



29 June 2021, 10-12 EST
Second UN Counter-Terrorism Week

Dear Excellencies, Dear Colleagues,

Thank you for hosting the second UN Counter-Terrorism week and for acknowledging the importance – and urgency – of protecting human rights and civic space in the use and regulation of transformative technologies in counter-terrorism. On behalf of my organization, the European Center for Not-for-Profit Law, I also wanted to thank you for providing us a space to speak at this session.

This session is especially important as counter-terrorism (CT) measures in the UN have expanded with the Global Counter-Terrorism Strategy, and emerging technologies are a critical component thereof. Biometric technologies, including AI-driven surveillance technologies such as facial recognition and emotion recognition, are proposed as effective tools for countering terrorism. We see ever more centralized and interoperable databases of biometric data including facial prints, fingerprints, and DNA, among others. This expansion also takes place against the backdrop of the COVID-19 pandemic, where Member States have used the pandemic as a basis for new security legislation and increased executive powers.

Yet these technologies have severe adverse impacts on human rights and civic space, especially on already marginalized and vulnerable groups. This negative impact is not yet fully recognized nor addressed by UN bodies.

Examples are as diverse as they are widespread. Social media platforms rely on algorithmic-driven tools to moderate content, and often fail to address violent content while silencing activists and marginalized groups. Other technologies, such as AI-powered biometrics tools like facial analysis systems, are for their part inherently incompatible with human rights. Many CSOs are now calling for a generalized ban on their use. Overall, the ubiquity and proliferation of emerging technologies in CT further increases the urgency to center human rights in CT policies.



Emerging technologies are already used for a broad range of purported goals, such as controlling borders, identifying persons of interest, monitoring and surveilling them, predictive policing and risk assessments for criminal justice, among many others. Not only do these use cases have significant human rights impacts, but the “function creep” of emerging technologies also leads to a spillover effect from CT to all aspects of our life. Our already shrinking civic space and civil liberties are at risk of harm worldwide. Indeed, as these technologies are increasingly used in public space, of particular concern are the impacts of these systems on freedom of assembly and association, right to protest, freedom of expression, non-discrimination, right to privacy, right to life, liberty and security, and access to remedy, as well as economic, social, and cultural rights.

It cannot be stressed enough that civil society representatives are often the first to sound the alarm on human rights abuses related to CT, while simultaneously being targeted and harmed by the misuse of CT measures themselves.

Marginalized and vulnerable groups are disproportionately at risk, especially racial, ethnic and religious minorities, women and gender non-binary persons, LGBTQI groups, refugees and migrants, disabled persons, children, and those living in conflict zones, among others. Other historically at-risk groups, such as human rights defenders, political dissidents, and journalists, are at great risk of harm with the deployment of these technologies, too.

Finally, I'd like to note that despite the international enthusiasm for using biometric and AI-driven technology in the context of CT, there is little evidence showing that these technologies are indeed effective for preventing or combating terrorism.

Much more evidence - and scrutiny - is needed to justify the collection, storage, and sharing of data (especially biometrics) as well as deployment of AI systems in this context. As the private sector plays a critical role in developing algorithmic-driven systems and other emerging technologies for CT purposes, we also need their full commitment to respecting human rights and humanitarian law, in line with the UN Guiding Principles on Business and Human Rights.

The UN CT week showed once again the importance of including civil society and affected communities in policy debates related to CT. Any policy or legal debate must therefore begin with, and continuously center, human rights and the particular risks to marginalized communities.

Thank you for your attention.