



JWF's SUBMISSION TO THE HRC ADVISORY COMMITTEE
Negative Effects of Terrorism on the enjoyment of all Human Rights
Pursuant to Human Rights Council Resolution 34/8
November 28, 2018

**Submission from the Journalists and Writers Foundation
to the final study of the HRC Advisory Committee on the Negative Effects of Terrorism
on the enjoyment of all Human Rights, pursuant to Human Rights Council resolution 34/8**

Introduction

The present contribution is submitted following the call of the Advisory Committee pursuant to Human Rights Council resolution 34/8 on the “Effects of Terrorism on the Enjoyment of all Human Rights.”

The Journalists and Writers Foundation (JWF) is a New York based international civil society organization dedicated to the culture of peace, human rights, and sustainable development. The JWF promotes diversity and inclusion by creating forums for intellectual and social engagement; generates and shares knowledge with stakeholders, builds partnerships worldwide and develops policy recommendations for positive social change. The JWF aims to promote peaceful coexistence through dialogue and understanding at global, regional, and local levels. Since its establishment in 1994 in Turkey, the Journalists and Writers Foundation has substantially and consistently contributed to efforts in promoting peace, tolerance, mutual understanding, and coexistence between different social, religious, and other groups all around the world.

The Journalists and Writers Foundation has organized, *inter alia*, thousands of events promoting peace, tolerance and dialogue. All platforms, summits, and international conferences organized by the JWF have discussed issues of primary concern in the combat against radicalization and counterterrorism. Through its activities, the JWF has brought together nationals from various countries and backgrounds to discuss topics related to peace, democracy, sustainable development, interreligious and intercultural understanding, art, philosophy and science in order to establish common ground and, ultimately – building lasting peace under its motto: “Toward Universal Peace.”



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The Journalists and Writers Foundation has also awarded substantive support to inspirational individuals and organizations who contribute to peace and dialogue in their communities.

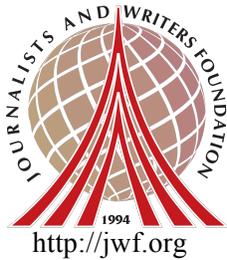
Negative Effects of Terrorism on Human Rights and Fundamental Freedoms

The perpetration of terrorist acts involves the most serious violations of human rights and fundamental freedoms. In accordance with the international human rights law, it is the duty and the responsibility of states to protect and ensure respect for people's fundamental rights. This responsibility comprises the inescapable duty to prevent and suppress terrorist acts in the territory under their jurisdiction and assist in preventing the perpetration of such acts anywhere in the world.

In connection with the above, international law obligations not only involves the negative obligation to abstain, but also a positive obligation by authorities, to adopt measures, which effectively ensure fully effective rights. Given that terrorist activities violate such important human rights, *inter alia*, right to life, physical integrity and liberty, States have a duty to take the necessary measures to prevent or avoid the perpetration of such violations.

In preventing the perpetration of such heinous acts, state action must comply with international law, and more importantly – the fight against terrorism should not be used as a pretext by oppressive states to perpetrate as heinous, if not more serious violations of human rights and fundamental freedoms. These obligations derive not only from state's human rights obligations under customary international law and international obligations, but also upon relevant documents adopted by the UN Security Council, the General Assembly, the Commission on Human Rights, and its successor, the Human Rights Council.

In the above context, the Journalists and Writers Foundation is seriously concerned on what are considered as new *de facto* "permanent emergency situations", justified on internal or external threat to the existence of the state. These permanent emergencies are deeply troubling for the respect and protection of human rights and fundamental freedoms, because of the clear nexus between situations of extended emergency situations and sustained and widespread allegations of human rights violations.



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Negative Effects of Terrorism on Economic, Social and Cultural Rights

Every year, terrorist attacks across the world have a considerable impact on the world's economy, diverting foreign direct investment, reducing capital inflows, destroying infrastructure, limiting foreign trade, disturbing financial markets, negatively affecting certain economic sectors and impeding economic growth.

Civil organizations and other civic groups, among other relevant stakeholders, have an important role to play, including in providing assistance to the victims of terrorism, intercultural dialogue, and avoiding racial or religious profiling, stereotyping and generalizations.

Contributions of Hizmet Movement in combating Terrorism and Extremism through Education, Dialogue, and Relief Fund

Following the collapse of the communism in Eastern Europe in the early 1990s, the Hizmet Movement and its volunteers established thousands of quality schools around the world, by demonstrating great civic engagement and self-sacrifice to contribute for better and more accessible education. As these successful educational institutions were well received and also supported by Turkey, Hizmet Movement began internationally known for excellence and appreciated as *a renowned movement combating extremism and radicalization by promoting quality secular education, both nationally and globally.*

While conflict and disunity seemed to be the local problem in Turkey, once Hizmet Movement turned its attention to other countries through Hizmet-inspired education institutions, it rightly noted that the same problem persisted all around the world, in particular in the post 9/11 era. To address these issues, the Movement initiated global dialogue activities, which first materialized under the Interfaith Dialogue. The Interfaith Dialogue and other initiatives promote understanding, tolerance and peace.

With the Movement growing, in the first decade of the 21st century, the Movement also aimed at providing assistance to all those who needed it, anywhere in the world. By establishing organizations, such as "Helping Hands" and "Kimse Yok Mu" (is there anybody out there), volunteers answered this call, and started fundraising activities and relief fund efforts around the world. These organizations were able to provide millions of dollars to alleviate hunger and



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poverty, in areas hit by earthquakes, tsunamis and terrorist attacks. From Darfur to Haiti, hundreds of Hizmet inspired volunteers have worked tirelessly to assist those most in need, including victims of terrorism.

It has been widely accepted that military action alone against terror groups will not end terrorism, nor lead to peace anywhere. A lasting difference in all the countries would only come if more emphasis is placed on education. Hizmet affiliated schools therefore acted as a “panacea” against radicalization and violent extremism in conflict areas. In building schools and hospitals in like Somalia, Iraq, Pakistan, Afghanistan and other locations, the Hizmet Movement was not only providing excellent education to conflict-ravaged countries – it was indeed actively contributing to effectively fighting the most dangerous terrorist networks, including ISIS, al-Qaeda, the al-Qaeda linked al-Shabaab group and others, that continue to recruit young children into their ranks daily.

Hizmet inspired schools around the world “supported upward social mobility, providing the confidence and skill-sets for students to change their own circumstances; exposed students to different religions and cultures through mixed classes and support particularly vulnerable students through bursary and supplementary education. They exemplified positive role models and positive activism, and thus providing students with an attractive and convincing alternative to the ‘victimized’ self-image and the false sense of idealism which is preyed on and presented, respectively, by violent extremists.”¹

The Hizmet Movement and its affiliated education institutions combating extremism and radicalization by promoting quality secular education, both nationally and globally, were among the first to be targeted for getting into the way of long-term objectives of the current authoritarian Turkish government. The large-scale assault against the Hizmet Movement began in 2013 with the introduction of a bill to close preparatory schools, aiming at cutting off a “major source of human resources for the Movement,” and to simultaneously increase the current government’s influence in the education system.

It is ironic and highly disturbing that in Turkey, the universally-appreciated Hizmet Movement working for peace, tolerance, and dialogue in every possible way, especially in education and

¹ Ozcan Keles and Ismail Mesut Sezgin, “A Hizmet Approach to Rooting out Violent Extremism,” p. 32.



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culture, has been now stigmatized and labeled a terrorist organization in Turkey, through political denigration and government propaganda.

Recommendations

In view of the need for ensuring the contribution of civil society in combating negative effects of terrorism in the enjoyment of all human rights and fundamental freedoms, in addition to the recommendations contained in document A/HRC/AC/21/CRP.2, the Journalists and Writers Foundation suggests the following:

Action by governments

- Governments must undertake robust and meaningful periodic review of their counter-terrorism legislation to assess whether the effect on the enjoyment of human rights is necessary and proportionate.
- Governments must review their counter-terrorism legislation and reverse unlawful administrative and practical measures against civil society organizations contributing to efforts against radicalization.

Action by UN Human Rights mechanisms

- Support civil society organizations in their efforts to combat radicalization and terrorism.
- Call on countries to rescind vague and overly broad definitions of 'terrorism,' which is being used to target a range of civil society actors, human rights defenders, and those who simply disagree with the authoritarian governments in power.
- Call on countries not to invoke "threats to national security and safety²" as a basis for the usurpation of rights and de facto permanent emergencies.³
- Call on countries to recognize, encourage and support efforts by civil society organizations in preventing and addressing negative effects of terrorism in the enjoyment of all human rights and fundamental freedoms, including economic, social and cultural rights.

² <https://globalfreedomofexpression.columbia.edu/wp-content/uploads/2016/01/A-Callamard-National-Security-and-FoE-Training.pdf>

³ <https://www.ohchr.org/Documents/Publications/training9chapter16en.pdf>