

Remarks by Edward J. Flynn, Senior Human Rights Officer, CTED
Overview of Implementation of Security Council Resolution 1624 (2005)

Mr./Madame Chair, Excellencies, Ladies and Gentlemen,

In September 2005, two months after the terrorist attacks in central London that killed 52 people and injured more than 700 others, the Security Council, acting at the level of heads of state and government, adopted resolution 1624. This resolution was a critical and historic measure that tackled the very difficult issue of incitement to commit acts of terrorism, and how to handle terrorist communications. The question of terrorist incitement, and how to effectively address it, has remained one of the core topics of discussion between the Counter-Terrorism Committee and Member States of the United Nations in the years since 2005. In fact, the Committee has just finalized its latest Global Implementation Survey (or “GIS”) of Resolution 1624. I would like now to review briefly the developments that have occurred in recent years with regard to States’ implementation of resolution 1624, with reference to the findings of our 1624 GIS.

The first provision of resolution 1624 is straightforward – it calls upon States to prohibit by law incitement to commit acts of terrorism. A steadily increasing number of States around the world has implemented this provision. Our latest count is that 112 out of the 193 Member States of the United Nations have now criminalized incitement to commit terrorist acts. Most other States have provisions targeting incitement to criminal activity more generally. Thus, legal measures that serve to implement the first paragraph of resolution 1624 now exist in the great majority of countries around the world.

Resolution 1624 was notable in including a provision that stressed the Council’s position that States needed to ensure that all measures taken to implement the

resolution complied with their obligations under international law, including human rights law. As is well known, one of the key challenges in criminalizing incitement is ensuring that such repressive measures do not violate the right to freedom of expression. CTED has assessed that many States continue to face serious challenges in this regard. Some States criminalize glorification of terrorism, or “apologie,” which has raised concern among some United Nations human rights mechanisms as being too broad. Others have punished acts of expression or communication that do not appear to constitute incitement to commit terrorism, either because they do not create an objective risk of causing people to commit terrorist acts, or because they are non-violent political statements of dissent unrelated to terrorist acts as defined in international law. The Committee has raised with a significant number of States the issue of overbroad anti-incitement measures that threaten the rights to freedom of expression, freedom of thought, and freedom of conscience.

Resolution 1624 calls on States to deny safe haven to those for whom there are serious reasons to suspect they may have been guilty of incitement, and to strengthen their border security in that regard. Many States have shortfalls in this area although, in recent years, some States have succeeded in strengthening their border controls to prevent the entry of persons credibly suspected of being engaged in terrorism.

The resolution places a strong emphasis on measures aimed at *preventing* terrorist incitement, and there has been much progress in this area in recent years. In fact, our GIS highlights the innovative approaches States are using to address incitement, and violent extremism more generally, in ways that are not based on criminal law enforcement.

It is noteworthy that Resolution 1624 stresses the important roles of the media, civil and religious society, the business community and educational institutions in efforts to enhance dialogue and broaden understanding, promote tolerance and coexistence, and foster an environment which is not conducive to incitement of terrorism. Regarding the business community, there have been important initiatives to strengthen public-private partnerships between Governments and the private sector, notably in the information and communications technologies sector. One example is

also by religious and academic institutions. This was a core concern of Security Council resolution 2354, adopted in 2017. The Council had earlier endorsed the “*Comprehensive International Framework to Counter Terrorist Narratives*”, which encouraged partnerships with non-governmental actors, including civil society actors, religious authorities, academic institutions and others.

One serious area of concern in some States, however, has been the shrinking of civic space, and pressure -- and even oppression -- of civil society actors and human rights defenders, sometimes expressly through the use of counter-terrorism measures. The Committee has urged a number of States to take meaningful steps to ensure that civil society actors, in particular, can conduct their work in an environment in which their personal security and fundamental freedoms are guaranteed.

Let me close by referring to just one other element of resolution 1624, in which the Council urges States to prevent the subversion of educational, cultural, and religious institutions by terrorists and their supporters. This area has also been a regular topic of discussion between the Committee and States, and we have seen that many States have taken energetic measures to prevent this abuse of religious and educational institutions. We have also noted, however, that these efforts have sometimes raised concerns over respect for the rights to freedom of religion, belief, and conscience.

That is an overview of the Committee’s findings with respect to resolution 1624 and related resolutions. I thank you very much.