



Oral Statement Delivered Under Item 3:

Interactive Dialogue with the Special Rapporteur on the promotion and protection of human rights while countering terrorism

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The American Civil Liberties Union welcomes the Special Rapporteur's human rights assessment of programs to prevent and counter violent extremism.

In particular, we appreciate the Special Rapporteur's recognition that even as these programs proliferate, there is no generally accepted understanding of the problem they are meant to address, no scientific or evidentiary basis for understanding or addressing an ill-defined problem, and that, in part, as a result, these programs pose a significant threat to fundamental human rights.

The Special Rapporteur's concerns are borne out by our research and work on the programs implemented in the United States. As the Special Rapporteur emphasizes, there is no "single determining feature" in a person's decision to commit political violence. Despite years of research in the United States and elsewhere, there is no identifiable path from belief to violence, nor any reliable indicators to identify those who might be vulnerable.

The U.S. government has kept all but the broadest outlines of its programs secret. But the little information that has been made public makes clear that the programs overwhelmingly and unfairly target American Muslims and stigmatize them as inherently suspicious, which in turn threatens American Muslims' rights to freedom of religion, equality, non-discrimination, and equal protection before the law. For example, the FBI has told American Muslim community groups of its plan for "committees" in which Muslim community leaders would be expected to discuss "cases of specific youth" with law enforcement officers.

Over time and in response to criticism, the U.S. government is making attempts to repackage its programs to focus broadly on *all* extreme or radical beliefs. This does not address the underlying problem, which is that government monitoring of beliefs that challenge societal orthodoxies poses significant risk to the freedoms of thought, association, and expression.

For example, a recently released document from the Federal Bureau of Investigation makes clear that the FBI expects teachers to monitor and report on children's thoughts. As the Special Rapporteur recognizes, tasking education officials with monitoring and reporting on students

poses enormous risks to children's rights to education and academic freedom, and their freedoms of thought, expression, religion, and belief. Law enforcement and intelligence agencies have little or no business monitoring children without actual suspicion of wrongdoing. Viewing children through a counterterrorism lens is especially stigmatizing and dangerous, and likely to increase the discrimination and bullying already faced by children of targeted communities.

The United States has pressed other states to implement programs to counter violent extremism around the world, and we are concerned about the example it is setting. The United States must serve as a leader in ensuring that any initiatives to address political violence at home and abroad respect human rights and fundamental freedoms. As a start, it must first incorporate safeguards into CVE programs to protect human rights and prevent abuses. Second, it should eliminate the role of law enforcement and intelligence agencies in community strengthening and empowerment programs, which should instead be overseen by education or similar ministries. Third, it must avoid tasking the public sector with carrying out the duties of law enforcement and intelligence agencies, which poses a particularly high risk to the rights of children.

We call on Member States to heed the Special Rapporteur's concerns and ensure that CVE programs are firmly grounded in and comply with international human rights law.