



Concept Note - 59th CSW

## “Counterterrorism measures and their effects on the implementation of the Women, Peace & Security agenda”

**Organizers:** Women Peacemakers Program (WPP), Human Security Collective (HSC), Ecumenical Women’s Initiative (EWI), WinG India, Duke University School of Law  
**Event Type:** Panel Discussion

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### I. The 59th CSW: Proposed Panel Discussion

**Summary:** The 59th session of the Commission on the Status of Women (CSW) will take place in New York from 9 March to 20 March 2015. The main focus of the session will be on the Beijing Declaration and Platform for Action, including **current challenges** that affect its implementation and the achievement of gender equality and the empowerment of women. In addition, the 59<sup>th</sup> session will undertake a review of **progress made** since the Fourth World Conference on Women in 1995, which will also include the outcomes of the 23<sup>rd</sup> special session of the General Assembly, the first five-year assessment conducted after the adoption of the BPfA, which highlighted further actions and initiatives. Lastly, the session will address **opportunities** for achieving gender equality and the empowerment of women in the post 2015 development agenda.

In line with the theme of the 59<sup>th</sup> session, the Women Peacemakers Program (WPP), Human Security Collective (HSC), Ecumenical Women’s Initiative (EWI), WinG India, Duke LAW will organize a panel discussion to highlight women peace activists’ and women human rights defenders’ **challenges at play, which are directly related to the counter terrorism agenda**. The panel discussion will conclude with a list of **key recommendations** for civil society as well as policy makers and UN representatives.

**Background:** Post 9/11 US and UN Security Council counter terrorism measures have severely impacted civil society’s operational and political space. The use of terrorist black lists and partner vetting systems are known examples of control mechanisms.

A less known measure is the prevention of terrorism financing through the non-profit (NPO)

sector. A highly influential global consortium, the FATF, developed an anti-terrorism financing recommendation for NPOs in their Anti Money Laundering/Countering Financing of Terrorism standard - **Recommendation 8**. This standard assumes that NPOs are vulnerable to abuse for terrorism financing, and acts as the global standard for regulation of international financial flows. To date, it is accepted by 180 countries, thereby obliging its governments to have regulations in place to control and monitor NPO money flows in order to prevent terrorism financing. However, there is little ground for the assumption that NPOs are vulnerable to abuse by terrorists, beside non-verifiable evidence from intelligence sources. Evidence of this questionable assumption is given in a report from the Transnational FATF NPO.

Furthermore, it is a worrying development that over 30 countries (e.g. Pakistan, India, Bangladesh, Turkey, Sri Lanka, Ethiopia, Central Asian countries, Yemen, Egypt, South Africa) out of the 180 FATF evaluated countries make use of the FATF standard to clamp down on civil society. They do so by transposing the standard into **domestic NGO regulations that restrict civil society freedoms**, including the right to access resources domestically and internationally. As such, the FATF provides authorities with another powerful tool to restrict critical voices.

As a result, organizations that work for peace and improving human rights in fragile contexts are increasingly cut off from financial and material support. The result is that development, peace and human rights work is frustrated; threats to the daily security of people are growing; and opportunities for violent extremist groups to take over communities to impose their extreme fundamentalist values on the population have increased.

In addition, a growing number of **banks** in donor countries have become **risk averse** on financial transfers for organizations that assert human rights and push for peace and progressive poverty alleviation agendas. They refuse to open bank accounts for NGOs, or to transfer cash to countries where there is a terrorist risk. This is related to the fact that banks are liable when money falls into the wrong hands and hence prefer to “better be safe than sorry”. This adds up to obstacles for inclusive development and security in countries where government is ineffective or repressive. The problem is even worse when violent non-state armed actors are active.

The counter terrorism regulations also impact on **donors**. These have become more careful in grantmaking, avoiding partners in high risk, terrorist prone areas, and those that are associated with violent extremists. A number of donors have **tightened their own due diligence** (partner vetting, using black list to screen partners etc.).

All these crippling side effects are contrary to what R8 and other counter-terrorism measures were set out to do.<sup>1</sup>The trend in risk aversion **particularly affects women rights activists/peace activists**.

**Firstly**, because these activists often work in high-risk settings, where they are already facing a lot of challenges and obstacles – including stemming from state actors, which are trying to

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<sup>1</sup> A recent article in the Economist underscores the problem.

undermine or stop their work, e.g. by using repressive NGO legislation to do so<sup>2</sup>.

**Secondly**, as women's peace organizations are relatively small organizations, they do not have the leverage to negotiate a solution with their banks. As such, they easily fall prey to the "better safe than sorry" policy of the banks. In addition, if they speak out openly about their problems to open a bank account or receive/wire funds, they face the risk of being discredited by larger society as "probably doing something wrong with their finances". Especially in conservative contexts, where women's rights are already easily discredited and opposed by larger society, women activists avoid disclosing the challenges they might face.

**Thirdly**, donors' focus on transparency - resulting in requests towards grantees to disclose project information for online dissemination - can also put women's organizations in a difficult situation, as they constantly need to resolve how to balance transparency requirements with the need to guarantee the safety and security of themselves and their beneficiaries, with whom they are often working on sensitive topics in high-risk settings.

As such, the counter terrorism regulations are – directly or indirectly - negatively impacting on an enabling space for civil society to implement the women's rights and the Women, Peace and Security (WPS) agenda - which are key agendas to contribute to the building of inclusive, peaceful and democratic societies. Moreover, the realization of these agendas in itself is **crucial** to successfully fight growing conservative forces, religious fundamentalisms, and terrorism.

Recently, a window of opportunity to address the challenges women's organizations and activists are facing seems to emerge, since donors and policymakers involved in countering violent extremism/CVE approaches have started to realize they need to support grassroots initiatives, including the activities of women and women leaders, to counter violent extremism<sup>3</sup>.

During the 59th CSW, the Women Peacemakers Program, Human Security Collective (HSC), Ecumenical Women's Initiative (EWI), WinG India, Duke LAW plan to organize a panel discussion to highlight women peace activists' and human rights defenders' challenges at play, which are directly related to the counter terrorism agenda. The session will consist of:

- An overview and explanation of **global trends & developments** in terms of counterterrorism regulations related to the FATF recommendation 8;
- Presentation of **several case studies** (Balkans/ India/ global), thereby focusing on activists' as well as funders' experiences. In particular, this session will elaborate on

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<sup>2</sup> "Our Right to Safety: Women Human Rights Defenders' Holistic Approach to Protection" by AWID and WHRDIC.

<sup>3</sup> CVE donors and policy makers openly promote engagement with grassroots leadership - see establishment of GCERF = *Global Community Engagement and Resilience Fund*, set up by the Global Counter Terrorism Forum. The US State department has requested OECD/DAC to make GCERF "ODA-ble" so it can access development grants. HSC is a board member for GCERF.

the impact of counterterrorism mechanisms on work related to the implementation of the women's rights and Women, Peace and Security Agenda (WPS).

- Upon a discussion with the audience, the meeting will conclude with a list of **key recommendations** in light of the UNSCR 1325 Global Study and High level Review Process.

## II. Participants

- Permanent Mission representatives, representatives of other Member States, UN agency staff
- Civil society
- Media
- A maximum of 75 - 80 persons

## III. Speakers/ Draft Agenda

- Opening speech by: **Representative of the Dutch Permanent Mission/ CSW Delegation of the Netherlands Ministry of Foreign Affairs**
- Brief introduction by moderator Trijntje Kootstra, Chair WPP Board
- **Part I:**
  - **Lia van Broekhoven - Human Security Collective (The Netherlands)** on global trends & developments in terms of counterterrorism mechanisms and their impact on civil society space; specifically focusing on civil society in UN CT policy and FATF countering financing of terrorism standard. Highlighting negative implications but also avenues to engage the CVE and CT communities.
  - **Jayne Huckerby - Duke University School of Law (USA)** on WPS issues increasingly intersecting with violent extremism and terrorism and counter-terrorism and countering violent extremism (CVE) efforts, although stakeholders and practice in these areas differ. While these domains are often complementary, there are also limitations in their overlap; addressing opportunities and challenges from a human rights perspective in mainstreaming gender and including women in CVE.

### **Part II: Presentation of 3-4 case studies: An Activist and Donor Perspective:**

(Global / Balkans/ India), focusing on sharing experiences, concerns, and recommendations in terms of implementing the women's rights/WPS agenda vis-a-vis shrinking space for civil society due to counterterrorism regulations. Including:

- **Isabelle Geuskens - Women Peacemakers Program (Netherlands)** on how women's leadership for human rights and peace is crucial to create the conditions for creating equal and sustainable societies that are less prone to extremism and fundamentalism; sharing practical examples of how counterterrorism measures are (being used to) undermin(e)ing women's efforts on the ground.
- **Carolyn Tomasovic Boyd - Ecumenical Women's Initiative/ Ekumenska inicijativa žena (Croatia)** on how counterterrorism measures are impacting on

supporting women's involvement and leadership in (inter)faith-based peace efforts and working with religious leadership for the advancement of the women's rights in the Balkans.

- **Anjuman Ara Begum – WinG India (India)** on how counterterrorism measures have created barriers for women's groups and women human rights activists promoting UNSCR 1325 in accessing resources from foreign donors.

#### IV. Background of the Organizers

##### **The Women Peacemakers Program (WPP):**

Founded in 1997, the Women Peacemakers Program supports the participation of women in peace processes, and raises awareness on the importance of women's inclusion in peacebuilding. During 2009-2010, WPP pioneered the pilot program "Overcoming Violence: Exploring Masculinities, Violence and Peacebuilding"; and since then incorporates a masculinities perspective in its work for gender-sensitive peacebuilding. During July 2014, WPP organized the Global Consultation "*Gender and Militarism: Analyzing the Links to Strategize for Peace*". The Global Consultation brought together over 70 peace and human rights activists and academics, representing over 25 countries from all over the world, to discuss the multi-layered connections between gender and militarism. The consultation included an exploration of the effects of counterterrorism measures on women's activism for peace and human rights across the globe<sup>4</sup>.

**Human Security Collective (HSC)** is a foundation with a strong background in Development, Conflict Transformation and Security. **HSC** connects **local** human security with **global** security, engages civil society with security agendas on conflict prevention and countering violent extremism. It enables governments to build meaningful and trustful engagement and partnership with civil society on security matters. HSC is a **hub** and facilitates a **network** of civil society leaders working on a broad spectrum of security related issues: women and youth leadership in high risk areas, a human security approach to counter violent extremism, and altering current agendas to prevent terrorism financing.

**The Ecumenical Women's Initiative (EWI)** is a Croatian-based regional women's fund, which was established in 2007 and works in Bosnia & Herzegovina, Croatia, Kosovo, Macedonia, Montenegro and Serbia. EWI focuses on supporting women as initiators and agents of change in faith communities and in wider society, by supporting and connecting individuals and groups working in the fields of women's rights; peacebuilding and reconciliation; and belief-based ecumenical and inter-religious dialogue & cooperation. Specifically, EWI supports the engagement of women activists in grassroots peace and women's rights initiatives, while encouraging them to publically voice their ideas on religion and faith, peace and security through a women's lens, affirming and placing their grassroots activism within the context of movement building.

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<sup>4</sup> <https://www.womenpeacemakersprogram.org/resources/>

EWI's Grantmaking Program awards grants to women-led NGOs and women theologians in the region. Through this Program, EWI seeks to empower and support them in recognizing their potential as change makers in society, who actively contribute to building a more just and free society. EWI is also a grantee of the *Funding Leadership and Opportunities for Women Fund* (Flow Fund 2012-2015) that has been set up by the Ministry of Foreign Affairs of the Netherlands to improve the position of women and girls in developing countries.

**WinG India**

Women in Governance – India (WinG-India) is a network of women human rights defenders (WHRDs) comprising Dalit women (erstwhile untouchables) and women affected by conflict in Northeast India and other parts of the country. The members of WinG-India represent marginalized communities across India and work towards promoting leadership within local governance. Since its formation in 2009 WinG-India has emerged as a strong network within civil society organizations in India working on issues of women's security, peace and governance and is successful in bringing forth the subaltern voices at various national and international forums. The key focus area of WinG is women's security (with a special focus on the implementation of UNSCR 1325), exploring customary laws and their impact on women's lives. With the support of a small secretariat in New Delhi, WinG operates in India as a non-political, non-religious and non-violent independent network of women activists. All WinG members work on a voluntary basis.

**Duke University School of Law** is an ambitious, forward-thinking, and innovative institution whose mission is to prepare students for responsible and productive lives in the legal profession. As a community of scholars, the Law School also provides leadership at the national and international levels in efforts to improve the law and legal institutions through teaching, research, and other forms of public service. At Duke Law School, students and faculty experience academic rigor in an interdisciplinary environment where creativity and innovation rule. Bold, strategic expansions in faculty, clinics, interdisciplinary centers, law journals, public interest opportunities, and high-tech facilities ensure that the Law School stays on the cutting edge of legal scholarship. The Duke Blueprint to LEAD is a powerful set of principles for leadership growth that informs the development of committed, ethical lawyers who are well-equipped for the 21st century.

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