other UN agencies engaged in counterterrorism efforts. Moreover, the UNDP now has somewhat of a violent extremism mandate from the Sustainable Development Goals, which call for a reduction in violence; access to justice; development of effective, accountable and transparent institutions; and the protection of fundamental freedoms.<sup>199</sup> It is therefore prudent to note the differences in approach between the UN’s development and security agencies.

Whereas most analyses of violent extremism start with extremist or terrorist groups, the UNDP’s report begins by stating that efforts to prevent violent extremism “must acknowledge the primacy of politics”. Critically, the report asserted

that “Political decisions and developments at global, national and local levels are key drivers of violent extremism”. This provided a critical shift away from the dominant idea among EU and UN discussions: that support for terrorism and violent extremism was primarily the result of individual radicalisation processes. It also stated from the outset that such efforts “can be profoundly counterproductive if they curtail basic political, human and civil rights”, and that they must “avoid focusing exclusively on religious extremism, but to consider the full range of extremist discourse and behaviour”. The UNDP report then turns to the “nexus of fragility, conflict, migration and violent extremism” and calls for development actors to “focus on understanding and addressing the root causes of violent extremism as part of a prevention agenda” by “drawing on decades of criminology research and radicalisation studies”.

The UNDP’s central claim that state actions can push people into extremism was supported by a second UNDP report entitled “Journey to Extremism in Africa: Drivers, Incentives and the Tipping Point for Recruitment” published in September 2017.<sup>200</sup> It found that while “deprivation, marginalisation and perceived state violence or abuse of power” was “pushing young Africans into the clutches of violent extremism”, the “tipping point” that triggered 71 per cent of recruits to join an extremist group was some form of government action. The actions cited most often by the 500 interviewees were the killing or arrest of a family member or friend.

In its February 2017 report, the UNDP also observes that the “highly securitised space around PVE” and the “securitised nature of current approaches to addressing violent extremism” have made life difficult for development actors, which must develop and sustain partnerships with key stakeholders in complex, politicized environments. Going against the tide of radicalisation theories, the UNDP also recognises that “radicalisation” is “not necessarily a problem” because “it can be a force for good when the urge for social change has positive, peaceful and constructive outlets”.

Like the Security Council, the UNDP suggests the participation and leadership of women and women’s organisation in strategy development and programming is imperative to the wider efforts to counter extremism, but the latter’s report laments the lack of funding for such efforts. And in contrast to the recent UN Security Council resolution on state-led “counter-narratives”, UNDP calls for the governance community, including donors to “strengthen independent, free and protected media as a component of good governance strategies and in support of non-violent, free and inclusive dialogue”.

The UNDP’s report concludes with a call for development actors to elaborate “explicit policy guidance establishing a normative framework for PVE programming anchored in human rights compliance” and make “significant investments” in “analysis, evidence-generation and documentation”.

## 6 The Global Counterterrorism Forum

### 6.1 Background

The Global Counter Terrorism Forum (GCTF) is an international consortium of states established in 2011 by 29 countries and the European Union in order to mobilize “a strategic, long-term approach to counter terrorism and the violent extremist ideologies that underpin it” by “shar(ing) CT experiences, expertise, strategies, capacity needs, and capacity-building programs”.<sup>201</sup> The founder members of the GCTF are Algeria, Australia, Canada, China, Colombia, Denmark, Egypt, the European Union, France, Germany, India, Indonesia, Italy, Japan, Jordan, Morocco, The Netherlands, New Zealand, Nigeria, Pakistan, Qatar, Russia, Saudi Arabia, South Africa, Spain, Switzerland, Turkey, the United Arab Emirates, the USA and the UK.

It launched amidst a perceived institutional paralysis at the UN, in which those states most invested in the ‘war on terror’ founded the GCTF because they believed that concerted international cooperation could be achieved more quickly and efficiently than UN mechanisms permitted. Despite its informal status and lack of authority to take legally binding decisions, the GCTF intended to have a significant impact on policy and practice in the participating states – with the advantage of being unencumbered by the bureaucracy and inconsistencies of the UN system<sup>202</sup>.

In 2003, the G8 countries had launched a similar if less ambitious initiative – the Counter-Terrorism Action Group (CTAG) – after becoming “increasingly dissatisfied with the slow progress of the UN Security Council’s Counter-Terrorism Committee (CTC).”<sup>203</sup> The CTAG was supposed to create a donor forum with the agility to provide technical assistance and capacity-building for counter-terrorism efforts but ultimately failed due to a lack of resources and political interest.<sup>204</sup> Launched by the USA and Turkey, who are co-chairs of the Forum, the GCTF was described in similar terms by Hilary Clinton: as “a clearinghouse for directing assistance to countries that need it or mobilizing common action against threats”.<sup>205</sup>

The GCTF’s stated priority is “civilian capacity building in areas such as rule of law, border management, and countering violent extremism”.<sup>206</sup> It had six “expert-driven working groups” covering (i) criminal justice and the rule of law; (ii) countering violent extremism (CVE); (iii) detention and reintegration; (iv) ‘foreign fighters’; and capacity building in (v) the Sahel, and (vi) the Horn of Africa, but the detention and reintegration group was apparently disbanded in 2017.

In addition to the six working groups, the GCTF has established three international centres of excellence: on CVE (the Hedayah Center in Abu Dhabi), on the rule of law (the International Institute for Justice in Malta), and the Global Community Engagement and Resilience Fund (GCERF in Geneva), a “public-private global fund to support local, grass-roots efforts to counter violent extremism”.<sup>207</sup>

## 6.2 GCFT CVE working group

Until late 2017, the GCTF’s CVE working group was co-chaired by the UK and the United Arab Emirates (UAE): two countries whose domestic CVE policies have been the subject of much critical scrutiny. As noted above, the UK’s ‘Prevent’ strategy has been dogged by a crisis of legitimacy since its inception, while the UAE’s CVE efforts have included a strict ban on the regime’s political opponents, the Muslim Brotherhood, and the mass deportation of Shi’a residents. The UAE is also closely allied with Saudi Arabia, supporting its military aggression in Yemen, and its diplomatic isolation of Qatar, which they accuse of supporting extremist groups in an attempt to bring the rogue Emirate to heel. The very same accusations are of course levelled against Saudi Arabia, the UAE and other Gulf states.

The GCTF’s CVE working group held its inaugural meeting in Abu Dhabi in April 2012. The minutes report that the “UK opened the session by underscoring the belief common to many GCTF members: that countering violent extremism is a battle of ideas; in such a battle, altering the grounds of debate and countering radical messages are vital”.<sup>208</sup> The following year, the GCTF organised the UN Conference on “Best Practice in Communications” in June 2013 in London. The meeting was co-chaired by Richard Chalk, then head of the Research, Information and Communications Unit (RICU), the secretive government agency responsible for developing the UK’s controversial counter-narratives programme (see section 2.3). A report of this meeting was available in 2016 but has since been removed from the GCTF website.<sup>209</sup>

Yet another initiative of the CVE Working Group, which is now co-chaired by Australia and Indonesia, on “Strategic Communications and Social Media Aspects in Preventing/Countering Violent Extremism (P/CVE)” promises a “comprehensive understanding of potential approaches and methodologies for governments to counter violent extremists online”.<sup>210</sup> Led by Switzerland in collaboration with the UK, the Institute for Strategic Dialogue (ISD), and the Geneva Centre for Democratic Control of Armed Forces (DCAF), the project is scheduled for completion in late 2017.

In addition to promoting the counter-narratives agenda, the GCTF’s CVE Working Group has focused on four further work streams: (i) supporting the development of national action plans to counter violent extremism, with the aim of implementing the UN Secretary-General’s Plan of Action to Prevent Violent Extremism; (ii) a “cross-cutting *Initiative to Address the Life Cycle of Radicalisation to Violence*”; (iii) identifying priority regions for focused CVE support; and (iv) guiding priority research areas, linking to policy implementation and further developing evaluation.<sup>211</sup>

The ‘Life Cycle Initiative’ includes recommendations on “The Role of Families in Preventing and Countering Violent Extremism,” such as “empowering mothers”, “engaging fathers” and encouraging “interaction between families and authorities, *particularly security forces*, to enhance information-sharing, cooperation, and collaborative opportunities for prevention” (emphasis added).<sup>212</sup>

The GCTF's CVE work is framed by the Ankara memorandum on "Good Practices for a Multi-Sectoral Approach to Countering Violent Extremism," which calls on states to adopt a "whole-of-society approach" that "allows different parts of society – e.g., community leaders, media, non-governmental organisation (NGOs), and the private sector – to collaborate on CVE programs and strategy".<sup>213</sup>

### 6.3 The Hedayah Center

The GCTF also launched the Hedayah Center of Excellence in Countering Violent Extremism, which is located in Abu Dhabi (UAE). Hedayah aims to be "the premier international centre for expertise and experience to counter violent extremism by promoting understanding and sharing of good practice".<sup>214</sup> Although Hedayah states that it "does not associate terrorism or violent extremism with any religion, nationality, civilization, or ethnic group, consistent with relevant UN Security Council Resolutions", it is squarely focused on "foreign terrorist fighters", a phrase that has only ever been used with reference to Islamic terrorist groups (and not, for example, in respect to those fighters who joined Kurdish groups fighting ISIS). In fact, Hedayah might better be described as the Centre for Countering Foreign Terrorist Fighters, as all four of its programs are geared toward their detection and/or intervention. These are: (i) Recruitment and Facilitation; (ii) Travel and Fighting; (iii) Violent Extremism; and (iv) Return.

The GCTF describes Hedayah as its "key operational delivery arm for the Forum's CVE efforts".<sup>215</sup> The Centre was conceived as a 'think-and-do' tank, and previously produced guidance on 'National CVE Strategies' and held expert workshops, including on 'counter-narratives', but its role is now apparently limited to producing a catalogue of State policies and projects in the four aforementioned areas. The CVE compendium is the most populous, containing 21 entries drawn from the 11 countries which have contributed to Hedayah's efforts. With the exception of a single Colombian initiative, all of the national projects or policies were conceived to combat Islamic "extremism".

### 6.4 GCERF

Whereas Hedayah promotes top-down, state-led CVE policies, albeit involving the "whole of society", the Global Community and Engagement Resilience Fund (GCERF) is an "independent public-private partnership" which funds local, community-based CVE projects, with a focus on those local communities which "suffer the most from violent extremism".<sup>216</sup> It was modelled on the Global Fund for Health, which is a \$4 billion per year "partnership between governments, civil society, the private sector and people affected by disease".<sup>217</sup>

GCERF describes itself as "operating at the nexus of security and development... in partnership and consultation with governments, civil society, and the private sector".<sup>218</sup> It promotes dialogue and conflict resolution and believes that "social cohesion", "community agency", "equal access to opportunities" and an individual "sense of purpose" are the "pathways to change and resilience".<sup>219</sup> The kinds of projects it supports include arts/cultural/sport events; consultations and dialogue; peace and conflict resolution mechanisms; counter-narrative campaigns; local, regional, and national radio and TV programming; research and analysis; vocational/entrepreneurship/life skills training; peace rallies, camps, and clubs; youth action teams and community development activities.

The GCTF had hoped to raise \$200 million for GCERF but ultimately received pledges in the region of \$25-40 million which came from the EU and 13 other countries. As an ODA-eligible multilateral organisation, states can redirect their international development and security budgets to GCERF. The EU, for example, has provided funding from its Instrument for Stability. Although GCERF is described as a public-private sector initiative, neither corporations nor philanthropic organisation have been persuaded to contribute to the Fund, as was initially hoped.

Little information about the projects funded by GCERF to date is available. GCERF's one published annual report, for 2015, shows that Bangladesh, Mali, and Nigeria were the recipients of a total of \$13.4 million of core funding in the Fund's first round of grants. While the interventions appear to have centered on building resilience against the 'Islamist' insurgencies in Mali and Nigeria, and on communities in the border areas of Bangladesh, no further detail has been provided. In 2016 GCERF added Kenya, Kosovo and Myanmar to the territories eligible for core funding.

## 7 Conclusion

This report set out to explore how the problems associated with CVE policies pioneered in a small number of western countries have been taken up at the international level, with particular reference to policy-making within the EU, UN and GCTF. As noted above, this 'global mania' for CVE is by no means limited to these three international organisations, and we hope that this report will inspire critical analysis of what is taking place elsewhere, both in other international fora and in countries that are newly implementing these policies.

So what have we found? Our research suggests that in respect to the three international organisations we have examined, the most problematic elements of CVE frameworks are indeed being transposed and adopted uncritically. In the absence of any formal democratic scrutiny of international and intergovernmental decision-making in this area, this is happening without the input of crucial debates about the impact, legitimacy and effectiveness of CVE policies. Instead, deeply flawed, problematic and controversial policies are being globalised, sanitised and presented as highly effective best practice and – despite the lack of evidence to support their global take-up – then backed with substantial amounts of funding and technical assistance.

Among the many concerning features of this trend are the way in which the EU and UN, which once acted as countervailing forces in respect to national security and counterterrorism policies that undermined human rights, are now more heavily invested in their pursuit. The policy development process has only minimally involved human rights organisations, or indeed the human rights mechanisms established by the EU and UN themselves. The debates that have taken place have been dominated by government-funded CVE entrepreneurs and consultants, which have substituted themselves for more genuine community voices. This is particularly the case with the EU Radicalisation Awareness Network, to which EU policy development and dissemination has effectively been outsourced, but the same core problems of representation and accountability have accompanied the development of both the EU Internet Forum and UN Global Internet Forum to Counter Terrorism.

It is important to stress that the adoption of these policies at the international level is only the beginning of the problem, since the very purpose of this process is to disseminate these policies and practices to states that have not yet implemented them. While this report does not follow this process to its logical conclusion by examining the transposition of the rapidly expanding international CVE policy framework into national policy and practice, there are many reasons to be concerned about what will follow as this process continues to gather pace in the years ahead. Five bear repeating here.

First is the fact that almost all of the CVE policies that we have identified are the product of so-called 'soft-law', meaning that they can be enacted or implemented through policy reform, executive decree or the allocation of funds rather than 'primary' legislation, which would engender parliamentary scrutiny and wider debate. This is only likely to replicate the problems of democratic accountability and compliance with human rights standards that have accompanied contemporary CVE policies from the outset.

Second is the lack of definitional clarity and the way in which countering terrorism, violent extremism and radicalisation have been lumped together, and used almost interchangeably across the intergovernmental organisations. This gives the appearance of a coherent and logical extension of existing counter-terrorism frameworks toward a more preventative and holistic approach. However, when the rhetoric and assumptions are stripped back, what emerges is a framework focussed overwhelmingly on surveillance, censorship and 'strategic communications' (for which read state propaganda) that dramatically expands the scope, reach and focus of counter-terrorism.

Third, as more and more of these tools are put at the hands of governments, so the propensity for political policing and the (ab)use of these measures to clampdown on civil society organisations and non-violent population groups increases. The current and former UN Special Rapporteur on counterterrorism and human rights, together with pretty much every international human rights organisation on the planet, have devoted a great deal of effort towards informing policymakers of the extent to which this is already happening. Yet the caution, nuance or restraint that is so obviously necessary to prevent CVE policies exacerbating these problems is not even on the agenda of the international organisations now championing them. It is important to reiterate once again that these problems – which are widely

recognised in the growing discourse on the 'shrinking space for civil society' – are by no means limited to those states where human rights abuses are widely recognised. This is a problem for democratic and less-democratic states alike and cannot be remedied by increasingly hollow references to the obligation to uphold human rights while implementing counterterrorism policies.

A fourth concern is the way in which censorship and counter-narrative policies have moved to the centre of the international CVE agenda, first through the EU, then via the UN Security Council. The widening of scope for state interventions that restrict freedom of speech and association, from those said to be supporters of terrorism, to those declared to be 'extremist', is all the more concerning due to the failure to properly define either term. Just as the failure to define terrorism left states free to make such designations on the basis of their national interest, so the failure to define extremism paves the way for CVE policies to be used against voices that governments do not agree with, including those calling for radical social or political change. In turn, the deployment of 'counter-narratives' encourages states to instrumentalise civil society organisations to get their messages through to communities viewed as inherently vulnerable to radicalisation or extremist messaging. Those 'grassroots' organisations that buy in to the government CVE agenda are rewarded with resources and airtime, while those who do not face marginalisation, or, if their analysis calls into question the legitimacy or impact of state policies, demonization. Either way, voices that have a wholly legitimate and vitally important contribution to make in policy debates – including the genuine grassroots knowledge that communities have about the root causes of terrorism and extremism – are likely to be ignored or silenced.

Fifth, as the funding for civil society that is tied to the CVE agenda increases, there is every likelihood that the funding that was once available for organisations already engaged in preventing violence (and have been doing so since long before the war on terror claimed to be doing the same thing) will decrease. We can expect this to happen because development, human rights, conflict prevention and other elements of the 'root causes' agenda – goals that used and ought to be pursued for their own sake – have already been instrumentalised by counterterrorism policy. In the same way that this can fundamentally undermine the claims to neutrality and impartiality on which humanitarian action rests, so CVE threatens to compromise the independence and pluralism that civil society and the communities it serves need to thrive. This problem is exacerbated by the 'whole of society' approach to countering extremism pioneered in the UK and now at the heart of EU policy. By placing legal obligations on public bodies and private actors to become the 'eyes and ears' of the police in respect to signs of extremism or radicalisation, their autonomy, independence and professional ethics are also fundamentally called into question.

So what is to be done? By way of conclusion we see three interrelated factors as crucial in addressing the problems we have identified. The first is to develop a framework for the analysis of the legitimacy of CVE policy, which, given the proliferation of CVE policies nationally and internationally, should serve as a framework for critical assessment of their development and implementation. To this end, we have developed a framework comprising 12 tests which is outlined in the following section.

The second is the institution of meaningful accountability for CVE policymakers and practitioners, who should be called to account for the impact and effectiveness of their decisions and practices throughout the policy cycle. In the absence of evidence that CVE policies are effective, or in the light of evidence of counterproductive outcomes such as routine fundamental rights infringements, these policies must be considered at best unsustainable, and at worst unfit for purpose.

The third is a demand for policy coherence and consistency. This issue is already palpable at the UN level, where more holistic and root-cause focused approaches to countering extremism recommended by the Secretary-General, Human Rights Council and UNDP continue to be undermined and overshadowed by the highly coercive, top-down approach of the Security Council and the counterterrorism bodies it has established.

Ultimately, the credibility of the UN's approach will depend on the extent to which it is able to provide the tools and policies that can successfully challenge political violence in all its guises, from neo-fascist movements in Europe to the ethnic cleansing of the Rohingya in Myanmar. At present there are few if any reasons to believe that the emergent international framework for CVE – which remains wholly anchored in the failed attempt to counter 'Islamic' extremism – is remotely fit for this purpose. As such, and as long as CVE continues to resemble the 'white man's justice' that these inconsistencies suggest, these international policies will lack the basic legitimacy they need to have any chance of success.

## 8 Evaluating CVE frameworks: twelve tests for legitimate and effective policies

Based on our analysis, and using international human rights law and widely accepted best practice principles for public policy, the following tests highlight the issues that should be addressed in the evaluation of CVE policies. The rule of law requires that legal processes, institutions and substantive norms are consistent with human rights, including the core principles of equality under the law, accountability before the law and fairness in the protection and vindication of rights. These should be considered the starting point for the development of CVE policies. If properly considered, these tests can, therefore, help ensure that CVE policies are applied even-handedly, in a non-discriminatory manner that respects the diversity and independence of civil society and public and private sector workers.

### Goals

#### i) Legitimacy

Is the framework based on an objective, proportionate and unbiased assessment of political violence in a given territory? Does it address multiple forms of political violence and take all relevant social, cultural and political factors into account? Is it supported by an evidence-based account of the causal mechanisms that give rise to violence and how policy actions can intervene to achieve more peaceful outcomes?

#### ii) Rights-based approach

Does the approach put respect for fundamental rights at the heart of the policy? Have human rights groups been consulted and their views taken into account when developing the policy?

#### iii) Democratic and judicial oversight

Has the policy been developed and implemented democratically? Are mechanisms in place to review the policy and ensure that it is necessary and proportionate, legitimate and effective? Are CVE practitioners legally and politically accountable for their actions?

#### iv) Children's rights

In its engagement with children and young people, does the policy prioritize the fundamental rights and best interests of the child, including the right to family life?

#### v) Gender equality

Does the policy actively and meaningfully empower women to shape efforts to reduce violence? Have women played an equal role in the development of policy? Is the policy framed and implemented in ways that do not reinforce gender stereotypes and inequalities?

#### vi) Coherence

Where political violence is related to an ongoing military conflict or insurgency, is the approach part of a wider conflict transformation strategy? Are the terms and concepts used in the policy precisely defined, including in relation to one another?

### Pitfalls

#### i) Racial and religious profiling

Does the policy disproportionately engage with particular racial or religious populations? Are behaviours or markers associated with particular racial or religious populations treated as indicators of a threat of extremism in a way that leads to racial or religious profiling or suspicion falling on groups defined by race or religion? Does the policy stigmatise whole population groups as collectively responsible for the views or actions of individuals or organisations?



## ii) Intrusions into privacy

Does the policy, or the steps leading to the development of the policy, involve the collection of substantial private information on individuals who are not reasonably suspected of involvement in criminal activity? Does the policy result in the sharing of information collected for the purposes of prevention with national security investigative agencies even where there is no reasonable suspicion of criminal activity?

## iii) Religious discrimination

Does the policy associate particular religious practices, behaviours, and beliefs with a risk of violent extremism and thereby lead to a diminishing of the right to express them, through formal or informal censorship? Does the policy involve or allow for state interventions into the religious life of particular populations in order to promote and empower certain forms of religious ideology at the expense of others?

## iv) Political censorship

Does the policy associate particular political beliefs and ideologies with a risk of violent extremism and thereby lead to a diminishing of the right to express them? Does the policy seek to prevent the circulation of particular political opinions through social engineering, formal or informal censorship? Does the policy create ‘thought crimes’?

## v) Secrecy

Are aspects of the policy kept secret from the public in ways that make adequate scrutiny difficult? Is the public denied access to a reasonable degree of detail on how the policy works in practice and who developed it?

## vi) Undermining autonomy

In its engagement with civil society and professional spheres, such as health, education, and so on, does the policy fail to prioritize or actively promote their autonomy and protection of their normative professional values (except in cases where there is evidence of harm to others)?

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