Preventing Terrorism and Countering Violent Extremism and Radicalization that Lead to Terrorism: A Community-Policing Approach

OSCE Organization for Security and Co-operation in Europe

OSCE ODIHR

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Contents

List of Figures and Case Studies 6
Acknowledgements 9
List of Acronyms and Abbreviations 12
Glossary 13
Foreword 17
Executive Summary 19

1. INTRODUCTION 24

2. PREVENTING TERRORISM, KEY CONCEPTS 27

2.1. Preventing Terrorism as a Strategic Focus of Counterterrorism Efforts 27
2.1.1. What Is Terrorism? 27
2.1.2. Strategic Approach to Countering Terrorism 30
2.1.3. Accountability, Legitimacy and Trust in Counterterrorism 32

2.2. Understanding VERLT 34
2.2.1. What Is Terrorist Radicalization? 35
2.2.2. Conditions Conducive to Terrorism 36

2.3. Countering VERLT 40
2.3.1. Criminal-Justice Aspects in Countering VERLT 42
2.3.2. Addressing the Conditions Conducive to Terrorism 44
2.3.3. Engaging with Individuals Drawn to VERLT 46

2.4. Human Rights and Fundamental Freedoms Particularly at Stake in Preventing Terrorism and Countering VERLT 48
2.4.1. Human Rights and Fundamental Freedoms in the Fight against Terrorism 48
2.4.2. Freedom of Expression 50
2.4.3. Freedom of the Media 52
2.4.4. Freedom of Thought, Conscience and Religion or Belief 53
2.4.5. Respect for Private and Family Life 54

2.4.6. The Right to Peaceful Assembly and Freedom of Association 55
2.4.7. Equality and Non-discrimination 56

3. COMMUNITY-BASED APPROACHES TO COUNTERTERRORISM, KEY CONCEPTS 61

3.1. The Community Safety and Security Paradigm 61
3.1.1. An Explanation of Community 61
3.1.2. An Explanation of Community Cohesion and Community Resilience 65
3.1.3. An Explanation of Community Security 66

3.2. Communities and Counterterrorism 67
3.2.1 Community-targeted or Community-oriented Approaches to Counterterrorism 68
3.2.2. The Police and Communities as Part of a Multi-stakeholder Approach to Counterterrorism 70

4. A COMMUNITY-POLICING APPROACH TO PREVENTING TERRORISM AND COUNTERING VERLT 75

4.1. Basic Principles and Characteristics of Community Policing 75

4.2. Community Policing and Preventing Terrorism: Strategy and Policy 79
4.2.1. Community Policing as Part of a Comprehensive Solution 79
4.2.2. The Interplay between Community Policing and Intelligence-led Policing 82
4.2.3. How Community Policing Can Benefit Terrorism Prevention 85
4.2.4. The Benefits of Engaging with the Police from a Community Perspective 88
4.2.5. Minimizing Risks in Applying a Community-policing Approach to Preventing Terrorism 89

5. IMPLEMENTING COMMUNITY-POLICING APPROACHES TO PREVENTING TERRORISM AND COUNTERING VERLT 94

5.1. Transparency and Accountability of Police Operations 94
5.1.1. Community Policing and Counterterrorism Operations 95
5.1.2. Measures to Ensure the Human Rights Compliance and Accountability of Police Actions for Counterterrorism 99

5.2. Tasking and Training for Community Police Officers 104
5.2.1. *Policies and Standard Operating Procedures* 104
5.2.2. *Community Police Team Learning and Development* 105
5.2.3. *A Five-element Model for Community Police Intervention* 108

5.3. Communicating and Exchanging Information with the Public 112
5.3.1. *Communicating with the Public on Counterterrorism* 112
5.3.2. *Exchanging Information with Communities* 118

5.4. Engaging with Communities to Prevent Terrorism and Counter VERLT 126
5.4.1. *Parameters of Police Engagement with Communities* 126
5.4.2. *Engaging with Specific Groups on Preventing Terrorism* 133
5.4.3. *Engaging with Youth* 135
5.4.4. *Engaging with Women* 142
5.4.5. *Engaging with Faith-based Organizations and Religious Leaders* 146
5.4.6. *Engaging with Ethnic Minorities* 148
5.4.7. *Engaging with Civil Society Organizations* 153
5.4.8. *Engaging with Small and Medium-sized Businesses* 159

5.5. Anticipating the Reactions of Members of the Public to Police Engagement 162

5.6. Inter-agency Co-ordination and Referral Mechanisms 165
5.6.1. *Inter-agency Co-ordination between the Police and Other Public Authorities* 165
5.6.2. *Institutionalized Referral Mechanisms for Individual Cases* 166

5.7. Evaluating the Impact of Community Policing Approaches to Preventing Terrorism and Countering VERLT 170

6. CONCLUSION 178

Annex 180
Bibliography 187

List of Figures and Case Studies

Figure No. 1	Conditions conducive to terrorist radicalization in an individual case (page 38)
Figure No. 2	Types of measures to counter VERLT (page 46)
Figure No. 3	Examples of measures applied with a community-targeted or community-oriented approach (page 70)
Figure No. 4	Example of the application of a SWOT analysis to leveraging community policing as part of terrorism-prevention efforts (page 92)
Figure No. 5	Spectrum of public participation, International Association for Public Participation (page 128)
Figure No. 6	Levels of engagement defined by the Committee on Terrorism of the International Association of Chiefs of Police (page 132)
Figure No. 7	Examples of possible indicators to evaluate progress in achieving benefits of community policing in preventing terrorism and countering VERLT (page 173)

Case study No. 1 Data mining, Germany (page 58)
Case study No. 2 Stop-and-search powers, Spain (page 59)
Case study No. 3 Promoting cohesion and reaffirming democratic values, public statements by the Prime Minister of Norway after the terrorist attacks of 22 July 2011, Norway (page 64)
Case study No. 4 Dialogue Forum on Islam, Islamic Community and the Federal Ministry of the Interior of Austria, Austria (page 73)
Case study No. 5 Police reform and community policing in Northern Ireland, United Kingdom (page 81)
Case study No. 6 Human rights and the Police Service of Northern Ireland, United Kingdom (page 87)
Case study No. 7 Community-policing efforts undermined by a controversial intelligence operation, New York Police Department (NYPD), United States (page 96)
Case study No. 8 Simulation exercises on national security with community members, Royal Canadian Mounted Police, Canada (page 98)
Case study No. 9 Community Policing and the Prevention of Radicalization (COPPRA) Project, European Union, Belgium (page 108)
Case study No. 10 The Integrated Security Management Matrix, North Holland, the Netherlands (page 110)
Case study No. 11 The Plan Vigipirate national terrorism alert system, France (page 113)
Case study No. 12 "No surprises" policy of the Police Service of Northern Ireland, United Kingdom (page 115)
Case study No. 13 Dedicated press- and media-relations capacity within the police on counterterrorism, Finland (page 117)
Case study No. 14 Information exchange and community-tension monitoring, United Kingdom (page 120)
Case study No. 15 Police public outreach through social media, Estonia, Finland and the Netherlands (page 123)
Case study No. 16 Police preventive talks with young people at risk of VERLT, Sweden and Norway (page 136)
Case study No. 17 National Security Youth Outreach Program of the Royal Canadian Mounted Police, Canada (page 137)
Case study No. 18 Youth engagement initiatives of the Diyarbakır Police Department, Turkish National Police, Turkey (page 139)
Case study No. 19 Pizza with a Peeler programme, Police Service of Northern Ireland, United Kingdom (page 141)

Case study No. 20 The Shanaz Network, engaging women in "Prevent", United Kingdom (page 145)
Case study No. 21 Project "Schnittmengen", Islamic Centre and district police of Gütersloh, Germany (page 147)
Case study No. 22 Diversity Education and Law Enforcement Outreach Program of the American-Arab Anti-Discrimination Committee, United States (page 152)
Case study No. 23 "Society Democratic Culture", Germany (page 155)
Case study No. 24 Centre for Information on Destructive Subcultures, Fryshuset, Sweden (page 158)
Case study No. 25 Project Griffin, City of London, United Kingdom (page 159)
Case study No. 26 Inter-agency co-ordination to provide mentoring to a young man affiliated with right-wing extremists, Denmark (page 169)

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List of Acronyms and Abbreviations

ADC	American-Arab Anti-Discrimination Committee
ADRDM	American Declaration of the Rights and Duties of Man
CFREU	Charter of Fundamental Rights of the European Union
CIDES	Centre for Information about Destructive Subcultures, Sweden
COPPRA	Community Policing for the Prevention of Radicalization (EU Project)
DCAF	Geneva Centre for the Democratic Control of Armed Forces
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms
ECtHR	European Court of Human Rights
FBI	Federal Bureau of Investigation, United States
ICCPR	International Covenant on Civil and Political Rights
ITG	Danish Interdisciplinary Task Group
NGO	Non-governmental Organization
NYPD	New York Police Department
ODIHR	OSCE Office for Democratic Institutions and Human Rights
OSCE	Organization for Security and Co-operation in Europe
OSI	Open Society Institute
PPP	Public-Private Partnership
PSNI	Police Service of Northern Ireland, United Kingdom
RCMP	Royal Canadian Mounted Police
SITs	Special Investigation Techniques
SMART	Specific, Measurable, Attainable, Relevant and Time-bound (for evaluation indicators)
SOP	Standard Operating Procedure
SUPO	Finnish Security Intelligence Service
SWOT	Strengths, Weakness, Opportunities and Threats
TNTD	Transnational Threats Department, OSCE Secretariat
UN	United Nations
UN-INSTRAW	United Nations International Research and Training Institute for the Advancement of Women
VERLT	Violent Extremism and Radicalization that Lead to Terrorism
ZDK	Center for Democratic Culture, Germany

Glossary

This glossary clarifies key terms used in this guidebook. The definitions provided are for the purpose of this guidebook only and are not official OSCE definitions.

Citizen journalism
The activity of citizens who do not work for the mainstream media but who collect, report, analyse and disseminate news and information.

Conditions conducive to terrorism
The various social, economic, political and other factors (e.g., lack of the rule of law and violations of human rights, lack of good governance, prolonged unresolved conflicts) that contribute to circumstances in which individuals might become terrorists.

Community
Women, men, social groups and institutions that are based in the same area and/or having shared interests.

Community cohesion
The extent to which people bond around shared interests and goals, develop mutual understanding and a sense of collective identity and belonging, resulting in mutual trust.

Community-oriented approach to terrorism
Counterterrorism objectives, policies and measures that are pursued through locally driven, co-operative initiatives, tailored to local contexts, to increase effectiveness.

Community policing
A philosophy and organizational strategy that promotes a partnership-based, collaborative effort between the police and the community to more effectively and efficiently identify, prevent and solve problems of crime, the fear of crime, issues of physical safety and security, social disorder and neigh-

bourhood decay in order to improve the quality of life for everyone. Also see **Police-public partnerships** below.

Community resilience

The ability of a community to withstand, respond to and recover from a wide range of harmful and adverse events.

Community security

General terms that refer to the mutually desirable goals of protecting local residents of, and visitors to, an area from threats posed by anti-social behaviour, social disorder, crime and terrorism.

Community-targeted approach to terrorism

Counterterrorism policies and practices that, driven by the security priorities of a state, target communities for intelligence-gathering and enforcement activities to detect suspected terrorists and thwart their activities, especially active plans for attacks.

Datamining

Searches for and processing of personal data according to the presumed characteristics of suspects.

Hard-to-reach individuals

Individuals in the community who have been hard for the police to reach and/or engage with because they are, for instance, afraid or distrustful of the police, hostile to the police, or have no wish to have any contact with the police.

Intelligence-led policing

An approach to policing that is clearly based on the collection, analysis and dissemination of police intelligence to inform and direct the deployment of police resources and police interventions. This contrasts with police approaches that rely heavily upon individual officers' suspicions or hunches about unlawful or suspect behaviour to influence police interventions.

Minority

A group whose identity lies outside the dominant, mainstream, cultural, social and political norms in terms of race, ethnicity, gender, age, physical and mental ability, class, religion and belief, language or culture. A minority is numerically smaller in comparison with the rest of the population, may be in a position of political, economic or other disempowerment, and often seeks not only to maintain its identity, but also to give stronger expression to that identity.

Police (police service or police force)

A public service operating within a specific jurisdiction with a duty to maintain public order and safety; protect individuals' fundamental rights and freedoms, particularly the right to life; prevent, detect and investigate crime; reduce fear; and provide assistance and services to the public. Depending on the national law enforcement set-up, the term may be associated with more specific structures, such as military or border police.

Police accountability

All aspects of police activity – ranging from the behaviour of individual police officers to strategies for police operations, appointment procedures and budget management – are subject to scrutiny by a variety of oversight institutions, including international bodies, state institutions, civil society, the media and the general public, and mechanisms are in place to address legitimate concerns regarding police conduct.

Police-public partnerships

A synonym for the term community policing used for the purpose of facilitating better translation and interpretation of the term into different languages. In this document, both terms are used interchangeably. The term *public* is used here to refer to the body of people under the jurisdiction that the police serve.

Profiling

The systematic association of sets of physical, behavioural or psychological characteristics with particular types of offenders and the use of such characteristics as a basis for making law enforcement decisions.

Public-private partnerships

Voluntary, reciprocal and trust-based collaboration between, on the one hand, one or more public authorities, and, on the other hand, one or more non-governmental stakeholders (e.g., civil society organizations, media and businesses). The term *public* is used here to refer to public authorities.

Radicalization that leads to terrorism

The dynamic process whereby an individual comes to accept terrorist violence as a possible, perhaps even legitimate, course of action. This may eventually, but not necessarily, lead this person to advocate, act in support of, or to engage in terrorism.

Self-directed and self-initiated terrorist radicalization

Cases where people have become radicalized to terrorism with a minimum degree of interaction with individuals actively seeking to radicalize them. These terms are associated with the phenomenon of so-called lone terrorists or self-starters, who act on their own without any clear outside direction, support or organizational affiliation.

Special Investigation Techniques (SITs)

Techniques used to gather information, such as electronic or other forms of surveillance and undercover operations in such a way as not to alert the target person(s) and for the purpose of detecting and investigating terrorism- and organized-crime-related offences.

Foreword

The OSCE participating States have consistently condemned terrorism in all its forms and manifestations, stressing that no circumstance or motive can justify terrorism. At the same time, they have reiterated that the fight against terrorism should be conducted at all times in compliance with the rule of law, international human rights law and OSCE commitments.

As early as December 2001, participating States recognized that they cannot limit themselves to traditional military and law enforcement responses in order to mitigate the threat of terrorism to the maximum extent possible in the long term. Adopting the OSCE Bucharest Plan of Action for Combating Terrorism, they highlighted the need to address "the various social, economic, political and other factors, including violent separatism and extremism, which engender conditions in which terrorist organizations are able to recruit and win support." [1]

The participating States further emphasized that the Organization's comprehensive and co-operative approach to security provides comparative advantages in combating terrorism by identifying and addressing these factors through all relevant OSCE instruments and structures. This multidimensional approach underlines that, alongside politico-military aspects of security, the protection and promotion of human rights, as well as economic development and environmental sustainability, are inextricable parts of security and stability. The OSCE approach also involves multi-stakeholder co-operation at all levels in order to meet security threats and challenges, across borders, as well as within countries between governmental and non-governmental actors.

This guidebook is at the intersection of three important thematic priorities for the OSCE that were recently reaffirmed by participating States. "Countering violent extremism and radicalization that lead to terrorism following

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1 OSCE Ministerial Council, "The Bucharest Plan of Action for Combating Terrorism", 4 December 2001, <http://www.osce.org/atu/42524>

a multidimensional approach" and "promoting and protecting human rights and fundamental freedoms in the context of counterterrorism measures" are two strategic focus areas for OSCE counterterrorism activities, as outlined in the OSCE Consolidated Framework for the Fight against Terrorism, adopted in December 2012.[2] "Promoting police-public partnerships/community policing" is a thematic priority highlighted in the OSCE Strategic Framework for Police-Related Activities, adopted in July 2012.[3]

This guidebook is the result of a joint project carried out by the OSCE Secretariat's Transnational Threats Department (TNTD), with its Action against Terrorism Unit and Strategic Police Matters Unit, and the OSCE Office for Democratic Institutions and Human Rights (ODIHR), which runs a specific programme on Human Rights and Anti-Terrorism. The project also benefited from the expertise and advice of a number of colleagues working in OSCE field operations on human rights, counterterrorism and/or community policing, as well as external experts from governments, civil society, academia and other international organizations.

We believe this guidebook illustrates how the OSCE lives up to its trademark comprehensive and co-operative approach to security, drawing on its multidimensional expertise and networks to provide guidance on one of the most sensitive, yet crucial, challenges faced by its participating States: preventing terrorism. We hope that this guidebook will prove to be a useful resource to counterterrorism policymakers and senior police professionals, as well as interested members of civil society throughout the OSCE area and beyond.

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2 OSCE Permanent Council, Decision No. 1063, "OSCE Consolidated Framework for the Fight against Terrorism", 7 December 2012, <http://www.osce.org/pc/98008>

3 OSCE Permanent Council, Decision No. 1049, "OSCE Strategic Framework for Police-Related Activities", 26 July 2012, < http://www.osce.org/pc/92559>

Executive Summary

Countering terrorism and protecting human rights as mutually reinforcing goals

Terrorism is a denial of democracy and of human rights, which are at the very core of the OSCE. The OSCE participating States are determined to combat all acts of terrorism, without exception, as most serious crimes. States, through their police agencies in particular, have a duty to protect all individuals within their jurisdictions from terrorism, as part of their human rights obligations to guarantee the right to life, the right to security and other human rights and fundamental freedoms. This requires that they adopt a comprehensive approach to countering terrorism, with a particular focus on preventing and countering violent extremism and radicalization that lead to terrorism (VERLT), while upholding human rights and the rule of law.

The effectiveness and legitimacy of the state's actions against terrorism will be undermined if the state, through any of its agencies, uses its power in violation of international human rights standards. As the police play a central role in countering terrorism, it is particularly crucial that the police be held accountable for their actions in order to ensure legitimacy, confidence, trust and support from the public.

Countering violent extremism and radicalization that lead to terrorism

Radicalization is not a threat to society if it is not connected to violence or other unlawful acts, such as incitement to hatred, as legally defined in compliance with international human rights law. Radicalization can actually be a force for beneficial change. For instance, people advocating the abolition of slavery or who championed universal suffrage were at one time considered to be radical as they stood in opposition to the prevailing views in their societies.

Terrorist radicalization is a dynamic process whereby an individual comes to accept terrorist violence as a possible, perhaps even legitimate, course of

action. There is no single profile that encompasses all terrorists, nor is there a clear-cut pathway that leads individuals to terrorism. Possible drivers of terrorist radicalization are varied and complex and combine in a unique way in each case. Profiles built on stereotypical assumptions based on religion, race, ethnicity, gender, socio-economic status, etc. are not only discriminatory but are also ineffective. OSCE participating States firmly reject the identification of terrorism with any nationality, religion or ethnicity.

Countering VERLT requires a sophisticated, comprehensive response. This should include both effective criminal-justice action, in compliance with international human rights standards and the rule of law, against those who incite others to terrorism and seek to recruit others for terrorism, and multi-disciplinary efforts to address conditions that are conducive to terrorism. There are many issues, relevant but not specific to terrorism that need to be genuinely addressed, in their own right and without undue security bias. The police have a key role in the criminal-justice response to VERLT, but their role should be limited in proactive prevention efforts.

The development of co-operative, community-oriented approaches to counterterrorism

The state has the obligation and primary responsibility to prevent and combat terrorism, as well as to respect and protect human rights and fundamental freedoms. However, the state needs to draw on the support of society in general, including civil society and businesses, to successfully counter this phenomenon. OSCE participating States have acknowledged the usefulness of such joint efforts in the form of public-private partnerships in countering terrorism.

There has been a growing recognition that the broader public and individual communities are stakeholders and partners in countering terrorism, rather than simply the passive object of law enforcement activities. Some OSCE participating States are developing community-oriented approaches to countering terrorism that emphasize public support and participation in order to increase accountability and effectiveness. These approaches consist of locally tailored and locally driven initiatives that draw on partnerships among a wide range of actors, beyond traditional security practitioners, to include other public authorities, as well as civil society organizations, businesses and/or the media.

Community policing as part of a comprehensive, human rights-compliant strategy to prevent terrorism

Some police services have sought to apply community policing in their efforts to prevent terrorism. Community policing, with its focus on establishing police-public partnerships between the police, other public authorities and communities for proactive problem solving, can make a tangible and durable contribution to broader strategic efforts to prevent terrorism and counter VERLT.

However, policymakers and police leaders should have realistic expectations about the results that community policing can deliver in response to what is often a low-incidence, highly complex and multidimensional problem. Community policing cannot function as a stand-alone tool to prevent terrorism and counter VERLT. It should be embedded in a comprehensive, coherent and human rights-compliant strategy to combat terrorism in all its forms and manifestations and tackle conditions that are conducive to it.

Potential benefits of community policing in preventing terrorism

Many of the benefits of community policing to combat terrorism will arise as a by-product when community policing is implemented in its own right, in keeping with the principles of democratic policing. These potential benefits include:

- Anchoring policing into respect for human rights and the rule of law;
- Improving public perceptions of, and interaction with, the police;
- Improving communication with the public on counterterrorism;
- Increasing public vigilance and resilience;
- Enhancing police understanding of communities as a basis to better engage and co-operate with them;
- Helping to identify and address community safety issues and grievances;
- Facilitating timely identification and referral of critical situations; and
- Improving relations between the police and individuals and groups that have been hard to reach or not yet engaged with.

The manner in and degree to which community policing could incidentally benefit countering terrorism depend on the level of trust and co-operation that already exists between the police and the public. Significant time and police effort may be required to (re-)build public confidence, explain the stakes in engaging with the police, and provide evidence of the tangible benefits of such engagement for the community. This is best achieved

by engaging communities on broader security and safety issues that are of concern to them, not necessarily in relation to preventing terrorism.

Risks in applying community-policing approaches in preventing terrorism

There are some inherent risks that the police should be aware of and try to minimize when applying community-policing approaches. These risks include:

- Over-reliance on community policing;
- Stigmatizing particular communities through selective engagement;
- Securitizing their relationship with communities;
- Using community policing to "spy" on communities;
- Risks to individuals engaging with the police; and
- Unintentionally giving the appearance that the police support particular individuals or groups, which could either undermine the legitimacy of those in a position to exercise a positive influence within the community or alienate other community members or communities.

The police should also take great care in establishing partnerships with individuals, groups or organizations when there is evidence that these individuals or groups are not unequivocally committed to non-violence and respect for universal human rights.

Intelligence-led policing and community policing are complementary but distinct approaches. Intelligence may emerge as a by-product of effective community policing, where the public has developed trust and confidence in the police. Community policing, however, is not, and should not be, about purposeful intelligence-gathering for counterterrorism.

The need for careful planning and preparation

The use of community-policing tools to prevent terrorism and counter VERLT should be carefully planned and prepared, so as not to undermine the very principles of community policing and the public trust and support it seeks to generate. In particular, the police need to:

- Embed international human rights standards at all levels and increase police accountability for their actions against terrorism in order to increase transparency and avoid human rights violations such as discriminatory profiling;

- Anticipate and mitigate the risks involved in applying a community-policing approach;
- Ensure that there is a clear distinction between counterterrorism operations and community police work and also ensure that there is effective co-ordination between these operations;
- Clarify policies and standard operating procedures for the involvement of community police officers in efforts to prevent terrorism and counter VERLT, including information-sharing, recording and reporting protocols;
- Provide adequate training for community police officers on their expected roles in preventing terrorism and countering VERLT;
- Develop regular, proactive and two-way communication with the public on the threat of terrorism – neither exaggerating nor minimizing it – and the roles of the police and the public in countering terrorism;
- Be prepared for timely and appropriate communication with the public and the media in the event of a specific counterterrorism activity or a terrorist incident;
- Clarify the parameters of, and provide guidance for, regular, transparent, inclusive and reciprocal police engagement with communities and specific groups;
- Tailor their communication and engagement activities on the basis of an accurate understanding of the specificities of different communities and groups, including internal dynamics, concerns with regard to terrorism and counterterrorism, and attitudes *vis-à-vis* the police; and
- Evaluate the impact of community-policing efforts to prevent terrorism and counter VERLT, while maintaining a medium – to long-term commitment and resources.

1. Introduction

Terrorism is a denial of democracy and of human rights, which are at the very core of the OSCE. No country in the OSCE area or beyond is immune to the threat of terrorism: it is real, pervasive and multifaceted, but it should be carefully assessed to ensure that it is neither exaggerated nor minimized. The state has the obligation and primary responsibility to prevent and combat terrorism, as well as to respect and protect human rights and fundamental freedoms. However, the state needs to draw on the support of society in general, including civil society and businesses, to successfully counter this phenomenon.

Protecting the public from terrorism has become a major, highly scrutinized and challenging task for the police. Their main duties in a democratic state include protecting the fundamental rights and freedoms of every individual, particularly the right to life; preventing and detecting crime; and reducing fear.[4] To deliver effectively on this expectation, with a commitment to human rights and the support of the public, it can be beneficial for the police to adopt a community-policing approach to prevent terrorism and counter VERLT.

In the OSCE area, community policing has emerged as a major strategic complement to traditional policing practices. Community policing provides a strategy to achieve the objectives of democratic policing more effectively and efficiently; it does not change those objectives.[5] Its focus is on establishing police-public partnerships, where the entire police organization, relevant government agencies and communities actively co-operate in solving problems. In order to establish such partnerships, the police must be closely integrated into the community to strengthen public trust and confidence in their actions, particularly through policing by consent.[6]

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4 *Guidebook on Democratic Policing by the Senior Police Adviser to the OSCE Secretary General* (Vienna: OSCE, 2nd ed., 2008), SPMU Publication Series Vol. 1.

5 *Ibid.*, p. 12.

6 *Good Practices in Building Police-Public Partnerships by the Senior Police Adviser to the OSCE Secretary General* (Vienna: OSCE, 2008), SPMU Publication Series Vol. 4.

Community policing can be an effective strategy in helping to reduce crime and improve wider community safety. If implemented with adequate planning and preparation, it can also make a tangible and durable contribution to broader strategic efforts to prevent terrorism and counter VERLT. Community policing should be implemented in its own right, however, as terrorism is just one of many issues it can help address and crimes it can help prevent.

How this guidebook works

This guidebook provides policy guidance on central issues that can have an impact on the success or failure of police efforts to harness a community-policing approach to preventing terrorism and countering VERLT.

The guidebook is, therefore, primarily intended for policymakers and senior police professionals. However, it may also be a useful resource for members of civil society with an interest in these issues, in particular community leaders. It can serve as a common reference to promote mutual understanding and trust, as well as to facilitate dialogue between the police and members of the public on the threat of terrorism and VERLT; the human rights and fundamental freedoms at stake in preventing terrorism; the potential role of communities in preventing terrorism; and the way the police and the public can effectively approach accountability, engagement and co-operation in preventing terrorism.

Sections 2 and 3 of the guidebook cover key concepts related to the prevention of terrorism and community-based approaches to countering terrorism. Section 4 explores the extent to which community policing may benefit efforts to prevent terrorism and counter VERLT. Section 5 provides practical guidance on specific implementation issues, such as co-ordination, tasking, training, communication, information exchange, engagement with specific groups and evaluation.

Sections 4 and 5 are at the core of the guidebook because they specifically focus on community policing. Sections 2 and 3, however, provide an essential conceptual background to put this guidance into context. Given its length, the guidebook was written, to the extent possible, in such a way that readers may consult each section and some subsections independently and, therefore, there may be redundancies.

The guidebook draws on an analysis of the accumulated experience of several OSCE participating States and Partners for Co-operation, and it builds

on previous OSCE publications, most notably: *Guidebook on Democratic Policing* (2nd ed., 2008) and *Good Practices in Building Police-Public Partnerships* (2008); *Recommendations on Policing in Multi-Ethnic Societies* by the OSCE High Commissioner on National Minorities (2006); *Countering Terrorism, Protecting Human Rights: A Manual ODIHR* (2007); and *Human Rights in Counterterrorism Investigations: A Practical Manual for Law Enforcement Officers by* TNTD and ODIHR (2013). References to these publications have been made throughout the guidebook, but readers are encouraged to consult them for further elaboration on relevant points.

2. Preventing Terrorism, Key Concepts

States, through their police agencies in particular, have an obligation to take all the necessary measures to protect the human rights of all individuals within their jurisdiction from terrorism, as part of their positive obligations to ensure the right to life, the right to physical integrity and other human rights and fundamental freedoms. As a result, they need to put an emphasis on preventing terrorism through, and while simultaneously upholding, human rights and the rule of law. As countries look for ways to prevent terrorism in a more effective manner, greater efforts are being made to determine why and when individuals turn to terrorism, how this happens, and ways this can be prevented early on.

2.1. PREVENTING TERRORISM AS A STRATEGIC FOCUS OF COUNTERTERRORISM EFFORTS

This subsection will address the following questions:

- What is terrorism, and how should it be defined?
- What are the state's international obligations in the fight against terrorism?
- What does a strategic approach to countering terrorism encompass?
- Why is accountability in countering terrorism a condition for effectiveness?

2.1.1. What Is Terrorism?[7]

The international community has reiterated in a number of instances its strong condemnation of terrorism in all its forms and manifestations,

7 See *Countering Terrorism, Protecting Human Rights: A Manual* (Warsaw: OSCE/ODIHR, 2007), <http://www.osce.org/odihr/29103>.

committed by whomever, wherever and for whatever purposes, as constituting one of the most serious threats to international peace and security.[8] It has also firmly rejected the identification of terrorism with any nationality, religion or ethnicity.[9]

> Terrorism is a serious crime. It cannot and should not be associated with any nationality, religion or ethnicity.

Although no universally agreed-upon definition of terrorism exists in international law, to label an act as "terrorism" is to assert not only that it possesses certain characteristics, but also that it can absolutely not be justified by any political, philosophical, ideological, racial, ethnic, religious or other consideration.[10] There is, however, a contested notion that it can be legitimate to use certain forms of violence under particular circumstances and that their use in such instances should not qualify as terrorism.[11] Furthermore, an overly broad definition of terrorism can be misused to shut down non-violent dissent and to undermine democratic society.

Establishing an accurate definition of terrorism is, therefore, central to effectively combating terrorism in a manner that complies with the rule of law and international human rights standards. This is not just because of the political and moral connotations that accompany the term. Application of the term also has significant implications, both domestically and internationally, in terms of the legal basis, for instance, for the sharing of intelligence, the provision of mutual legal assistance, the freezing and confiscation of assets, and extradition.

Terrorism occurs in many different contexts and takes different forms. Without seeking to define terrorism, common features often include:

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8 UN General Assembly, "The United Nations Global Counter-Terrorism Strategy", Doc. A/RES/60/288, 2006, < http://www.un.org/en/terrorism/strategy-counterterrorism.shtml>.

9 OSCE Ministerial Council, "Charter on Preventing and Combating Terrorism", Porto, 7 December 2002, <http://www.osce.org/odihr/16609>.

10 See, for instance, UN General Assembly, "Declaration on Measures to Eliminate International Terrorism", Doc. A/RES/49/60, 1994, para. 1; and UN Security Council resolutions 1373 (2001), para. 3, and 1566 (2004), para. 3.

11 The argument has often been made that the use of violence that might otherwise be considered terrorism is legitimate in the pursuit of self-determination, independence or to resist foreign occupation. See OSCE/ODIHR, *Countering Terrorism*, *op. cit.*, note 7, p. 23.

- A danger (to life, limb or property);
- An attempt to intentionally undermine democratic government, in particular by trying to influence policy- and lawmakers; and
- An indiscriminate approach to targeting, with the purpose of inspiring fear and terror throughout a population.

Terrorist acts are criminal acts and are, therefore, subject to the normal rigours of the criminal-justice system. Human rights standards apply regardless of whether a particular incident is deemed to be a terrorist act, as opposed to any other serious criminal act.

A solution to the difficulty in defining terrorism may be to focus on preventing and/or punishing conduct that is of a genuinely terrorist nature. The international community, although unable to agree yet on a definition of terrorism, has agreed that certain acts constitute terrorist offences.[12] These offences (e.g., hijacking an aircraft) are now the subject of 18 international conventions and protocols adopted under the auspices of the United Nations or its agencies.[13]

On this basis, the UN Security Council, in its resolution 1566 (2004), uses three cumulative criteria to characterize terrorism: (i) intent; (ii) purpose; and (iii) specific conduct, consisting of the following:[14]

i. Criminal acts, including against civilians, committed with the intent of causing death or serious bodily injury, or the taking of hostages;
ii. Regardless of whether motivated by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature, with the purpose of provoking a state of terror in the general public or in a group of individuals or particular individuals, intimidating a population

12 Negotiations within the UN continue on a draft Comprehensive Convention on Terrorism, which would include a definition of terrorism. For more information about the proceedings of the Ad Hoc Committee established by General Assembly resolution 51/210, see <http://www.un.org/law/terrorism>.

13 "Status in the OSCE Area of the Universal Anti-terrorism Conventions and Protocols as well as Other International and Regional Legal Instruments Related to Terrorism and Cooperation in Criminal Matters", OSCE, September 2013, <http://www.osce.org/atu/17138>.

14 Resolution 1566 (2004) adopted by the UN Security Council at its 5053rd meeting, on 8 October 2004 (S/RES/1566 (2004), <http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1566 (2004)>. This resolution is not legally binding.

or compelling a government or an international organization to carry out or to abstain from carrying out any act; and

iii. Which constitute offences within the scope of, and as defined in, the international conventions and protocols relating to terrorism.

The cumulative approach applied in resolution 1566 to define terrorism was supported by the first UN Special Rapporteur on the promotion and protection of human rights while countering terrorism.[15] He also noted that definitions contained in national legislation relating to terrorism could legitimately include other conduct in combination with the first two criteria of intent and purpose identified by resolution 1566.

"Terrorism" and associated offences should be formulated in domestic legislation with clarity, precision and in a non-discriminatory and non-retroactive manner. The relevant laws and regulations should be accessible to the public and lawfully applied by public authorities, including the police and the judiciary, in a transparent manner. This is a prerequisite for people to understand the law and adapt their behaviour accordingly. It is also indispensable for providing the basis for effective and accountable action against terrorism, including that taken by the police, in compliance with the rule of law and international human rights standards.

2.1.2. Strategic Approach to Countering Terrorism

In order to organize themselves, and to plan and carry out attacks, terrorists need recruits and supporters, funds, weapons, the ability to travel unimpeded, other forms of material support (e.g., means of communicating, places to hide), and access to vulnerable targets. Therefore, effectively countering acts of terrorism requires a comprehensive and strategic approach, relying on a broad range of policies and measures.

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15 Report of the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Martin Scheinin, "Ten areas of best practices in countering terrorism", UN General Assembly, Sixteenth Session of the Human Rights Council, 22 December 2010, Doc. A/HRC/16/51.

Strategic approaches to counterterrorism often encompass several objectives, addressing different chronological stages in the occurrence of terrorism.[16] These objectives can be broadly categorized as:

- Preventing men and women from becoming terrorists;
- Providing opportunities and support to individuals on a path to, or involved in, VERLT to disengage;
- Denying terrorism suspects the support, resources and means to organize themselves or to plan and carry out attacks;
- Preparing for, and protecting against, terrorist attacks, in order to decrease the vulnerability of potential targets, in particular critical infrastructure;
- Pursuing terrorist suspects to apprehend them and bring them to justice; and
- Responding to terrorist attacks through proportionate measures to mitigate the impact of such attacks and to assist victims.

States have an obligation to provide protection against acts of terrorism, and this requires that they put particular emphasis on preventing terrorism. This is reflected in their international legal obligations and political commitments. The UN Global Counter Terrorism Strategy notably defines a holistic approach to counterterrorism that includes:

- Measures to address conditions that are conducive to the spread of terrorism;
- Measures to prevent and combat terrorism; and
- Measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism.

UN Security Council resolution 1373 (2001) imposes a legally binding obligation on all states to establish appropriate legislative, regulatory and institutional frameworks, including, to:

- Refrain from providing any form of support, active or passive, to entities or individuals involved in terrorist acts;
- Prevent and suppress the financing of terrorism;
- Suppress the recruitment of members of terrorist groups;
- Eliminate the supply of weapons to terrorists;

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16 In many countries, a strategic approach to counterterrorism is incorporated into a document on national security policy. Several other countries and organizations have developed a specific document, which is publically available, that outlines their respective counterterrorism strategy. These strategic documents often utilize similar terminology but with variations in the actual meaning of specific terms.

- Prevent the movement of terrorists or terrorist groups;
- Deny safe havens to those who finance, plan, support or commit terrorist acts, or provide safe havens;
- Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice; and
- Afford each other the greatest measure of mutual legal assistance in connection with criminal matters related to terrorism.[17]

UN Security Council resolution 1456 (2003) and subsequent resolutions oblige states to ensure that any measure taken to combat terrorism complies with international law, in particular international human rights law, refugee law and humanitarian law.[18]

2.1.3. Accountability, Legitimacy and Trust in Counterterrorism

The effectiveness, legitimacy of, and trust in the state's action against terrorism will be undermined if the state, through any of its agencies, uses its power in contravention of international human rights standards. This would be further exacerbated by the lack, real or perceived, of effective accountability, enabling impunity of state agents for unlawful counterterrorism measures.

Counterterrorism policies and measures, as with any action by public authorities in a democratic state, should be accountable. Accountability means that policies and measures are open to scrutiny by a variety of oversight institutions. Accountability mechanisms should include both the executive and the legislative branches of government, as well as an independent, impartial and informed judiciary, and they should also include civilian oversight performed by NGOs, the media and the general public.

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17 Resolution 1373 (2001) adopted by the UN Security Council at its 4345th meeting, on 28 September 2001 (S/RES/1373 (2001), <http://www.un.org/en/sc/ctc/specialmeetings/2012/docs/United%20Nations%20Security%20Council%20Resolution%201373%20(2001).pdf>.

18 Resolution 1456 (2003) adopted by the UN Security Council at its 4688th meeting, on 20 January 2003 (S/RES/1456 (2003), <http://www.unrol.org/files/UNSCR1456.pdf>.

The lack of effective oversight and accountability of counterterrorism policies and measures:

- Greatly increases the risk that counterterrorism action may not only be ineffective but also counterproductive, by violating human rights and thereby contributing to VERLT; and
- Whether real or perceived, undermines public confidence in the counterterrorism action of public authorities and the readiness of the public to actively support countering terrorism.

As the police play a central role in countering terrorism, it is particularly crucial that the police be held accountable for their actions – ranging from the behaviour of individual police officers, to commanders' decisions, planning and implementation of specific operations and overall strategy – to ensure legitimacy, confidence, trust and support from the public. All police officers are ultimately bound by the law and should be held responsible for infringements of the law. Effective police oversight and accountability mechanisms benefit both the police and the public. They ensure more objectivity in dealing with complaints against police action and help raise public confidence in the police. They also provide protection for individual police officers by ensuring due process in the investigation of complaints against them.

Summary of Key Points – Subsection 2.1.

- Terrorism cannot, and should not, be associated with any nationality, religion or ethnicity. Terrorism is:
  - a serious crime;
  - perpetrated **with the intent** of causing death or serious bodily injury, or the taking of hostages; and
  - committed for **the purpose** of provoking a state of terror in the general public or in a group of individuals or particular individuals, intimidating a population or compelling a government or an international organization to carry out, or to abstain from carrying out, any act.[19]

19 For a model definition of terrorism recommended by the former UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Martin Scheinin, see "Ten areas of best practices in countering terrorism", *op. cit.*, note 15, pp. 13-15.

- National legislation should define terrorism and associated offences in a clear, precise, non-discriminatory and non-retroactive manner, in order to provide a basis for an effective criminal-justice response. An overly broad definition of terrorism risks undermining human rights and the rule of law. Anti-terrorism legislation must be accessible to the public.
- States have the obligation to provide protection against terrorism and to ensure that any measure to combat terrorism complies with international law, in particular international human rights law, refugee law and humanitarian law.
- Comprehensive, strategic efforts are necessary to effectively counter terrorism, in particular to prevent people from becoming terrorists and to thwart terrorist suspects' plans and to bring them to justice in a court of law.
- The lack of effective accountability for the actions of the state and its agents to counter terrorism increases the risk of human rights violations, may fuel further terrorism, and undermines public trust in, and support for, counterterrorism efforts.

2.2. UNDERSTANDING VIOLENT EXTREMISM AND RADICALIZATION THAT LEAD TO TERRORISM

This subsection will address the following questions:

- What is terrorist radicalization?
- Do terrorists have a typical profile? What are the risks and limitations in trying to establish such a profile?
- What are the conditions that are conducive to terrorism? Is there a single, most important condition that is conducive to terrorism?

As countries try to find more effective means of preventing terrorism, greater efforts are made to determine why and how individuals turn to terrorism in the first place, and how this can be avoided early on. OSCE participating States have stressed the need to better understand and counter the phenomenon of VERLT through a multidimensional approach.[20]

20 OSCE Ministerial Council, "Ministerial Statement on Supporting the United Nations Global Counter Terrorism Strategy", Madrid, 30 November 2007, <http://www.osce.org/mc/29544>.

2.2.1. What Is Terrorist Radicalization?

The first challenge to tackling VERLT successfully lies in the elusiveness of the concept. The possible motivations, ideas and other factors that might drive an individual towards VERLT are various and complex, and no single factor is necessary or sufficient to account for terrorist radicalization. There is no single profile of individuals who have become involved with terrorism, and presumptions based on past or current individual cases are, therefore, extremely limited in their applicability. Broad profiles built on stereotypical assumptions based on religion, "race", ethnicity, sex, or socio-economic status are not only discriminatory, but also ineffective.[21]

Radicalization is not a threat to society if it is not connected to violence or other unlawful acts, such as incitement to hatred, as legally defined in compliance with international human rights law. Radicalization can actually be a force for beneficial change. For instance, the political and human rights advocates who were instrumental in the abolition of slavery, and those who championed universal suffrage were at one time considered to be radical, as they stood in opposition to the prevailing views in their societies.

Terrorist radicalization is a process whereby an individual comes to accept terrorist violence as a possible, perhaps even legitimate, course of action. This may eventually, but not necessarily, lead this person to advocate, act in support of, or engage in terrorism. There is, however, no clear-cut pathway towards terrorism. Terrorist radicalization may occur in a great variety of circumstances in different ways and at different speeds. Each case of terrorist radicalization and recruitment for terrorism results from the unique intersection of an enabling environment with the personal circumstances and psychology of a given man or woman.

There is no single profile of a terrorist, no clear-cut pathway towards terrorism. Possible drivers of terrorist radicalization are varied and complex and combine in a unique way in each case.

Terrorist radicalization and recruitment does not occur in a vacuum. It should be viewed as an interactive process between the individual and external

21 See Section 2.4.7 of this guidebook

influences, including terrorist propagandists and recruiters, broader developments in society, and the actions of public authorities. The terms "self-directed" or "self-initiated" radicalization are often used when there is a minimal degree of interaction with people actively seeking to radicalize and recruit an individual. Terrorist radicalization facilitated by the Internet has become of particular and growing concern to countries throughout the OSCE area and beyond. It is associated with the phenomenon of so-called lone terrorists or self-starters, who seemingly act on their own without any clear outside direction or support.

Terrorist radicalization is a dynamic process: it may be accelerated, possibly slowed down and in some cases reversed. Therefore, in order to be able to prevent and counter VERLT, it is important to understand the nature and impact of different factors and the degree to which they might vary and interact in different cases. In this regard, it is useful to distinguish between push and pull factors.[22] Certain factors, such as a charismatic recruiter, might have traction, pulling the individual down a path of violent radicalization. Other factors, such as experiencing violence, including at the hands of agents of the state, might make an individual more vulnerable to the appeal of terrorism, pushing him or her towards violent radicalization.

2.2.2. Conditions Conducive to Terrorism

While there is no consistent set of factors driving terrorist radicalization, some have been identified as being particularly pertinent. Conditions conducive to terrorism recognized at the level of the UN and the OSCE include "prolonged unresolved conflicts, dehumanization of victims of terrorism in all its forms and manifestations, lack of rule of law, violations of human rights, ethnic, national and religious discrimination, political exclusion, socio-economic marginalization and lack of good governance".[23]

While there are numerous structural conditions of a socio-economic and political nature that can possibly push individuals towards terrorism, such as discrimination and other forms of human rights violations (including those resulting from counterterrorism measures), relative deprivation, or a lack of access to education, these are in and of themselves not sufficient to account

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22 Andrew Silke, "Becoming a Terrorist", in Andrew Silke (ed.), *Terrorists, Victims and Society: Psychological Perspectives on Terrorism and its Consequences* (Hoboken, NJ: Wiley, 2003).

23 "The UN Global Counter Terrorism Strategy", *op. cit.*, note 8; OSCE, "Ministerial Statement on Supporting the United Nations Global Counter Terrorism Strategy", *op. cit.*, note 20.

for terrorist radicalization.[24] It is important to take into account other factors of a psychological, interpersonal and ideological nature to explain mobilization. Such factors can help explain why one particular individual might follow a path of terrorist radicalization, while another from a comparable situation and background does not.

Psychological and cognitive factors, such as one's self-image, a sense of identity and belonging, expectations, beliefs and attitudes, are dynamic and shape how a person experiences and reacts to his or her environment and events.[25] They can have an impact on the development of negative feelings of displacement, of "being odd", for instance, feelings of exclusion, rejection, relative deprivation, humiliation, victimization, injustice, frustration, revolt or superiority. This can push someone to be more susceptible to the appeal of terrorism. Youth have often proven more vulnerable to VERLT: as they grapple with questions of identity and their place in the world and their future, they are more inclined to take risks and to challenge the status quo. Psychological susceptibility can also be suddenly and dramatically increased as a result of trauma caused by a triggering event that acutely affects a person.[26]

The spread of, and exposure to, ideas and narratives that legitimize terrorism and foster its appeal are critical pull factors.[27] Many terrorists and violent extremists skilfully tailor, package and disseminate their narratives in a way that will reach and resonate with the particular individual or group targeted for radicalization and recruitment. There are a number of different approaches that can be used to provide legitimacy and enhance the appeal of terrorism, including:

- Using the logic that the ends justify the means, arguing that violence is a necessity in the pursuit of an imperative social, ideological, political or other goal, and that there is no alternative;

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24 For instance, the perpetrators of the terrorist bombings at the airport in Glasgow, United Kingdom, in 2007 had engineering and medical degrees, and were employed. The perpetrator of the terrorist attacks in Norway in July 2011 came from a middle-class background and the majority group in the population.

25 See, for instance, John Horgan and Max Taylor, "A Conceptual Framework for Understanding the Psychological Process in the Development of the Terrorist", *Terrorism and Political Violence*, Vol. 18, No. 4, 2006, pp. 588-601.

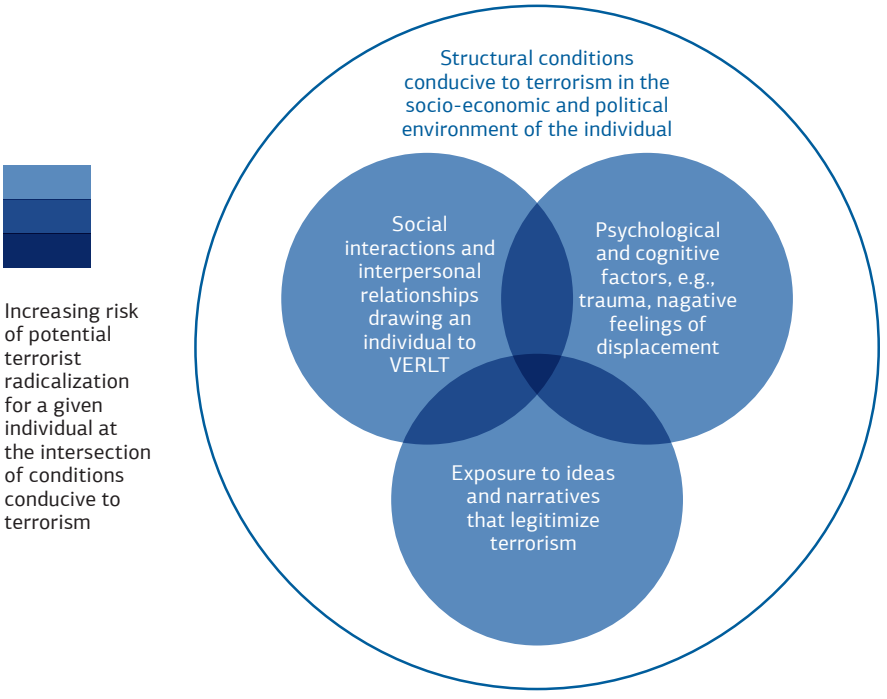
26 Martha Crenshaw, "The Causes of Terrorism", *Comparative Politics*, Vol. 13, No. 4, July 1981, pp. 379-399.

27 *Studies into Violent Radicalization: the Beliefs, Ideologies and Narratives* (London: The Change Institute, 2008). This study was carried out for the European Commission.

- Dehumanizing intended victims on the basis of intolerance, hate and denial of universal human dignity;
- Presenting terrorism as something exciting, counter-cultural or anti-establishment; and
- Building on the charisma and/or perceived legitimacy of terrorists and, in particular, their leaders.

Social interactions, group dynamics and interpersonal relationships play a primary role as pull factors, except in instances of self-directed or self-initiated radicalization.[28] People are drawn into VERLT through personal acquaintances – peers, relatives – or they are sought out by terrorist recruiters. Terrorist recruiters identify, prey on and groom vulnerable men and women, gain a hold on them by providing material and/or psychological support, and abuse their trust to manipulate them or indoctrinate them into becoming involved with terrorism.

Figure No. 1: Conditions conducive to terrorist radicalization in an individual case



28 Marc Sageman, *Understanding Terror Networks* (Philadelphia: University of Pennsylvania Press, 2004).

Summary of Key Points – Subsection 2.2.

- Terrorist radicalization is a dynamic process whereby an individual comes to accept terrorist violence as a possible, perhaps even legitimate, course of action.
- Radicalization is not a threat to society if it is not connected to violence or other unlawful acts, such as incitement to hatred, as legally defined in compliance with international human rights law. Radicalization can actually be a force for beneficial change.
- There is no clear-cut pathway toward terrorism and no consistent set of factors driving terrorist radicalization. Profiles built on stereotypical assumptions based on religion, "race", ethnicity, gender, socio-economic status, etc. are not only discriminatory but also ineffective.
- Each case of terrorist radicalization results from the unique intersection of an enabling environment and the personal trajectory and psychology of a given individual.
- Conditions conducive to terrorism, recognized at the level of the UN and the OSCE, include "prolonged unresolved conflicts, dehumanization of victims of terrorism in all its forms and manifestations, lack of rule of law, violations of human rights, ethnic, national and religious discrimination, political exclusion, socio-economic marginalization and lack of good governance".[29]

29 The United Nations Global Counter Terrorism Strategy", *op. cit.*, note 8; OSCE, "Ministerial Statement on Supporting the United Nations Global Counterterrorism Strategy", *op. cit.*, note 20.

2.3. COUNTERING VIOLENT EXTREMISM AND RADICALIZATION THAT LEAD TO TERRORISM

This subsection will address the following questions:

- What measures can be taken to effectively counter VERLT?
- What does an effective criminal-justice response to VERLT entail?
- How should states approach conditions conducive to terrorism?
- What targeted preventive interventions may be required?

For the fight against terrorism to be effective and sustainable, it should be conducted at all times in accordance with the rule of law and international human rights standards. The state's response to the threat of VERLT should be evidence-based and proportionate to avoid losing the trust and support of the public, as well as to avoid victimization and other forms of unintended validation of terrorist narratives. Moreover, it cannot be limited to repressive actions focused on pursuing terrorists, denying them material capabilities and thwarting their plans. The traditional counterterrorism work of lawenforcement and intelligence agencies needs to be supplemented with prevention efforts to address conditions that are conducive to the spread of terrorism, disrupt terrorist radicalization and stem recruitment.

OSCE participating States have recognized the need to address "the various social, economic, political and other factors, including violent separatism and extremism, that engender conditions in which terrorist organizations are able

to recruit and win support".[30] Many of them have developed specific policies and put significant efforts into this.[31]

Countering VERLT requires both effective criminal-justice action against those who incite others to terrorism and seek to recruit others for terrorism, and comprehensive, multi-disciplinary efforts to address conditions that are conducive to terrorism.[32]

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30 OSCE, "The Bucharest Plan of Action for Combating Terrorism", *op. cit.*, note 1; OSCE, "Charter on Preventing and Combating Terrorism", *op. cit.*, note 9; OSCE, "OSCE Consolidated Framework for the Fight against Terrorism", *op. cit.*, note 2; OSCE Ministerial Council, Decision No. 10/08, "Further Promoting the OSCE's Action in Countering Terrorism", Helsinki, 5 December 2008.

31 See, for instance: Council of the European Union, "The European Union Strategy for Combating Radicalization and Recruitment to Terrorism", 2005, <http://register.consilium.eu.int/pdf/en/05/st14/st14781-re01.en05.pdf>; Ministry of the Interior of the Czech Republic, "Strategy for Combating Extremism", 2009, <http://www.mvcr.cz/mvcren/article/documents-on-the-fight-against-extremism.aspx>; Government of Denmark, "A Common and Safe Future: A Danish Action Plan to Prevent Extremism", 2009, <http://www.nyidanmark.dk/NR/rdonlyres/58D048E7-0482-4AE8-99EB-928753EFC1F8/0/a_common_and_safe_future_danish_action_plan_to_prevent_extremism.pdf>; The Australian Government, "Countering Violent Extremism Strategy", 2011, <http://www.resilientcommunities.gov.au/aboutus/Pages/countering-violent-extremism-strategy.aspx> ; Norwegian Ministry of Justice and the Police, "Collective Security - a Shared Responsibility: Action Plan to Prevent Radicalization and Violent Extremism", March 2011, <http://www.regjeringen.no/upload/JD/Vedlegg/Handlingsplaner/Radikalisering_engelsk.pdf>; United Kingdom Home Office, "Prevent Strategy", 7 June 2011, <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97976/prevent-strategy-review.pdf>; Swedish Ministry of Justice, "Action Plan to Safeguard Democracy against Violence-Promoting Extremism", Government Communication 2011/21:44, Stockholm, 8 December 2011, <http://www.government.se/content/1/c6/18/87/00/60f9f2c9.pdf>; The President of the United States of America, "Strategy to Empower Local Partners to Prevent Violent Extremism in the United States", August 2011, <http://www.whitehouse.gov/sites/default/files/empowering_local_partners.pdf>; Ministry of the Interior of Finland, "Towards a Cohesive Society: Action Plan to Prevent Violent Extremism", 8 June 2012, <http://www.intermin.fi/download/36330_332012.pdf>; Belgian Ministry of the Interior and for the Equality of Opportunities, "Programme de prévention de la radicalisation violente" [Programme to prevent violent radicalization], 16 April 2013, <http://www.milquet.belgium.be/sites/default/files/130419-Programme%20de%20pre%CC%81vention%20de%20la%20radicalisation%20violente.pdf>.

32 For general guidance on crime prevention, see resolution 2002/13 of the UN Economic and Social Council on "Action to promote effective crime prevention" (ECOSOC Resolution 2002/13), annex on *Guidelines for the Prevention of Crime*; *Handbook on the crime prevention guidelines: Making them work* (Vienna: United Nations Office on Drugs and Crime, 2010).

2.3.1. Criminal-Justice Aspects in Countering VERLT

Preventing terrorism should be based on a legislative framework that provides for the appropriate criminalization of preparatory offences.[33] Definitions of such offences in national legislation, similar to defining acts of terrorism,[34] should be clear, precise, non-discriminatory, non-retroactive and accessible to the public. The Council of Europe Convention on the Prevention of Terrorism[35] has been identified as an international good practice.[36] It defines the criminal offences of "public provocation to commit a terrorist offence", "recruitment for terrorism" and "training for terrorism".

UN Security Council resolution 1373 obliges states to suppress terrorist recruitment, and resolution 1624 (2005) calls on states to prohibit, by law, incitement to commit terrorist acts.[37] To comply with international standards, the criminalization of incitement to terrorism must be accompanied by adequate safeguards in line with the principle of legality, and should uphold fundamental rights, including the freedom of expression.[38] In particular, the offence of incitement to commit a terrorist act will be human rights-compliant if it focuses on *direct* incitement, with an intention to promote terrorism, and if it establishes an evidence-based causal link between the incitement and the likely realization of a terrorist act.[39]

Simply holding views or beliefs that are considered radical or extreme, as well as their peaceful expression, should not be considered crimes. "Radicalization" and "extremism" should not be an object for law enforcement counter-terrorism measures if they are not associated with violence, or with another

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33 See Global Counterterrorism Forum, "The Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector", 2012, <http://www.thegctf.org/documents/10162/38299/Rabat+Memorandum-English>.

34 See Section 2.1 of this guidebook.

35 Council of Europe, Convention on the Prevention of Terrorism, CETS No. 196, 16 May 2005, <http://conventions.coe.int/Treaty/en/Treaties/Html/196.htm>.

36 "Ten areas of best practices in countering terrorism", *op. cit.*, note 15; see also *UN Security Council resolution 1624 (2005) Compilation of International Good Practices, Codes and Standards*, UN Counter Terrorism Committee Executive Directorate, <http://www.un.org/en/sc/ctc/docs/bestpractices/res1624.pdf>.

37 Resolution 1624 (2005) adopted by the UN Security Council at its 5261st meeting, on 14 September 2005 (S/RES/1624 (2005).

38 See Section 2.4.2 of this guidebook.

39 "Background Paper on Human Rights Considerations in Combating Incitement to Terrorism and Related Offences", OSCE/ODIHR, OSCE/Council of Europe Expert Workshop on Preventing Terrorism: Fighting Incitement and Related Terrorist Activities, Vienna, 19-20 October 2006, <http://www.osce.org/odihr/22052>.

unlawful act (e.g., incitement to hatred), as legally defined in compliance with international human rights law. Extremist individuals or groups who do not resort to, incite or condone criminal activity and/or violence should not be targeted by the criminal-justice system.

Incitement to, and recruitment for, terrorism should be criminalized and prosecuted in line with international human rights standards. Any criminalization should be precisely defined in law and not target a particular group or individual. Holding views or beliefs that are considered radical or extreme, as well as their peaceful expression, should not be criminalized.

The investigation and prosecution of terrorism-related criminal cases, including of incitement to, and recruitment for, terrorism, should be based on specific evidence, guarantee due process and fair trials, as well as comply with the absolute prohibition of torture or other cruel, inhuman or degrading treatment or punishment, the right to life and the right to liberty and security.[40]

However, the nature of terrorism as a serious crime is such that the police or other competent state agencies may need to resort to special investigation techniques (SITs), such as the use of undercover agents, surveillance and interception of communications. SITs can involve severe interference with human rights, in particular fair-trial and privacy rights. Therefore, the use of such techniques should be:

- Limited to serious cases and proportionate to the gravity of the matter under investigation; and
- Based on laws that establish and clearly define mechanisms for prior authorization, supervision, ex post facto review and accountability to effectively uphold human rights, in particular the right to a fair trial, and the rule of law.[41]

40 See *Human Rights in Counterterrorism Investigations: A Practical Manual for Law Enforcement Officers* (Warsaw: OSCE/ODIHR, 2013), < http://www.osce.org/odihr/108930>.

41 *Ibid.*; also see Council of Europe, Recommendation Rec(2005)10 of the Committee of Ministers of the Council of Europe on "special investigation techniques" in relation to serious crimes including acts of terrorism, Strasbourg, 20 April 2005, <https://wcd.coe.int/ViewDoc.jsp?id=849269&Site=COE>.

2.3.2. Addressing the Conditions Conducive to Terrorism

VERLT is a complex, multidimensional phenomenon requiring a sophisticated, multidisciplinary response. There is no panacea, and countries are faced with the risk that an individual might be radicalized to, and recruited for, terrorism, which can never be entirely eliminated. In view of the broad range of factors that can possibly combine to drive VERLT, policies and measures to counter this threat need to be properly informed and tailored to be effective in mitigating this risk. Intelligence, research and consultation drawing on different sources of knowledge and expertise can contribute to the development of an evidence-based, context-specific and dynamic understanding of the threat of VERLT.

Tackling the many conditions conducive to terrorism, especially structural and push factors, depends on efforts in fields relevant, but not specific to countering terrorism, such as:

- Addressing negative socio-economic factors, such as corruption and lack of good governance, as well as high unemployment, especially among youth;
- Strengthening democratic institutions and the rule of law, including democratic policing, promoting dialogue between the state and society, and ensuring respect for human rights and fundamental freedoms;
- Combating intolerance and discrimination, as well as promoting mutual respect, coexistence and harmonious relations between ethnic, religious, linguistic and other groups; and
- Preventing violent conflicts, as well as promoting peaceful settlement of disputes and resolution of existing conflicts.[42]

Policies and initiatives in these areas are necessary to address or avoid creating grievances. However, they should be pursued in their own right, not just to the extent that they help countering terrorism. States should be careful not to add a possibly counterproductive bias by framing and tackling these issues from a counterterrorism perspective only. Such a bias could result in adverse effects and be counterproductive in fighting against terrorism.

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42 "OSCE Consolidated Framework for the Fight against Terrorism", *op. cit.*, note 2.

In order to effectively prevent terrorism over time, the conditions conducive to terrorism should be genuinely addressed in their own right and without undue security bias.

Countering the appeal of terrorism requires more specific interventions. The narratives and ideas that underpin terrorism need to be understood to address any legitimate grievances they may exploit and to avoid initiating actions that validate the case made by terrorists. Terrorists may use a broad range of arguments, and it is critical that they be each challenged by relevant and credible voices. This includes both proving these narratives ideologically and factually wrong, and spreading positive counter-messages to the very audiences that are targeted for violent radicalization and recruitment. The insights and experience of former violent extremists or individuals who have disengaged from a path to VERLT can help to more effectively formulate and disseminate counter-messages and narratives.

Some countries are putting significant efforts into strategic communication to counter terrorist propaganda through traditional and new media. A number of initiatives, led by governments and/or civil society organizations, seek, in particular, to bring to the fore voices promoting tolerance and non-violence, to highlight the plight of victims of terrorism and encourage solidarity with them, or to encourage former violent extremists to speak out against violent extremism and terrorism. To win this "battle for hearts and minds", ideological engagement should be backed by genuine efforts to address grievances. States should carefully avoid initiating actions or policies that might lend legitimacy to terrorist claims and reinforce the grievances they exploit.

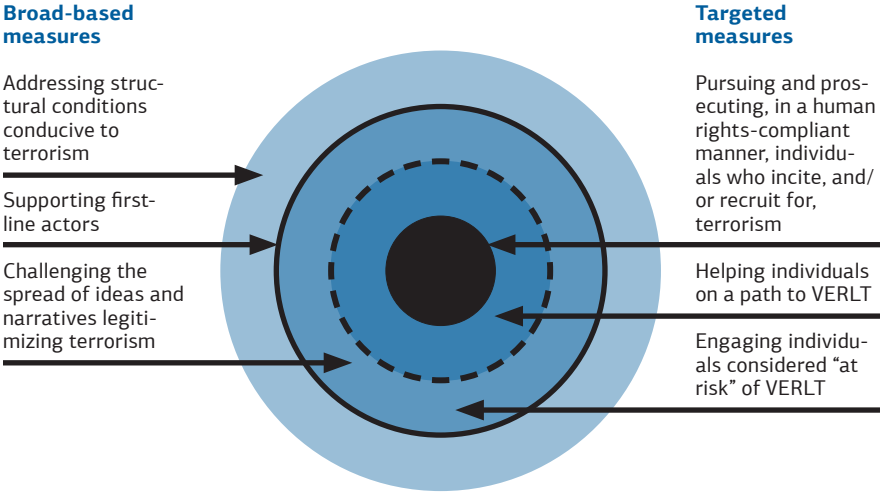
Effectively countering the appeal of terrorism is about offering credible alternatives and ideological challenges to the claims made by terrorists. These efforts will be easily undermined if the state is perceived, through its action or inaction, to validate the claims made by terrorists.

2.3.3. Engaging with Individuals Drawn to VERLT

Individuals considered "at risk" of VERLT need to be diverted from a path to terrorist radicalization. Identifying such individuals can be extremely sensitive and challenging, as VERLT has occurred both to ordinary people and alienated or marginalized "hard-to-reach" individuals. It requires specific evidence that those in a position to detect, e.g., relatives, teachers or social workers, may not recognize. These first-line actors need to be supported in their efforts to understand the threat of VERLT, question their assumptions and stereotypes, recognize what reliable conjunction of factors point toward a risk of violent radicalization, know what they can do about it, and whom to turn to for help.

Diversion of "at-risk" individuals away from VERLT can involve different forms of support, e.g., providing safe spaces, psychological counselling and mentoring, as well as redirecting people towards positive forms of mobilization, such as civic engagement, arts and sports. They should be helped to develop critical thinking and self-reflection to question the violent extremist narratives and ideas that they may be attracted to. Engagement should be based upon an individual assessment, a clear division of roles and information-sharing protocols among different actors, especially law enforcement, to safeguard the rights of the individual, in particular privacy. People considered at risk should not be treated as potential terrorists or otherwise stigmatized.

Figure No. 2: Types of measures to counter VERLT



Summary of Key Points – Subsection 2.3.

- Efforts to counter VERLT should be based on evidence, proportionate to the threat and multidisciplinary in nature.
- To be effective and sustainable, the fight against terrorism, including prevention, should be conducted at all times in accordance with the rule of law and international human rights standards.
- Countering VERLT requires both effective criminal-justice action, in compliance with international human rights standards, against those who incite terrorism and/or seek to recruit for terrorism, and multidisciplinary efforts to address conditions conducive to terrorism.
- There are many issues, relevant but not specific to terrorism, that need to be genuinely addressed, in their own right and without undue security bias.
- Identifying individuals at risk of becoming involved in VERLT is extremely challenging and sensitive. First-line actors need to be supported in understanding what VERLT is and is not. They should be taught to recognize what combination of factors may point towards an increased risk of violent radicalization on a case-by-case basis.
- Individuals considered at risk should not be labelled and treated as potential terrorists. They need to be diverted from a path to terrorist radicalization through different forms of support, tailored to their particular situation and needs. In particular, they may need to develop intellectual skills to question the violent extremist ideas and narratives to which they are attracted.

2.4. HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS PARTICULARLY AT STAKE IN PREVENTING TERRORISM AND COUNTERING VERLT

This subsection will address the following questions:

- What is the relationship between the fight against terrorism and the promotion and protection of human rights and fundamental freedoms?
- Which human rights and fundamental freedoms are particularly at stake in preventing terrorism and countering VERLT?
- Which human rights and fundamental freedoms are absolute and do not allow for any limitation, and which ones can lawfully be restricted, under specific conditions, in efforts to prevent terrorism and counter VERLT?

2.4.1. Human Rights and Fundamental Freedoms in the Fight against Terrorism

States have an obligation to protect all individuals within their jurisdiction and to secure for them all protections afforded by international human rights law.[43] As "terrorism aims at the very destruction of human rights, democracy and the rule of law [and] has a direct impact on the enjoyment of a number of human rights, in particular the rights to life, liberty and physical integrity",[44] states are required to take steps to prevent terrorism, including VERLT. All actions they and their agencies, such as the police, take to counter VERLT must also be in accordance with the state's international legal obligations, in particular international human rights law.

States have the obligation to both prevent terrorism in order to protect human rights and to uphold and respect human rights for all while countering terrorism.

Human rights compliance does not prevent robust and effective action against terrorism and VERLT. In fact, it is a driver for action, through requiring positive action by the state to protect the rights to life, physical integrity and security. In addition, respecting, protecting and promoting human rights is

43 Article 2, ICCPR; Article 1, ECHR.

44 "Human Rights, Terrorism and Counter Terrorism", Fact Sheet No. 32, Office of the United Nations High Commissioner for Human Rights, Geneva, September 2006, <http://www.ohchr.org/Documents/Publications/Factsheet32EN.pdf>.

a condition for the effectiveness of state responses, as human rights violations are recognized by the UN Global Counterterrorism Strategy and OSCE commitments as conducive to the spread of terrorism.[45]

There are a number of rights particularly at stake in efforts to counter terrorism and VERLT. Some of these rights are absolute and cannot be limited under any conditions, while others may be lawfully restricted. The protection from torture and other cruel, degrading or inhuman treatment or punishment is an absolute right and, therefore, cannot be subject to any form of restriction, even in a state of emergency. No exceptional circumstances whatsoever, including the fight against terrorism, may be invoked as a justification for torture and other forms of ill-treatment. Similarly, discrimination on the grounds of "race", colour, sex, language, religion, political or other opinion, national or social origin, property, birth, belonging to a minority or other status cannot be justified under any circumstances. Violations of these rights through, for example, brutality by police officers or failure to take effective action to investigate attacks on particular individuals or group of individuals are unlawful and counterproductive, as these can contribute to VERLT.[46]

The prohibition of torture and other cruel, degrading or inhuman treatment or punishment is absolute.

Most of the other rights particularly at stake when countering terrorism are qualified rights. This means that they can be lawfully restricted under international human rights law under the following conditions:

- The restriction must have a legal basis in national law, and that basis must be sufficiently clear so that individuals affected by it understand the consequences of their actions;

45 "The UN Global Counter Terrorism Strategy", *op. cit.*, note 8; OSCE, "The Bucharest Plan of Action for Combating Terrorism", *op. cit.*, note 1; OSCE, "Charter on Preventing and Combating Terrorism", *op. cit.*, note 9.

46 There is a growing literature, including testimonies by practitioners, recognizing that the use of torture is not only unlawful but also ineffective. See, for instance, *The Report of the Constitution Project's Task Force on Detainee Treatment* (Washington, DC: The Constitution Project, 2013); Darius Rejali, *Torture and Democracy* (Princeton, NJ: Princeton University Press, 2009) *Yuval Ginbar, Why Not Torture Terrorists? Moral, Practical, and Legal Aspects of the 'Ticking Bomb' Justification for Torture* (Oxford: Oxford University Press, 2010).

- It must pursue a legitimate aim (e.g., the protection of public safety and order, the protection of the rights and freedoms of others or the protection of national security);
- It must be necessary in a democratic society, i.e., there must be a pressing social need for the restriction on the right, and it must not destroy the essence of the right concerned;
- It must be proportionate to the aim sought to be achieved; and
- It must be non-discriminatory.[47]

The protection of human rights requires that safeguards be put in place against abuse, such as judicial-oversight and accountability mechanisms.

The subsections below focus on the rights that are of particular relevance when implementing community policing to counter VERLT. Further guidance on the rights that are at stake in the fight against terrorism can be found in ODIHR's *Countering Terrorism, Protecting Human Rights: A Manual*. All the rights highlighted in this guidebook are protected under international human rights instruments, and OSCE participating States are committed to respecting and protecting them.[48]

2.4.2. Freedom of Expression[49]

Freedom of expression includes the right to impart, seek and receive information, as well as to hold opinions. It is applicable not only to information or ideas that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the state or any sector of the population.[50] While the threshold for interfering with the right is high, this freedom is not absolute. It may be restricted by the state, in line with international human rights standards, where it is being

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47 A detailed account of the nature of rights, and the conditions for lawful restrictions on rights, can be found in OSCE/ODIHR, *Countering Terrorism*, *op. cit.*, note 7, pp. 66-73.

48 *OSCE Human Dimension Commitments: Volume 1, Thematic Compilation* (Warsaw: OSCE/ODIHR, 3rd ed., 2011), <http://www.osce.org/odihr/76894>.

49 OSCE, "Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE", 1990, <http://www.osce.org/odihr/elections/14304>; OSCE, "Budapest Document 1994: Towards a Genuine Partnership in a New Era", Budapest, 5-6 December 1994, <http://www.osce.org/mc/39554>, Decisions, VIII, The Human Dimension; Article 19, Universal Declaration of Human Rights; Articles 19 and 20, ICCPR; Article 10, ECHR; Article 11, CFREU; Article 4, ADRDM.

50 ECtHR, *Handyside v. United Kingdom*, Application No. 5493/72, 7 December 1976.

abused to violate another person's rights through, for example, the incitement to, or advocacy of, violence against others, or the promotion of racial or religious hatred. Nevertheless, any measure taken to restrict this right should be strictly proportionate to the threat to the rights of others and fulfil the requirements described above. In a democratic society, the state has to tread carefully in order to preserve the rights and freedoms of those who peacefully pursue a political agenda, albeit a radical or even extreme one.

Allowing incitement to hatred and terrorism to spread uncontested can encourage terrorism, instilling a feeling of tacit approval, thus lending it credibility, if not legitimacy. Therefore, it is imperative that the state and civil society counter hate speech and incitement to terrorism. This is also a significant challenge because objectionable, intolerant views will often be expressed in a way that would be considered falling short of being illegal in a democratic society. Tackling hate speech and incitement to terrorism in compliance with the freedom of expression and with the support of the public will ensure effectiveness and legitimacy.[51] Precipitated or disproportionate intervention can lead to alienation or victimization of particular communities and further to an erosion of public confidence in, and support for, law enforcement agencies.

Tackling hate speech and incitement to terrorism in a manner that upholds freedom of expression and with the support of the public will ensure the effectiveness and legitimacy of responses.

Another area of concern relates to undue restrictions by states that are often based on broad definitions of terrorism and so-called extremism. This can lead to the suppression of views that, although controversial or at times considered extreme, are not unlawful under international human rights law. National laws should only target messages that intentionally communicate and directly incite the commission of a terrorist act. There must be a causal link between the incitement and the likely realization of a terrorist act. The expression of radical or extremist views that have no relationship to the incitement of criminal acts should not be criminalized.

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51 OSCE Ministerial Council, Decision No. 6, "Tolerance and Non-discrimination", Porto, 7 December 2002, <http://tandis.odihr.pl/documents/03547.pdf>; Articles 5 and 20, ICCPR; Article 17, ECHR.

Any effort to prevent terrorist radicalization on the Internet (such as regulating, filtering or blocking online content deemed to be illegal under international law) should be in compliance with international human rights standards and made according to the rule of law, so as not to impact unlawfully on the freedom of expression and the free flow of information. Security measures should be temporary in nature, narrowly defined to meet a clearly set-out legitimate purpose and prescribed by law. These measures should not be used to target dissent and critical speech.[52]

2.4.3. Freedom of the Media

The media play a key role in seeking, receiving and imparting ideas and information. The strength of a democracy can, to a large extent, be gauged by the independence and pluralism of its media. Although the media have rights, they also have responsibilities.[53] The media are encouraged to ensure that hate speech and material inciting people to terrorism is not presented as something that can be justified and that should be emulated.

Regulation, if any, should be limited to narrowly defined circumstances, in order to ensure that the media are not abused to promote hatred and violence; there should, however, be a "maximum of self-regulation and minimum of state interference".[54] Clear laws and policies, fully in line with international standards and OSCE commitments on media freedom and freedom of expression, must be in place to guarantee the freedom of the media and ensure that the media are aware of the limitations to which they might be subjected under clearly defined, necessary and proportionate circumstances. However, such regulation must not involve censorship or other undue restriction.

Media coverage is a crucial social need in times of crisis, such as during terrorist attacks, as it can provide the public with accurate, timely and

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52 *Freedom of Expression on the Internet: A study of legal provisions and practices related to freedom of expression, the free flow of information and media pluralism on the Internet in OSCE participating States* (Vienna: OSCE Representative on Freedom of the Media, 2010), <http://www.osce.org/fom/80723>.

53 ECtHR, *Jersild v. Denmark*, Application No. 15890/89, 23 September 1994, <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-57891#{"itemid":["001-57891"]}>.

54 UN, Report of the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. Abid Hussain, Fifty-fourth Session of the Commission of Human Rights, Doc. E/CN.4/1998/40, 1998, para. 17, <http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/7599319f02ece82dc12566080045b296?Opendocument>.

comprehensive information. States must ensure that freedom of the media remains guaranteed and protected in such times. Dialogue and co-operation between governments, media professionals and civil society can contribute to efforts to guarantee freedom of expression, free media and information in times of crisis.[55]

2.4.4. Freedom of Thought, Conscience and Religion or Belief[56]

Freedom of thought, conscience, religion or belief includes the right to have or to adopt a religion or belief of one's choice, as well as the right to manifest one's religion or belief. This right entails the right to choose, change, retain or not hold a religion or belief of one's choice, and no limitation whatsoever on this right can be permitted.[57] The manifestation of religious or other beliefs can, however, be restricted by states. These restrictions must have a legitimate aim, e.g., the protection of public safety, order, health or morals, or the rights and freedoms of others.[58] Restrictions should not be directed against a particular religion. International human rights standards do not allow for the restriction of the right to manifest one's religion or belief based upon "national security" grounds.

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55 Guidelines of the Committee of Ministers of the Council of Europe on Protecting Freedom of Expression and Information in Times of Crisis, Council of Europe, 26 September 2007, <https://wcd.coe.int/ViewDoc.jsp?id=1188493>.

56 OSCE, "Conference on Security and Co-operation in Europe Final Act", Helsinki, 1975, <http://www.osce.org/mc/39501>, Questions Relating to Security in Europe: 1(a) Declaration on Principles Guiding Relations between Participating States – Principle VII; OSCE, "Concluding Document of the Madrid Meeting 1980 of Representatives of the Participating States of the Conference on Security and Co-operation in Europe, Held on the Basis of the Provisions of the Final Act Relating to the Follow-Up to the Conference", Madrid, 1983, <http://www.osce.org/mc/40871>, Questions Relating to Security in Europe: Principles; OSCE, "Concluding Document of the Vienna Meeting 1986 of Representatives of the Participating States of the Conference on Security and Co-operation in Europe, Held on the Basis of the Provisions of the Final Act Relating to the Follow-up to the Conference", Vienna, 1989, <http://www.osce.org/mc/40881>, Questions Relating to Security in Europe: Principles; 1990 OSCE Copenhagen Document, op. cit., note 43; 1994 OSCE Budapest Document, op. cit., note 43, Decisions, VIII, The Human Dimension; OSCE Ministerial Council, Decision No. 4/03, "Tolerance and Non-discrimination", Maastricht, 2 December 2003, <http://www.osce.org/mc/19382>; Article 18, ICCPR; Article 9, ECHR; Article 10, CFREU; Article 3, ADRDM.

57 UN Human Rights Committee, General Comment No. 22: The right to freedom of thought, conscience and religion (Art. 18), 30 July 1993, paras. 3 and 5, <http://www.unhchr.ch/tbs/doc.nsf/0/9a30112c27d1167cc12563ed004d8f15>

58 The ICCPR and the ECHR identify as possible grounds for limiting a manifestation of religion or belief the protection of public safety, order, health or morals, or the rights and freedoms of others (ICCPR, Article 18.3; ECHR, Article 9.2). These grounds have also been identified in the case law of the Inter-American Court.

Terrorists may invoke a wide range of political, philosophical, ideological, racial, ethnic, religious or other reasons to justify their actions. The OSCE participating States firmly reject the identification of terrorism with any "race", nationality or religion.[59] Misconceived policies and actions targeting particular religious or belief communities can lead to increased VERLT through the combined effect of injustice, stigmatization and alienation, by, for example, simplistic associations of items of dress or cultural manifestations with terrorism.

The right to have or to adopt a religion or belief of one's choice is absolute. OSCE participating States firmly reject the identification of terrorism with any religion.

2.4.5. Respect for Private and Family Life[60]

The right to privacy guarantees the right to respect for private and family life, home and correspondence. It extends beyond activities carried out in private to include certain activities carried out in public. It also extends to the establishment and maintenance of relationships with others. The right to privacy also covers means of personal identification, including data revealing "racial" or ethnic origins or other sensitive information and searches of a person, their clothing and personal belongings. The acquisition and recording by the state of information on individuals can be from publicly available sources or may be obtained through SITs, such as surveillance, interception of communication or undercover operations. Any such actions must be in compliance with national law, defined in accordance with international human rights standards. In addition, they must be justified, necessary, proportionate and non-discriminatory. The law must also provide adequate procedural safeguards against abuse. State action that does not respect the right to privacy can result in suspicion and can undermine the establishment and maintenance of positive, long-term relationships. It can also serve to undermine trust between state authorities and the public at large, or a specific group.

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59 OSCE, "Charter on Preventing and Combating Terrorism", *op. cit.*, note 9, para. 2.
60 Article 17, ICCPR; Article 8, ECHR; Article 7, CFREU; Articles 5, 9 and 10, ADRDM; Article 16, UN Convention on the Rights of the Child.

2.4.6. The Right to Peaceful Assembly and Freedom of Association[61]

The rights to freedom of peaceful assembly and association are fundamental elements of democracy and also represent mechanisms whereby other rights, such as freedom of thought, conscience, religion or belief and expression, are exercised. Undue limitations on the rights to freedom of peaceful assembly and association would deprive the public of the benefits of a broad range of views and opinions, and can drive organizations underground, creating conditions in which VERLT can more easily occur and can be harder to detect and prevent. Limitations on the rights to freedom of association and peaceful assembly cannot be imposed in such a manner as to destroy the essence of these rights, as this would be incompatible with the nature of a democratic society.[62]

> Undue limitations on the rights to freedom of peaceful assembly and association can drive organizations underground, creating conditions in which VERLT can more easily occur and be harder to detect and prevent.

The right to freedom of assembly protects only peaceful assemblies. Those wishing to assemble peacefully should not be required to obtain permission to do so. A presumption of peaceful intent in favour of this freedom should prevail. Any lawenforcement response to disorder should be directed against those engaged in disorder rather than against the assembly as a whole. Banning an assembly is an extreme step that should only be taken as a measure of last resort when a less restrictive response would not achieve the purpose pursued by the authorities. Restrictions imposed prior to an assembly can only be justified on the basis of legitimate grounds, as established by international and regional human rights instruments. In particular, restrictions based on public-order grounds should not be imposed where there is only a hypothetical or an insubstantial risk of public disorder or the mere presence of a hostile audience.[63]

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61 Articles 21 and 22, ICCPR; Article 11, ECHR; Article 12, CFREU; Articles 21 and 22, ADRDM.

62 UN Human Rights Committee, Communication No. 1274/2004, Korneenko v. Belarus (CCPR/C/88/D/1274/2004).

63 *Guidelines on Freedom of Peaceful Assembly, Second Edition* (Warsaw: OSCE/ODIHR, 2010), <http://www.osce.org/odihr/73405>.

States should not only abstain from imposing undue restrictions, they must also take steps to protect these freedoms from interference by third parties. For instance, states must take adequate operational steps to protect assembly participants from violence by opposing groups, while at the same time facilitating peaceful assemblies and counterdemonstrations within sight and sound of each other or their intended audience.[64]

Freedom of association extends to establishing, joining and being active in political parties, trade unions and all forms of civil society, including cultural and religious organizations. To ban political parties or other organizations, it is not sufficient to claim that the aims of an organization are contrary to the majority view of how a society should be organized; specific evidence of an intention or attempts to undermine democracy and human rights must be available. In addition, measures that result in unduly limiting or prohibiting the right to freedom of association (such as refusal of registration or prohibition of fundraising) must be taken solely on the basis of specific evidence.

2.4.7. Equality and Non-Discrimination[65]

States have both negative and positive obligations to protect individuals from discrimination. Not only are they required not to discriminate, but they must also take action against discrimination, including, in some cases, discrimination by private individuals. Discrimination can be defined as differential treatment, implying distinction, exclusion, restriction or preference, that is based on grounds such as an individual's "race", colour, sex, language, religion, political or other opinion, national or social origin, property, birth, belonging to a minority or other status, and that has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons of all rights and freedoms enshrined in national and international law.[66]

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64 "Report: Monitoring of Freedom of Peaceful Assembly in Selected OSCE Participating States (May 2011 - June 2012)", Warsaw: OSCE/ODIHR, 9 November 2012, <http://www.osce.org/odihr/97055>.

65 OSCE 1975 Helsinki Document, *op. cit.*, note 56, Questions Relating to Security in Europe: 1(a) Declaration on Principles Guiding Relations between Participating States – Principle VII; OSCE 1989 Vienna Document, *op. cit.*, note 56; Questions Relating to Security in Europe: Principles; OSCE 1990 Copenhagen Document, *op. cit.*, note 49; Article 26, ICCPR; International Convention for the Elimination of All Forms of Racial Discrimination; Article 14, ECHR; Article 21, CFREU; Article 2, ADRDM.

66 UN Human Rights Committee, General Comment No. 18: Non-discrimination, 1989, <http://www.unhchr.ch/tbs/doc.nsf/o/3888b0541f8501c9c12563ed004b8d0e>.

Discrimination may also include treatment that fails, without objective and reasonable justification, to take into account significant differences among people.[67]

Non-discrimination is particularly important in the context of preventing and combating terrorism, as recognized by the OSCE participating States.[68] Discriminatory treatment by state authorities may be a factor that is conducive to violent radicalization and terrorism. Individuals who are discriminated against may feel alienated and, therefore, be more likely to believe that society and/or the state does not treat them equally because of, for example, an ethnic, religious or linguistic difference. A particular concern in policing terms is discriminatory ethnic profiling, i.e., the exercise of police powers against individuals based on stereotypical, broad and unqualified assumptions related to nationality, ethnicity or religion. Alternative, legitimate profiling techniques based on specific evidence and intelligence may be used.

Discriminatory profiling practices can occur in police stop-and-search, or surveillance activities or counterterrorism operations. Such practices are unlawful and may have adverse effects, including stigmatization and alienation.[69] Discriminatory profiling has also been proven to be ineffective, as terrorist groups can easily circumvent it. Recruitment of members who do not conform to pre-determined profiles can help terrorist groups reduce the likelihood of detection. Undue reliance on profiling can also misguide police and other state officials when applying their individual judgement and investigative skills.

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67 ECtHR, *Thlimmenos v. Greece*, Application No. 34369/97, 6 April 2000.

68 OSCE, "Strategy to Address Threats to Security and Stability in the Twenty-First Century", 2003, <http://www.osce.org/mc/17504>.

69 Report of the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Martin Scheinin to the Fourth Session of the UN Human Rights Council (A/HRC/4/26), 2007.

Case study No. 1: Data mining, Germany

In the 1970s, the Federal Republic of Germany was facing a wave of attacks by a left-wing terrorist group. Police investigations at the time established that members of the terrorist group lived in apartments rented under false names and paid the rent, electricity and telephone bills in cash. Police developed a tool to automatically screen the data available from public and private records against this behavioural profile, leading to 18,000 outstanding names for closer scrutiny. The police were then able to identify two suspects, one of whom turned out to be a terrorist and the other a drug dealer.

After the attacks against the United States on 11 September 2001, police from Germany decided to resort to the same tool to identify individuals on the basis of demographic and socio-economic criteria derived from the profile of the 9/11 terrorists, namely: being male, Muslim, aged between 18 and 40, a student or former student, and a native or national of a specified country with a predominantly Muslim population. As a result, data on up to 300,000 individuals was screened, and a total of 32,000 people were identified as "sleepers" and subject to closer scrutiny. However, no one was ever charged with a criminal offence.

Germany's High Court expressed concerns that this preventive screening had a stigmatizing impact against those affected and increased the risk of discrimination in their everyday lives. It also ruled that the preventive screening was unlawful and violated the right to privacy because it was not justified by evidence of a concrete and imminent threat to Germany.

Source: UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;[70] Federal Constitutional Court of Germany[71]

70 *Ibid.*
71 German Federal Constitutional Court, BVerfG, 1 BvR 518/02.

Case study No. 2: Stop-and-search powers, Spain

Police services often have powers to stop and search people, some of which do not require that the person be suspected of any involvement in a crime. These powers are controversial and have been criticized, in particular because of concerns about their disproportionate use against members of minority groups. The use of stop-and-search powers based on discriminatory ethnic profiling can have extremely corrosive effects in terms of community confidence in the police. In turn, this could serve to reinforce or corroborate narratives that portray the police as stigmatizing and acting against members of particular national, ethnic or religious groups.

One method used to encourage transparency is detailed recording of statistics relating to the use of these powers. Another is to issue guidance and provide training to police officers, in order to ensure that decisions to stop and search people on the street are based on objective criteria rather than on suspicions based on discriminatory stereotypes, linked, for example, to age or membership in a minority group. This should be coupled with systems of external and internal oversight. Moreover, if stop-and-search powers are used by the police, sufficient information should be made available to people about their rights in such circumstances.[72]

In Spain in 2007, for instance, the local police in Fuenlabrada, in co-operation with the Open Society Institute (OSI), introduced a pilot project to monitor the use of stop-and-search powers. Police officers were required to fill out a form to describe the ethnicity and/or nationality of the person stopped; the name of the responsible officer; the time, date and place of the stop; the legal grounds for the stop, the grounds for suspicion; the outcome; and additional space to describe the stop situation for intelligence purposes. A copy of the form had to be given to the person stopped. The forms also included information on the individual's rights and how to complain if the person was dissatisfied with their treatment by the police.

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72 Council of Europe, European Commission against Racism and Intolerance, General Policy Recommendation No. 11 on Combating Racism and Racial Discrimination in Policing, CRI (2007) 39, 4 October 2007; *Reducing Ethnic Profiling in the European Union: A Handbook of Good Practices* (New York: Open Society Foundations, 2012); *Towards More Effective Policing: Understanding and Preventing Discriminatory Ethnic Profiling: A Guide* (Luxembourg: European Union Agency for Fundamental Rights, 2010); *Basic Human Rights Reference Guide: The Stopping and Searching of Persons,* UN Counter Terrorism Implementation Taskforce, Working Group on Protecting Human Rights while Countering Terrorism (New York: United Nations, 2010).

This practice led police officers to focus on their treatment of people during stops. The forms were also reviewed by supervisors to monitor the extent of ethnic profiling. The OSI observed that after six months, the police had reduced the disproportionality in the rate at which they stopped people of immigrant origin. Furthermore, the total number of stops fell by well over half, while the percentage of stops that produced positive outcomes increased by nearly three times. By making better use of data, the Fuenlabrada police became more efficient: they made fewer stops, but the stops were more effective.

Source: Open Society Initiative[73]

Summary of Key Points – Subsection 2.4.

- States have an obligation to protect all individuals within their jurisdiction from terrorism, which is a threat to human rights, democracy and the rule of law.
- States should respect human rights at all times in preventing and countering terrorism, as a matter of both international obligation and in order to be effective.
- Human rights violations are conditions conducive to terrorism and can fuel VERLT.
- Torture and other cruel, degrading or inhuman treatment or punishment are absolutely prohibited and can never be justified.
- Restrictions on human rights, if permissible, in the fight against terrorism should be clearly provided for by law, necessary, justified, proportionate and non-discriminatory.

73 *Reducing Ethnic Profiling in the European Union, ibid.*, p. 83.

3. Community-Based Approaches to Counterterrorism, Key Concepts

There is always a local dimension to terrorism: it always happens somewhere, whether it is the place where terrorists hide, find support and operate, where they attack, or where an individual or a group becomes involved with terrorism. A local approach to preventing terrorism and countering VERLT is, therefore, necessary. In trying to better allocate resources and improve the effectiveness of their action against terrorism, states have sought to identify where to concentrate their efforts. Communities have increasingly emerged as the point of focus in the formulation and implementation of counterterrorism policies.

3.1. THE COMMUNITY SAFETY AND SECURITY PARADIGM

This subsection will address the following questions:

- How can the concept of community be defined?
- What are the implications of the concept of community in defining and addressing security issues?

3.1.1. An Explanation of Community

A community might generally be thought of as consisting of individuals, groups and institutions based in the same area and/or having shared interests.[74] This can be interpreted in the sense that a community is a stakeholder group, concerned about particular issues, measures or policies. Individuals and groups can belong to more than one community. It is likely that individuals participate in a wide range of communities, including across bor-

74 OSCE, *Good Practices in Building Police-Public Partnerships, op. cit.*, note 6.

ders, and their affiliations with particular groupings are likely to change over time. Furthermore, the needs of community members are different depending on whether they are women, men, girls or boys.

> A community is made up of individuals, groups and institutions based in the same area and/or having shared interests.

The term "community", however, is complex and widely debated, and subject to different interpretations that cover a variety of more or less overlapping notions. "Communities of interest" bring together individuals, groups and institutions that have one or more interests in common (e.g., a shared geographic area, the protection of a particular culture, the pursuit of sport or another recreational activity). "Geographic communities" are made up of the individuals, groups and institutions within a specific territorial space, such as a neighbourhood, a town, a region, society or the entire population of a country. There can be communities of interest that have global and transnational dimensions, in the sense of borderless communities that transcend local areas and state boundaries. In recent times, as a result of the development of new information technologies, geographically dispersed individuals, groups and institutions have been able to link up and interact more easily around issues of common interests.

"Communities" should be distinguished from "minorities". Minorities can be understood as groups whose identities lie outside the dominant, mainstream, cultural, social and political norms in terms of "race", ethnicity, gender, age, physical and mental ability, class, religion and belief, language or culture. Numerically they constitute a subgroup of the rest of the population, may be in a position of political, economic or other disempowerment, and seek not only to maintain their identities but also to give stronger expression to those identities. In international law, minorities are generally understood to include national or ethnic, religious or linguistic groups.

However, there is no agreed definition of a "minority" in international law. Nevertheless, a set of objective and subjective criteria apply to the identification of such groups. A minority is a "group with linguistic, ethnic or cultural characteristics distinct from the majority and that usually seeks not only to maintain its identity, but also tries to give stronger expression to that

identity".[75] Some states, however, use the term community, instead of minority, to designate such groups.

3.1.2. An Explanation of Community Cohesion and Community Resilience

Cohesion can be understood as the extent to which people bond around shared interests and goals, mutual knowledge, a sense of collective identity and belonging, mutual understanding and trust. Cohesion is positively related to the number, variety and/or intensity of shared interests and interactions that provide a basis for solidarity, mobilization and joint action. By contrast, distrust, lack of mutual understanding and ignorance of one another can serve to undermine cohesion and can be easily exploited by those who seek to create divisions and confrontation. It is critical to understand what divisions might exist both within and between particular communities.

Cohesion refers to the extent to which people bond around shared interests and goals, and develop mutual understanding and a sense of collective identity and belonging, resulting in the building of mutual trust.

Cohesion may lead to forms of collective mobilization, with individuals being prepared to pull together and intervene to address common problems for the public good. Higher levels of community cohesion are linked to significantly lower rates of crimes such as robbery, assaults, street crime and other sources of individual violent victimization.[76]

The state has an important role to play in creating, encouraging and sustaining cohesion among all communities in society. It can do so by promoting a sense of identity that is both credible and enduring, as well as being sufficiently fluid so that it can comfortably embrace a wide range of diverse

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75 "High Commissioner on National Minorities", Factsheet, OSCE, 2008, <http://www.osce.org/hcnm/33317>. Article 27, ICCPR, provides that: "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language."

76 See, for instance, Robert J. Sampson and W. Byron Groves, "Community Structure and Crime: Testing Social- Disorganization Theory", *American Journal of Sociology*, Vol. 94, No. 4, January 1989, pp. 774-802.

communities, based on the equal and full enjoyment of human rights and fundamental freedoms by all the individuals on the territory of the state.

Closely linked to the concept of cohesion is the concept of society and community resilience. This refers to the capacity of a community to withstand, respond to and recover from a wide range of adverse events, either natural or caused by an individual or a group. These challenges may, for instance, include crime or environmental disasters, as well as conflict and tensions between different groups within the community, or with other communities.

Community resilience is the ability of a community to withstand, respond to and recover from a wide range of harmful and adverse events.

Case study No. 3: Promoting cohesion and reaffirming democratic values, public statements by the Prime Minister of Norway after the terrorist attacks of 22 July 2011, Norway

Terrorists aim to inspire fear in all, or parts, of the public in order to draw attention to themselves, their grievances and goals, and to impose their demands on society and the state. They seek to communicate through their attacks, and the propaganda surrounding them, their particular interpretation of reality and what should be done. Such attacks and the narratives they convey can have a very divisive impact on society. When the identity of the perpetrators is not known, rumours can easily spread, laying blame on the basis of stereotypes and prejudices. In shock, society and state authorities may be induced to overreact, which is sometimes precisely what terrorists are trying to achieve.

An essential aspect of resilience to terrorism, especially in the immediate aftermath of attacks, is for state officials and political leaders to encourage cohesion and solidarity in society in the face of terrorism, to reaffirm their commitment to democracy and the rule of law and to reject violence and divisive ideas and stereotypes. Communication in such times of crisis is indispensable, yet delicate, and needs to be carefully prepared, as the public will be expecting information, statements and other interventions from state officials and political leaders.

On 22 July 2011, a car bomb was detonated in Oslo in the vicinity of government offices. Two hours later, someone began shooting participants in a youth summer camp on the island of Utøya. A total of 77 people were killed and over 300 others injured. The attacks were a tragedy that took everyone by complete surprise and greatly shocked Norway. In the immediate aftermath of the attacks, when the identity of the perpetrator was not yet known, an increase in hate speech and harassment against non-ethnic Norwegians and Norwegian Muslims was reported.

The morning following the attacks, the Prime Minister of Norway, Jens Stoltenberg, held a press conference. He assured the public that the perpetrators would be found and brought to justice and declared: "No one will ever scare us from being Norway. You will not destroy our democracy or our ideals for a better world." At a memorial service the next day, Stoltenberg reiterated that the answer to violence is "even more democracy, more openness, and more humanity", and that the people of Norway would never give up these values. He expressed pride in the way the country was holding its head high at a critical time; praised the dignity, compassion and resolve showed by people; and called on them to stand together and support the victims and their families. A number of other memorial ceremonies took place, including a march by 200,000 people in Oslo on 25 July.

The perpetrator turned out to be a Caucasian male suspect who was captured by the police at the scene of the crime in Utøya. He explained that he carried out the attacks to prevent the "colonization" of the country by Muslims. He was found to be of sane mind and was convicted on 24 August 2012 for acts of terrorism and premeditated murder and given the maximum sentence allowed by Norwegian law.

Sources: Report of the 22 July Commission,[77] media reports[78]

77 Report of the 22 July Commission, submitted to the Norwegian Prime Minister on 13 August 2013 by the fact-finding commission established on instruction of the Parliament of Norway (NOU 2012: 14, Rapport fra 22. juli-kommisjonen), p. 22.

78 "Norway PM: 'No one will Bomb Us to Silence'", BBC, 22 July 2011, <http://www.bbc.co.uk/news/world-europe-14257910>; "Norway after Terrorism: Flowers for Freedom", The Economist, 30 July 2011, <http://www.economist.com/node/21524852>; "Norway Mass Killer gets the Maximum: 21 years", The New York Times, 24 August 2012, <http://www.nytimes.com/2012/08/25/world/europe/anders-behring-breivik-murder-trial.html>.

3.1.3. An Explanation of Community Security

Community security, as understood in this guidebook, goes beyond a focus on physical security and crime, and also includes a wide range of issues affecting the quality of life of both men and women in the community, such as anti-social behaviour and social disorder. This is a notion that is used by some local authorities and national governments, police services and communities themselves when setting priorities. It is about how communities can be made safer through crime prevention and reduction, as well as through the introduction of physical and social changes within the area(s) where the community is located.

> Community security addresses a wider range of issues than crime prevention, such as quality-of-life concerns.

Community-based approaches rely on the notion that the security of a community is closely related to the degree of cohesion and resilience of that community. National counterterrorism policies, therefore, sometimes aim to build resilient communities that reject violent extremist, terrorist ideologies and propagandists, as well as to mobilize citizens, individuals and groups in society in support of counterterrorism goals. While counterterrorism policies have traditionally focused on developing technical resilience, e.g., by protecting critical infrastructure and strengthening emergency response, there is growing recognition that insufficient emphasis has been placed on fostering resilience at the level of ideas to counteract the appeal of violent extremism and terrorism.[79]

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79 See Bill Durodié, "Terrorism and Community Resilience – A UK perspective", Chatham House, ISP/NSC Briefing Paper No. 05/01, July 2005, pp. 4-5, <http://www.durodie.net/pdf/ChathamHouse.pdf>.

Summary of Key Points – Subsection 3.1.

- A community can be defined as individuals, groups and institutions living in the same area and/or having shared interests. "Communities" should generally be distinguished from "minorities".
- Community cohesion refers to the extent to which people bond around shared interests and goals, develop mutual understanding and a sense of collective identity and belonging, resulting in the building of mutual trust around shared interests and goals. This may lead to forms of collective mobilization with individuals being prepared to pull together and intervene to address common problems for the public good.
- Community resilience is the capacity of a community to withstand, respond to and recover from a wide range of adverse events, whether natural or caused by individuals or groups.
- Community security addresses a range of issues beyond physical security and crime prevention, to include quality-of-life concerns. It is a notion that is used in setting priorities by some public authorities, police services and communities for improving the well-being of citizens.
- Community-based approaches rely on the notion that the security of a community is closely interlinked with the degree of cohesion and resilience of that community.

3.2. COMMUNITIES AND COUNTERTERRORISM

This subsection will address the following questions:

- How are communities affected by terrorism and counterterrorism?
- Do communities have a role to play in countering terrorism? If so, how can they be involved, and what challenges may arise?

Terrorism is a threat to the public at large and, therefore, to all communities. Acts of terrorism not only impact communities and their members, but terrorists also need and seek support, sympathizers and recruits from the public to be able to carry out their plans. A number of OSCE participating States and Partners for Co-operation have, therefore, sought to put the community at the centre of their counterterrorism policies and measures, and to develop community-based approaches, with a particular emphasis on prevention and development of partnerships with the public.

The responsibility for preventing, combating and managing the consequences of terrorist acts and the responsibility to respect and protect human rights lie primarily with the state. However, the state needs to seek the support of civil society, the media, the private sector, and the business community to successfully counter terrorism.[80] Countering terrorism is, therefore, a shared responsibility and requires the joint involvement and co-operation of the police, other public authorities and members of the public.

Involving communities in countering terrorism may, however, be challenging. There can be a history of misperceptions and tensions between the police/intelligence agencies and the public at large, or with some communities in particular, especially following cases of repeated police misconduct. Furthermore, state authorities, while seeking to develop partnerships, should keep in mind that some individuals and groups may be driven by personal agendas that do not necessarily correspond to the interests of the community.

3.2.1 Community-targeted or Community-oriented Approaches to Counterterrorism

Traditionally, counterterrorism policies and practices have been "community-targeted", namely targeting communities for intelligence-gathering and enforcement activities driven by the security priorities of the state. They have focused on tactics such as the use of police stop-and-search powers, covert operations and intelligence-gathering methods to detect suspected terrorists and thwart their activities, especially active plans for attacks.

- Such methods are a necessary part of any effective strategy for countering terrorism, but should be carried out at all times within a framework based upon the rule of law and respect for human rights.
- These methods, however, involve little or no consultation or partnership with members and groups from the public. They are not aimed at gaining trust and support from women and men in local communities and rarely take into consideration their diverse needs or how they are differently affected by terrorism and measures against it.[81] As such, they may run the risk of marginalizing or even stigmatizing some communities and individuals.

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80 OSCE Ministerial Council, Decision No. 5/07, "Public-Private Partnerships in Countering Terrorism", Madrid, 30 November 2007, <http://www.osce.org/mc/29569>.

81 Basia Spalek (ed.), *Counter-Terrorism: Community-Based Approaches to Preventing Terrorism Crime* (Basingstoke: Palgrave Macmillan, 2012).

Counterterrorism practices in some OSCE participating States have also been marked by the development of "community-oriented" approaches, whereby national counterterrorism objectives, policies and measures are pursued through locally driven, co-operative initiatives, tailored to local contexts, to increase effectiveness. This trend is a testament to a growing recognition that the public and communities are stakeholders and partners in counterterrorism rather than simply the passive object of law enforcement activities. "Community-oriented" approaches to counterterrorism are aimed at involving men and women from communities in, and maximizing their support for, policy-making and delivery, taking into account their differences and complexities in relation to, for example, ethnicity, religion, politics, emotions, grievances, locales, and histories. They also contribute to increased accountability of decision makers to citizens. The establishment of co-operative relationships between policymakers, security practitioners and male and female representatives of communities is central to community-oriented approaches. Building and maintaining trust is essential for the success of such approaches. A community-oriented approach to counterterrorism can be characterized by:

- Partnerships based on trust between communities and public authorities;[82]
- Community support for, and involvement in, the formulation, implementation and evaluation of various strategies, policies and measures; and
- Counterterrorism being framed and pursued in relation to community safety concerns, rather than state security.

However, methods traditionally associated with community-targeted approaches can be community-oriented with the appropriate support from the community itself. For example, an increase in stop-and-search practice, closed-circuit television monitoring, or even the use of covert surveillance methods by the police can become community oriented, where regular men and women from the community have been adequately consulted. This relies on a strong partnership between security practitioners and community members, with a high degree of mutual trust on both sides, based on transparent information on the goals and scope of such practices, as well as on their compliance with the rights of community members and the rule of law. Conversely, drawing on contacts among community members does not necessarily consist in a community-oriented approach when the involvement of

82 Basia Spalek, Salwa El-Awa, and Laura Zahra McDonald, *Police-Muslim Engagement and Partnerships for the Purposes of Counter-Terrorism: an Examination* (Birmingham: University of Birmingham, 2008).

members of the community is primarily sought to further the state-security objectives, rather than prioritizing community safety and security.

Figure No. 3: Examples of measures applied with a community-targeted or community-oriented approach

Example of measures	Community-targeted approach	Community-oriented approach
Police increase patrols, stop-and-search; resort to closed-circuit television monitoring.	These measures are decided by public authorities without any consultation with the community.	These measures are decided after wide-ranging consultations with the community and an agreed approach between the public authorities and the community.
Police aim to build relationships with community members and a network of community contacts.	The objective is to cultivate informants, profile the community and gain intelligence.	The objective is to involve the community in identifying and understanding problems, as well as formulating, implementing and evaluating responses.

3.2.2. The Police and Communities as Part of a Multi-stakeholder Approach to Counterterrorism

A multi-stakeholder approach to counterterrorism brings together a wide range of actors beyond traditional security practitioners, such as the police. These may include actors from both the public and private sectors, each contributing to preventing, combating and responding to acts of terrorism within their respective role or expertise, in accordance with the law. The actual scope and nature of this multi-stakeholder collaboration will vary depending on the specific issue at stake.

On the side of public authorities, counterterrorism has been increasingly carried out through inter-agency co-operation and co-ordination, involving traditional actors from the security and criminal-justice sectors, in particular the police. However, with the growing emphasis on preventing terrorism, which requires a multidisciplinary approach, a varying number of additional public authorities, such as social and health services, have been brought together. In this context, it is important to understand and bear in mind what the responsibilities of these different organs and agencies are.

There has been growing recognition that effectively countering such a multifaceted and multidimensional threat as terrorism also requires the involvement of non-governmental stakeholders. This is often referred to as "public-private partnerships in countering terrorism",[83] and OSCE participating States have recognized their usefulness and called on each other to enhance their co-operation with the media, the business community, industry and civil society.[84] Community-policing approaches or police-public partnerships applied to preventing terrorism and countering VERLT are a form of public-private partnership that is aimed at countering terrorism.[85]

Developing and making partnerships work, especially between public and private stakeholders, can prove challenging. It requires co-operation between actors with different, and sometimes competing, understandings of issues, interests, values, concerns and expectations. These will influence their readiness to engage in, and contribute to, the partnership. This can be exacerbated by imbalances of power among stakeholders. Those who hold the most power must make every effort to give equal weight to the contribution of all partners involved.[86]

The key factors for the success of public-private partnerships include:[87]

- Recognition from the outset by all parties of their different roles, status and resources;
- Commitment of all parties to dialogue, transparency and openness to achieve a common understanding of the issues at stake and the concerns and expectations of all;

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83 "The United Nations Global Counter Terrorism Strategy", *op. cit.*, note 8; see also "Strategy for Partnerships between States and Businesses to Counter Terrorism" approved by the G8 Global Forum for Partnerships between States and Businesses to Counter Terrorism, Moscow, 30 November 2006, <http://en.g8russia.ru/page_work/32.html>.

84 OSCE Ministerial Council, Decision No. 5/07, *op. cit.*, note 80; OSCE Ministerial Council, Decision No. 10/08, *op. cit.*, note 30; "The Role of Civil Society in Preventing Terrorism", OSCE/ODIHR, Informal Working Level Meeting, Barcelona, 14–16 March 2007, <http://www.osce.org/odihr/25142>.

85 In the concept of public-private partnerships, "public" refers to public authorities as opposed to stakeholders from the private sector (non-governmental actors, civil society, the business community, media etc.). In the concept police-public partnerships, "public" refers to the body of people under the jurisdiction of the police.

86 Spalek, El-Awa and McDonald, *op. cit.*, note 82.

87 See, for instance, "Summary by the Representative of the OSCE Chairman-in-Office", OSCE Political Public-Private Partnership Conference: "Partnership of State Authorities, Civil Society and the Business Community in Combating Terrorism", Vienna, 31 May-1 June 2007, <http://www.osce.org/atu/26543>; *Handbook to Assist the Establishment of Public-Private Partnerships to Protect Vulnerable Targets* (UN Interregional Crime and Justice Research Institute, 2010).

- Genuine commitment by all parties to developing a partnership based on equality, mutual trust and respect for the independence of each party; and
- Readiness of all parties to identify shared objectives and interests, find alternatives and compromises to reach consensus and agree on actions that are beneficial to all parties.

Community-oriented policies and measures for countering terrorism recognize and emphasize the role of the public at large, individual people, particular communities and their members, community-based organizations and other civil society and private-sector organizations in general, making them active stakeholders in counterterrorism. These stakeholders need to be encouraged and empowered to contribute to countering terrorism, in particular with regard to prevention, preparedness, first response and recovery.

Empowering communities consists of encouraging people and providing them with the opportunity to take action and gain influence collectively, with full respect for the democratic process, over issues that have an impact on their shared interests.

The need to empower communities against terrorism has been stressed in particular with regard to preventing terrorism and countering VERLT. Capacities and initiatives at the community level need to be identified and supported or otherwise developed. Public authorities should be cautious, however, not to stigmatize particular communities by attempting to empower only them, exclusively against terrorism. Public authorities can both diminish this risk and be more effective if they engage a broader number of people on a diverse range of issues, especially those of concern to the communities themselves.

Community-oriented approaches to countering terrorism aim to strengthen public confidence in, and support for, counterterrorism policies and measures, including police action, thereby contributing to their legitimacy in the eyes of the public at large and certain communities in particular. Such approaches emphasize effective accountability of state authorities in their counterterrorism efforts to the public in general and, in particular, to those individuals and communities most directly concerned with counterterrorism policies and measures. They seek, in particular, to provide opportunities and mechanisms to increase transparency, accessibility and consultation in decision-making, implementation and review.

Case study No. 4: Dialogue Forum on Islam, Islamic Community of Austria and the Federal Ministry of the Interior of Austria

In January 2012, the Austrian Federal Ministry of the Interior launched a dialogue process to discuss a range of subjects related to Islam and Muslims in Austria in partnership with the Islamic Community of Austria. The initiative was based on a suggestion by an independent commission of experts that had been established by the Ministry in July 2010 to guide the implementation of a national action plan for integration. The commission recommended facilitating an exchange of views and ideas between Muslims and the state.

As part of the dialogue process, seven thematic working groups were established, and a total of 50 meetings were held throughout 2012, with the participation of over 100 experts, women and men from the Islamic Community of Austria, other civil society organizations, academia and state authorities, including law enforcement agencies. The working groups focused, respectively, on the education and training of imams, identity and integration, social values and challenges, Islamism and Islamophobia, gender roles, the state and Islam, as well as Islam and the media.

The working group on Islamism and Islamophobia facilitated a discussion among all stakeholders on the features and manifestations of both phenomena; the implications of extremist Islamism for integration policies, especially with regard to the potential for radicalization among young people; the impact of Islamophobia; as well as opportunities for action and strategies to counter both phenomena. To present the initial findings of the forum, a report was published, summarizing the discussions, conclusions and recommendations of each working group.

Source: Federal Ministry of the Interior of Austria[88]

88 Federal Ministry of the Interior of Austria, *Dialogforum Islam: Bericht*, Vienna, 2013.

Summary of Key Points – Subsection 3.2.

- A local approach to preventing terrorism and countering VERLT is necessary; communities have emerged as the point of focus in the formulation and implementation of counterterrorism policies.
- Community-oriented approaches seek the involvement, support and trust of men and women from local communities in the formulation, implementation and evaluation of counterterrorism measures to increase their effectiveness. They are based on the idea that terrorism and VERLT are threats to community security, not just state security, and that communities are stakeholders and partners in counterterrorism, not just the passive object of law enforcement tactics.
- Countering terrorism, and in particular countering VERLT, requires a multidisciplinary approach and, therefore, the co-ordinated efforts of a broad range of public authorities beyond the security and criminal-justice sectors, each within their own remit.
- The support of society as a whole is critical to successfully countering terrorism. The state needs to seek the support of, and draw on partnerships with, non-governmental stakeholders. Community-oriented measures to countering terrorism are an example of public-private partnership.
- Communities need to be empowered against terrorism and, in particular, against VERLT. The state can diminish the risk of stigmatizing particular communities by engaging with a broader number of people and/or engaging them on a diverse range of issues not limited to empowerment against terrorism.

4. A Community-Policing Approach to Preventing Terrorism and Countering VERLT

4.1. BASIC PRINCIPLES AND CHARACTERISTICS OF COMMUNITY POLICING[89]

This subsection will address the following questions:

- What is community policing?
- What are the key principles of community policing, and what strategies exist to translate them into practice?
- What organizational and management changes within and outside the police does the introduction of community policing require?
- What are the benefits of community policing?

In the OSCE area, community policing has emerged as a major strategic complement to traditional policing practices. It focuses on establishing police-public partnerships, where the entire police organization, all government agencies and communities actively co-operate in solving problems. Community policing does not change the general objectives of democratic policing; it provides a strategy to achieve these objectives more effectively and efficiently in practice. These objectives continue to be:

- The maintenance of public peace, law and order;
- The protection of the individual's fundamental rights and freedoms, particularly the right to life;
- The prevention and detection of crime; and
- The provision of assistance and services to the public to reduce fear, physical and social disorder, and neighbourhood decay.

89 OSCE, *Good Practices in Building Police-Public Partnerships, op. cit.*, note 6.

Community policing, or police-public partnerships, can be defined as a philosophy and organizational strategy that promotes a partnership-based, collaborative effort between the police and the community to more effectively and efficiently identify, prevent and solve problems of crime, the fear of crime, issues of physical safety and security, social disorder, and neighbourhood decay in order to improve everyone's quality of life.

The central premise of community policing is that the level of community participation in enhancing safety and social order and in solving crime affecting communities should be increased because the police cannot carry out this task on their own. In order to achieve such partnerships, the police must be more closely integrated into the community and should strengthen their legitimacy through policing by consent and by means of improving their services to the public.

The key principles of community policing are that the police should:
- Be *visible* and accessible to the public;
- *Know*, and be known by, the public;
- *Engage*, mobilize and partner with communities;
- *Listen* to communities' concerns;
- *Respond* to communities' needs;
- *Respect* and *protect* the rights of all community members; and
- Be *accountable* for their actions and the outcome of those actions.

Key strategies for translating these principles into practice include:
- Composing diverse police teams, with sufficient experience and an appropriate gender balance, that reflect the demographics of the community they serve;
- Permanently assigning police officers to specific communities, in particular to fixed geographic neighbourhoods;
- Introducing visible and easily accessible police officers and police facilities;
- Reorienting patrol activities to emphasize non-emergency services;
- Engaging communities through broad outreach and developing transparent partnerships with the public;
- Introducing a proactive problem-solving approach;
- Involving all government agencies and services; and
- Involving all branches of the police.

Organizational changes required for implementing a community-policing philosophy and strategies primarily involve management issues, internal structures of the police organization and the structures of the community and state agencies. The main changes in structures and management styles within the police should focus on:

- The devolution and decentralization of decision-making and resource management from mid-level management to front-line officers;
- The transformation of the responsibilities of all police officers, with subordinate ranks becoming more self-directing, and supervisors and senior ranks assuming a co-ordinating, guiding and supporting role to encourage front-line officers;
- A shift in communication within the police from a predominantly top-down approach to greater emphasis on a bottom-up approach;
- The development of operating rules and procedures that reflect international human rights standards and establish accountability mechanisms;
- Training and mentoring of officers that goes beyond the traditional technical skills and basic requirements for democratic policing and includes an even broader range of skills, such as communicating, building trust, mediating in conflicts, developing creative approaches to addressing community concerns, human rights and gender-equality awareness, countering stereotypes, conducting problem-solving and gathering information, translating general mandates into appropriate action, and conveying the concerns of the community to police leadership and other stakeholders;
- The teaching of these skills in basic training for cadets, in field training for officers on probation, as well as during continuous in-service training for police officers, supervisors and managers; and
- The evaluation of, and rewards for, performance should focus on officers' ability to effectively address community problems and to involve the community in this effort.

The main changes in structures and management styles outside the police should focus on:

- The empowerment of communities, with the police facilitating the organization of community meetings and forums, educating community members on how they can be actively involved in the problem-solving process; and
- The education of other government agencies about their role in the problem-solving approach and the establishment of formal structures for smooth co-operation in order to avoid duplication efforts, as well as dividing responsibilities, assisting each other and developing synergies in the use of public resources.

The benefits of community policing to the public, the police and other agencies are:

- The ability of communities to convey their concerns and their perspectives on problems to the police and to become partners in finding tailored solutions to their problems, which, in turn, can lead to improved crime prevention, improved safety and an enhanced perception of safety;
- The strengthening of social bonds and cohesion within communities, which can enhance their ability to address community issues and to withstand the social problems and pressures that could lead to crime or disorder in the future;
- The improvement of relations between the police and the public, increasing public trust, which is particularly important for relationships between the police and communities that may have been burdened by conflict in the past;
- An increase in police credibility and legitimacy, through greater transparency and accountability of police actions towards communities;
- The building of synergies with other government entities in problem-solving, which can save resources while addressing social problems;
- An increase in the information, in terms of quantity, quality and diversity, that is provided voluntarily by members of the public in support of police action;
- The enhancement of effectiveness and efficiency based on the benefits of technology and preventive action to solve problems; and
- An increase in police officers' job satisfaction, due to more positive encounters with the public; increased safety and self-confidence of officers, due to greater awareness of potential hot spots and real dangers; a generally improved working climate in police agencies, due to department-wide responsibilities and enhanced communication and co-operation between departments, as well as between front-line officers and their supervisors; and more avenues for career development, due to the greater variety of tasks and expanded responsibilities.

The benefits of community policing may not be easily measurable in the short term and could become more tangible in the medium to long term, as trust grows and partnerships between the police and the public develop and mature.[90] Continued commitment and investment are, therefore, necessary for community policing to deliver on its potential benefits.

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90 See Section 5.7 of this guidebook on evaluation.

Summary of Key Points – Section 4.1.

- Community policing is a philosophy and organizational strategy to more effectively achieve the objectives of democratic policing.
- Community policing emphasizes partnership-based, proactive problem-solving efforts between the police and the public in order to identify, prevent and solve community-safety and security issues more efficiently and in a collaborative fashion.
- Continued commitment over the medium to long term is necessary for community policing to deliver on its potential benefits to the police and to various communities.

4.2. COMMUNITY POLICING AND PREVENTING TERRORISM: STRATEGY AND POLICY

This subsection will address the following questions:

- How, and to what extent, can community policing contribute to preventing terrorism and countering VERLT?
- What is the relationship between community policing and intelligence-led policing?
- What are the possible risks of applying a community-policing approach to preventing terrorism and countering VERLT?

Community policing can be an effective strategy to help reduce crime and enhance wider community safety. If implemented in its own right and with adequate planning and preparation, community policing can also make a tangible and durable contribution to wider strategic efforts to prevent terrorism and counter VERLT. However, policymakers and police leaders should have realistic expectations about the results that community policing can deliver in response to what is often a low-incidence, highly complex and multidimensional problem. They should also remain aware of the risks involved.

4.2.1. Community Policing as Part of a Comprehensive Solution

It should be recognized that there is a limit to how much policing can contribute to preventing terrorism and tackling VERLT. While the police have a key

role in the criminal-justice response to VERLT, their role will be limited in proactive prevention efforts that require that various social, economic, political and other factors, which are outside the responsibilities of the police, be addressed.

The police have a key role in the criminal-justice response to VERLT, but their role will be limited in proactive prevention efforts.

Terrorism, by its very nature, often involves concealment, deception, misinformation and secrecy, often resulting in the withdrawal from wider society by those who participate in it. Consequently, the opportunities for local police officers and members of the public to identify and act upon emerging terrorist threats are inevitably limited.

Community policing is not a panacea in countering VERLT. It should, in the first place, be implemented in its own right, independent of counterterrorism goals. It should then be embedded in a comprehensive and coherent strategy to combat terrorism in all its forms and manifestations, as well as to tackle the conditions under which terrorists are able to recruit and win support.

Policymakers and strategic planners must include community policing as one of a wide variety of policy measures that can collectively have a beneficial impact. Community policing is not a stand-alone tool that can function effectively in isolation.

An ill-conceived and poorly executed policy to prevent terrorism in general, and in particular for police to engage with communities in countering VERLT, runs the risk of doing more to undermine police-community relations than an absence of any policy at all. Developing an appropriate policy response must, therefore, be grounded in sophisticated, fact-based and objective strategic-level thinking.

Case study No. 5: Police reform and community policing in Northern Ireland, United Kingdom

Northern Ireland is emerging from a conflict characterized by tensions between two main communities, Protestants and Catholics, as well as the continued use of, and support for, terrorist tactics by some individuals and groups. A lack of trust in the police and other state institutions contributed to the conflict. Police reform has been an important part of the peace process and transition to a more peaceful society. The case of Northern Ireland illustrates how the introduction of community policing can be part of a holistic strategy to both counter VERLT and strengthen public confidence, within a framework based on respect for human rights and the rule of law.

A 1999 Report of the Independent Commission on Policing for Northern Ireland recommended the creation of a new Police Service of Northern Ireland (PSNI), reorienting the police towards community policing.[91] This is defined as working "with communities and partners to make Northern Ireland safe, confident and peaceful" by identifying and solving problems together. It is a specific legislative requirement that the PSNI "carry out their functions in co-operation with, and with the aim of securing the support of, the local community".[92] This was implemented in many ways, including by:

- Introducing a temporary programme of reserving 50 per cent of new police officer posts for individuals from a perceived Catholic background, in order to raise their numbers to 30 per cent of the police service.[93] This was intended to help increase confidence in the police among the Catholic community;
- Ensuring that police officers working in community roles are in their posts for longer, so that relationships and experience are maintained;
- Requiring all police work to be carried out so as to gain community support, and emphasizing that all police officers are ultimately responsible for the protection of both communities;

91 "A New Beginning: Policing in Northern Ireland", Independent Commission on Policing for Northern Ireland, September 1999, <http://cain.ulst.ac.uk/issues/police/patten/patten99.pdf>.

92 Section 32(5) of the Police (Northern Ireland) Act 2000.

93 This temporary measure was terminated in April 2011, as the percentage of Catholic officers reached 30 per cent, from about 8 per cent before the reform process.

- Ensuring that roles involving direct community contact are seen as a good career choice by police officers;
- Holding regular meetings with the community to listen to concerns and provide information; and
- Focusing on issues of particular concern to communities (e.g., controling sex offenders, public order).

These measures assist in countering narratives that portray the police as existing solely to reinforce state authority. Community leaders, who in the past may have been reluctant to engage with police, can develop relationships with individual officers by working together to proactively solve local issues that might otherwise develop into grievances. They are, therefore, more likely to highlight emerging issues and facilitate appropriate interventions. Furthermore, by working together with community members, and having a direct presence in neighbourhoods across Northern Ireland, individuals at risk of VERLT are more easily identified and given appropriate assistance.

Source: Report of the Independent Commission on Policing for Northern Ireland, Human Rights Annual Report 2012 of the Northern Ireland Policing Board[94]

4.2.2. The Interplay between Community Policing and Intelligence-led Policing[95]

The effective use of intelligence is critical to effective policing. A number of states have adopted intelligence-led approaches to policing, with a view to more successfully preventing and combating crime. In these approaches, data analysis and crime-related intelligence are pivotal to informing objective decision-making, both at a tactical level in individual cases (e.g., to identify and target suspected offenders on the basis of evidence) and more broadly in

94 Report of the Independent Commission on Policing for Northern Ireland, *op. cit.*, note 91; "Human Rights Annual Report 2012", Northern Ireland Policing Board, 2013, <http://www.nipolicingboard.org.uk/human_rights_annual_report_online_version.pdf>; see also, John R. Topping, "Diversifying from within Community Policing and the Governance of Security in Northern Ireland", British Journal of Criminology, Vol.48, Issue 6, 2008, pp. 798-797, <http://bjc.oxfordjournals.org/content/48/6/778.short>.

95 See, for instance, S. Virta, "Community Policing Meets New Challenges", in S. Virta, (ed.), *Policing Meets New Challenges: Preventing Radicalization and Recruitment* (Tampere: University of Tampere, 2008).

establishing strategic police priorities and allocating resources (e.g., to prioritize police action against a particular type of crime).

Crime-related intelligence results from a process of collecting, evaluating, assessing and analysing raw information from a variety of sources. These sources concern the nature of crimes, the way criminals operate and are organized, the time and location where crimes are committed and the profile and identity of victims. Much information can be derived from open sources, while other types of information may be confidential or obtained in a covert manner (e.g., through the use of SITs). To be lawful, intelligence has to be gathered, stored, processed, disseminated and used in strict compliance with national laws and international human rights standards.[96]

The term "intelligence" may have negative connotations in society or among certain communities. This is more likely to be the case where police are believed to have acted inappropriately in the past. It is important to remember that the majority of intelligence is not obtained by covert means, but is developed from open-source information. Providing explanations to the public in this regard, and possibly publishing policies governing how the police and intelligence agencies obtain and use intelligence may assist in dispelling rumours and misunderstandings.

Interaction between the police and the public can provide an important source of information for the intelligence process and thereby guide the actions of the police, both at the local and national level. Members of the public can be encouraged to share with the police their concerns in terms of personal and community safety, to exchange their perceptions of a specific crime issue, and to report any suspicious activity. Confidential mechanisms, such as anonymous telephone lines, should be provided so that people may remain anonymous. However, efforts in this regard should not exaggerate the nature of the danger or associate it with particular groups, as it may be counterproductive and result in excessive reporting about individuals belonging to certain groups and create distrust among communities.

Intelligence-led policing and community policing are complementary, mutually supportive but, at the same time, distinct approaches:

- Community policing can facilitate the sharing of information by the public with the police by building public trust and confidence in the police

96 OSCE, *Human Rights in Counterterrorism Investigations, op. cit.*, note 40.

and increasing the number of opportunities for interaction between the public and the police;
- Intelligence-led policing can help police identify, prioritize and more effectively tackle issues of concern to the public in general and specific communities in particular;
- Community police officers will often receive crime-related intelligence from national or regional briefings and can channel back to relevant services important information on crime and security issues affecting the community they serve.

Community policing is not primarily concerned with recruiting and/or cultivating informants from within the community. Gathering relevant information should only come as a by-product of community policing. Community police officers should not be tasked with gathering terrorist-related intelligence. This responsibility should remain the distinct role of counterterrorism officers or other specialized agencies.

Intelligence may emerge as a by-product of effective community policing in situations where the public has developed trust and confidence in the police. Community policing is not, and should not be, about gathering intelligence for counterterrorism.

Despite efforts to effectively and lawfully develop intelligence, the police often have to make decisions on the basis of out-of-context, incomplete and potentially inaccurate information. In particular, there will be occasions where the police are faced with a dilemma: either to take action, and risk antagonizing and alienating the community they serve; or not to act at all, and risk a major incident with consequent loss of life and/or damage to property. Robust risk-assessment and decision-making procedures within the police will assist in making proportionate and defensible decisions. The police should also endeavour, without compromising operational capabilities, to be open with the public about the practical difficulties of relying on intelligence to inform police action.

Human rights can provide a useful framework to guide decisions, as well as a reference for explaining these decisions to the public. For example, in deciding to act upon information that premises located near a school are being used to manufacture chemicals for use in explosive devices, the police will need to ensure that its surveillance techniques respect the right to privacy of the individuals within and around the premises, while aiming to protect the right to life.

4.2.3. How Community Policing Can Benefit Terrorism Prevention

When pursued in its own right and as a genuine application of democratic policing, community policing may incidentally contribute to the prevention of terrorism in a number of ways.

Anchoring policing into respect for human rights and the rule of law: Community policing can help reduce potential violations of human rights and the undermining of the rule of law by the police service or individual police officers, which might otherwise fuel grievances and alienation in certain segments of the population. Implementing community policing as a human rights-based approach to policing requires the development of operating rules and procedures that are in line with international human rights standards. It also entails equipping police officers with the necessary knowledge, attitudes and skills to protect human rights in their work. Human rights should be an integral part of all training for law enforcement officials. Police officers involved in counterterrorism should be provided with specialized training on human rights in the context of counterterrorism.

Improving public perceptions and interaction with the police: Public support for the counterterrorism actions of the police hinges on how the public perceive and interact with the police. Public trust in the police is not only a desired outcome of community policing, but also a precondition for its success. All members of the community, men and women, must believe that efforts to address their common and separate security concerns are genuine, that dialogue with the police is possible, and that their rights are respected, before they even consider participating in joint efforts.

Improving communication with the public on counterterrorism: The public should understand the nature of the threat, how they should respond in an emergency, what their rights are, where to report information, and what the police are doing to protect them. Police should consider making information available through a variety of means. This might include distributing information in different languages, as well as in formats that can be accessed by those with sight or hearing impairments.

Increasing public vigilance and resilience: Providing an accurate and balanced assessment of a terrorist threat is critical to the successful mobilization of public support and the encouragement of public vigilance. It is vital that the nature and extent of the threat be neither exaggerated nor minimized. The public must have confidence in the reliability of the messages

they are given about the terrorist threat. Police and government must carefully balance the need to gain the public's attention against the risk of frightening the population and creating anxiety and instability. By raising awareness, providing information and advice, as well as encouraging relevant citizen initiatives, the police can empower communities to develop their own internal resilience to terrorism.

Enhancing police understanding of communities as a basis to better engage and co-operate with them: Police leaders should ensure that police officers working with communities are assigned for a long-enough period to allow them to develop a sophisticated understanding of those communities and to build trusting relationships with members that, in turn, can facilitate effective engagement and co-operation with the public. Valuing and promoting community policing as a good career choice for both men and women, and providing specialized training can help officers to develop the skills and knowledge necessary to better engage and support specific groups within the community. Police officers should be representative of the population, with diverse social and cultural backgrounds: this will allow them to engage and build partnerships with particular groups.

Helping to identify and address community safety issues and grievances: The reasons why people radicalize to violence are often linked to real or perceived grievances, including violations of their rights and experiences of discrimination, and controversial policies. Community engagement and joint problem-solving efforts provide police with the opportunity to identify and address grievances affecting both men and women that may be underlying VERLT (especially where grievances concern the police), in partnership with male and female representatives of communities and other public authorities. Where an issue falls outside the responsibilities of the police, police officers can advise the public on possible courses of action to strengthen community cohesion; they can facilitate the mobilization of community members, civil society organizations and competent public authorities, as appropriate.

Facilitating timely identification and referral of critical situations: Through a process of continuous engagement, community police officers, who are trusted by the communities they serve, should be in a better position to identify and respond to emerging critical situations, based on tangible facts that have the potential to escalate towards violence. These may include concerns that an individual might be vulnerable to violent extremism and terrorist recruitment, a clash between opposing factions within a community,

or growing tensions between two different communities in the same location. Such problems can often be effectively addressed by a wide range of individuals or groups who are trusted and respected by the whole community. While community police officers should not try to shift responsibility, they should recognize the important contribution that others can make to solving emerging threats or community problems.

Improving relations between the police and individuals and groups that have been hard to reach or not yet engaged with: Having better knowledge of communities and being able to rely on partners within communities will improve the ability of the police to reach individuals or groups that are otherwise difficult for the police to approach. This is particularly true if the individuals or groups are distrustful or marginalized, or if they generally avoid contact with the public. As with any member of the public, these individuals might be witnesses to situations of concern, themselves be vulnerable to VERLT or be potential victims of violent extremism.

Only if community policing is pursued in its own right, as a genuine application of democratic policing, can it contribute to the prevention of terrorism.

Case study No. 6: Human rights and the Police Service of Northern Ireland, United Kingdom

A core principle that underpinned the establishment of the PSNI was that the police should place human rights at the heart of all they do. Robust oversight mechanisms, both internal and external, provide the community and police officers with clear guidance as to the standards that are expected of the police.[97] This has been instrumental in increasing community confidence in the police, as the public is aware that officers who act improperly will be sanctioned. At the same time, officers are protected from unfounded allegations.

97 These oversight mechanisms include a police ombudsman (www.policeombudsman.org) and a policing board composed of political members and representatives of civil society.

Formal interventions using police powers are avoided where possible (including community restorative justice), so that people are kept outside the criminal-justice system. These measures are used for many minor crimes. These measures assist in building confidence between the community and police, apart from ensuring compliance with international standards concerning, for example, juvenile justice.

The PSNI also has a dedicated legal adviser specialized in human rights.[98] This ensures that practical and effective advice is available to all officers, at all levels of the organization. Policies and procedures are screened for compliance with international law and human rights standards, and advice can be provided regarding specific operations, e.g., those involving public-order situations and terrorist investigations.

Source: Police Service of Northern Ireland[99]

4.2.4. The Benefits of Engaging with the Police from a Community Perspective

For communities, the advantages of engaging with the police and establishing close interaction may not be immediately apparent. Where there is a history of poor or strained relations with the police, there will at first be public mistrust and suspicion. In such circumstances, significant efforts from the police will be required to rebuild confidence and provide evidence of some tangible benefits for the community, not necessarily in relation to preventing terrorism.

Nevertheless, it is in the interest of the public to encourage the police to be committed to, and implement, community policing as a genuine application of democratic policing. With respect to the prevention of terrorism, this would provide members of the public with opportunities to:

- Seek information on how to protect themselves and their communities from the threat of terrorism and VERLT, and understand how they can intervene in critical situations;

98 Report of the Independent Commission on Policing for Northern Ireland, *op. cit.*, note 91.
99 "Draft Operational Guidance on when and how to obtain a non-court diversion decision by telephone from the public prosecution service", Police Service of Northern Ireland, <http://www.psni.police.uk/draft_guidance_on_non_court_telephone_diversion_decisions.pdf>.

- Contribute to the police assessment of how the threat of terrorism affects the community, what factors contribute to it, and influence police decision-making on steps to take;
- Improve the police's understanding of the community, in order to encourage a more respectful and tailored approach;
- Explain to the police the capacities and needs of the community, in order to be a partner in preventing terrorism and countering VERLT;
- Promote dialogue within the community on the threat of terrorism and VERLT, to generate a common understanding and trust among community members for joint action;
- Improve community members' understanding of the role and functions of the police, in particular as it relates to counterterrorism;
- Work to build cohesion within the community and mobilize its members to engage collectively and develop partnerships with the police;
- Improve community members' knowledge of their rights and accountability mechanisms in case of police misconduct;
- Provide feedback on both the effectiveness and shortcomings of police action;
- Raise other issues with and through the police that are of more primary concern to them and their communities. This is particularly important for women, whose security concerns are different from those of men and may not always be treated as a priority by the police (for example, domestic violence, which predominantly affects women); and
- Demonstrate to other communities and society as a whole that their community is concerned about terrorism and supports efforts to prevent terrorism and counter VERLT, thus challenging possible prejudices that the community could tacitly support terrorism.

4.2.5. Minimizing Risks in Applying a Community-policing Approach to Preventing Terrorism

Although harnessing a community-policing approach to preventing terrorism and countering VERLT can deliver some tangible benefits, there are some inherent risks that the police should remain aware of and try to minimize through careful assessment and planning.[100]

100 Practical guidance on minimizing these risks can be found throughout Section 5 of this guidebook.

The risk of over-reliance on community police: Community police officers will not always have, and should not be required to possess, the expertise and skills of dedicated counterterrorism officers. They might, therefore, not always be able to identify and recognize actions, behaviours and information they encounter as either relevant or significant in relation to preventing terrorism or countering VERLT. It is for this reason that a cohesive and effective relationship between community police teams and counterterrorism units should be established. However, their roles should not be blurred, and both sides should recognize the skills and knowledge that the other side brings to the collective effort to keep the public safe.

The risk of stigmatizing particular communities through selective engagement: There is a significant risk in engagement activities that target specific communities. Such activities may create or reinforce a perception that these are "problem communities" that are more vulnerable to terrorism than others. The police should deliver credible, sustainable and non-discriminatory engagement plans that include *all* the communities and groups within the community to mitigate this risk. Stigmatizing specific communities and groups can lead to alienation and will ultimately prove counterproductive to mobilizing all sectors of the public and developing partnerships with them to prevent terrorism and counter VERLT.

The risk of securitizing the relationship with communities: Active police-led engagement with a particular community on preventing terrorism runs the risk that interactions between public authorities and that community will be reduced, in reality or only in terms of perceptions, to counterterrorism. This may result in members of this community disengaging from, or avoiding interaction with, the police. Preventing terrorism cannot be reduced to police work: it should be jointly delivered with other authorities. Likewise, the interaction of the state, including the police, with communities should not be reduced to countering terrorism: it should address the whole range of issues and needs that are of concern to different communities in a society.

The risk of using community policing to spy on communities: Community policing is not about targeting police action against particular communities. There is a risk that community-policing initiatives may be used or perceived as a cover for special operations aimed at gathering intelligence, monitoring and surveillance of particular communities. Such situations may not only violate human rights and fundamental freedoms, they may also result in a significant backlash from communities, withdrawal of

public support for counterterrorism and a profound undermining of trust in the police, in particular community police.

Risks to people engaging with the police: Community members may disagree on whether or not to engage with the police. Some may think it is not in the interest of the community, and might even consider that doing otherwise is a betrayal. Members who do engage with the police, even if they do not personally seek such contact, might be perceived negatively by some other community members. This could lead to disapproval and shunning, intimidation and, possibly, even to physical harm against the person with whom the police are engaging. The police should assess and bear these risks in mind to decide how best to engage someone, what possible advice may be given and the precautions that may be needed, including by the police, to ensure the personal safety of this individual.

The risk that the police unintentionally appear to support a particular individual or group: Communities can be very heterogeneous, fragmented and even factionalized. Specific people or groups may be perceived by others as representing a certain interest or idea. There is a risk that by engaging with them, the police might be perceived as co-opting or supporting them over others, and could thereby alienate other community members or other communities. This requires sensitive handling based on knowledge of the community and an understanding of its dynamics, as well as open and inclusive dialogue with various members of the community and transparency about the purpose of the police. The police should be particularly careful to plan beforehand how to engage with an individual or group to which they do not want to give a platform or legitimacy.

There are some inherent risks that the police should remain aware of and seek to minimize when applying community-policing approaches. There is, in particular, the risk of stigmatizing particular communities, securitizing relationships with communities and using community policing to spy on communities.

The police can effectively assess and plan for the mitigation of the above risks by conducting a Strengths, Weakness, Opportunities and Threats (SWOT) analysis of strengths and weaknesses (internal factors), as well as opportunities and threats (external factors). This can be a useful tool that can help the police to assess a situation, identify options and anticipate their potential

impact, including unintended consequences, before deciding on achievable goal(s) and an appropriate course of action.

Figure No. 4: Example of the application of a SWOT analysis to leveraging community policing as part of terrorism-prevention efforts

	HELPFUL to achieving the objective	**HARMFUL** to achieving the objective
Factors **INTERNAL** to the police	Examples of **STRENGTHS** • The police are committed to democratic policing and have introduced continuous human rights and gender training for all officers; • The police assess terrorism as a threat to communities rather than to state security; and • The police have a sophisticated understanding of the makeup and dynamics of the communities they serve.	Examples of **WEAKNESSES** • There is limited community-policing culture and experience within the police; • Police identify and decide to specifically engage a particular community as a counterterrorism concern; and • Front-line police officers misunderstand that they are expected to gather counterterrorism intelligence.
Factors **EXTERNAL** to the police	Examples of **OPPORTUNITIES** • Some community leaders have expressed concerns about VERLT to the police and a desire to do something about it; • Government decision-makers are committed to a comprehensive strategy to prevent terrorism and counter VERLT; and • Other public authorities recognize their own responsibility and the need to work jointly with the police to prevent terrorism.	Examples of **THREATS** • There is a history of distrust and misunderstanding of police actions and initiatives among community members; • Community members who previously engaged with the police have been subject to intimidation and physical threats; and • Some groups and individuals in a divided community seek to engage with the police to enhance their own status and legitimacy.

Summary of Key Points – Subsection 4.2.

- If pursued as a genuine application/implementation of democratic policing, community policing can make a tangible and durable contribution to preventing terrorism and countering VERLT. Much of its benefit to counterterrorism will arise as a by-product when community policing is implemented in its own right.
- Community policing cannot function as a stand-alone tool to prevent terrorism and counter VERLT. It should be embedded in a comprehensive and coherent strategy to combat terrorism in all its forms and manifestations and tackle conditions that are conducive to it.
- Purposeful use of community-policing tools to prevent terrorism and counter VERLT should be carefully planned and prepared so as not to undermine the very principles of community policing and the public trust and support it seeks to generate.
- Intelligence-led policing and community policing are complementary but distinct approaches. Intelligence may emerge as a by-product of effective community policing, where the public has developed trust and confidence in the police. Community policing is not, and should not be, about purposeful intelligence gathering for counterterrorism.
- There are some inherent risks that the police should remain aware of and try to minimize when applying community-policing approaches, in particular the risk of stigmatizing particular communities, securitizing the relationship with communities and using community policing to spy on communities.
- Significant time and police effort may be required to (re-)build public confidence, explain the stakes in engaging with the police, and provide evidence of tangible benefits of such engagement for the community, not necessarily in relation to preventing terrorism.

5. Implementing Community-Policing Approaches to Preventing Terrorism and Countering VERLT

Community policing as a concept has been interpreted and implemented in a variety of ways by countries in the OSCE area and beyond. This is primarily a consequence of differences in history, culture, legal traditions, and politics that have affected the manner in which policing has evolved. A community-policing approach to preventing terrorism needs to be adapted to the political, social and geographical context in which it is to be implemented. Commonalities exist, however, when it comes to how accountability and engagement could be approached to be effective and true to the principles underlying democratic policing.

Community support cannot be assumed; it must be won. This holds particularly true with regard to preventing and countering terrorism, which is an issue that may appear irrelevant, very remote or too sensitive to members of the public, and even engender suspicion and hostility vis-à-vis the police in some communities. Winning community support might take a significant amount of time and effort, depending on the general relationship between the public and the police and the level of democratic policing that already exists in a given society. It is important that the police commit both energy and resources in support of a long-term strategy.

5.1. TRANSPARENCY AND ACCOUNTABILITY OF POLICE OPERATIONS

This subsection will address the following questions:

- How can community policing apply, as a philosophy and/or organizational strategy, to countering terrorism?
- How can human rights compliance and accountability in all counterterrorism police actions be ensured?

Among the key principles of democratic policing and thus of community policing are that the police are accountable to the public for their conduct, their actions and the outcomes of their actions, and that they should respect and protect the rights of community members. These principles should apply to the police as a whole, including community police and police tasked with counterterrorism.

5.1.1. Community Policing and Counterterrorism Operations

Counterterrorism operations should be clearly distinguished from community policing. The rationale for this clear demarcation is to prevent either the reality or the perception among the public that a security agenda is being pursued *covertly* under the guise of outreach work for cohesion and community safety. Otherwise, there is a risk of undermining public confidence in the police and, in particular, trust in the community police, which is crucial to their effectiveness.

- Policies and measures to increase community cohesion, resilience to crime and public safety are best delivered by a multi-stakeholder alliance of community police officers, community organizations, youth groups, women's groups, local authority representatives, schools and social services.
- Specific counterterrorism measures and operations should be delivered by specialist counterterrorism officers and intelligence agencies. These agents should not act under the guise of community-police officers, and they should focus their efforts only against those assessed, based on specific intelligence, to be intent on committing a crime or involved in acts preparatory to the commission of a crime.

Counterterrorism operations should be clearly distinguished from community policing to prevent the reality or perception among the public that a security agenda is being pursued covertly under the guise of outreach work for cohesion and community safety.

Case study No. 7: Community-policing efforts undermined by a controversial intelligence operation, New York Police Department, United States

The New York Police Department (NYPD) initiated, as part of its counterterrorism efforts, a covert intelligence-gathering operation specifically targeting people of Muslim faith and/or of Middle Eastern or South East Asian origin. The operation notably involved plainclothes officers of ethnic-minority background and with specialized language skills, as well as informants in 262 identified community locales, such as mosques, restaurants and cafes. The officers were tasked with listening to discussions, observing interactions among community members and actively engaging with some of them.

The operation was uncovered and reported by the media, sparking a tense public debate about the controversial nature of the initiative. After having first denied the existence of the operation, the NYPD eventually admitted to it, and some of its officers were required to testify before an oversight committee of the national legislative body, the United States Congress. Official documents about the operation obtained and disclosed by the media, and the subsequent testimonies by NYPD representatives, confirmed that plainclothes officers had been eavesdropping on community members without a reasonable indication of wrongdoing. Reportedly, the NYPD gathered information on every restaurant of a specific ethnic affiliation and every Muslim student association. Allegedly, they even opened a file, without evidence that a crime had been committed or was planned, on an imam who had embraced partnership with the police, welcomed them in his mosque and had publically spoken out against terrorism.

These revelations fuelled accusations by community members, human rights lawyers and members of Congress that the NYPD had been spying on Muslims and violating their rights by using discriminatory ethnic-profiling and entrapment tactics. Muslim leaders decided to boycott functions organized by the New York City authorities. Some community activists started a campaign to call on community members not to co-operate with the police any longer. Community members held demonstrations against the NYPD to denounce the operation. Representatives of other police agencies in the United States also strongly criticized the operation for undermining years of effort to build trust and partnerships between Muslims and the authorities, including for preventing terrorism.

A senior NYPD commander, responsible for the department in charge of this controversial intelligence operation, admitted in a court statement that, to his knowledge, the operation never generated any terrorism-relevant leads. While the lawfulness of the operation is still in dispute, it has caused obvious damage to the trust and potential for partnerships between the police and sectors of the public. It also points to a possible lack of effective oversight of intelligence operations to ensure human rights compliance.

Source: Publically available media reports[101]

Adequate information exchange and effective co-ordination between community police and counterterrorism operations should be ensured, while ensuring that they remain distinct strands of work. This needs to be supported by clear protocols and procedures to minimize the risk that both types of operations might disrupt one another:

- Community police officers need to be able to recognize and relay relevant information to counterterrorism officers; and
- Counterterrorism officers need to provide adequate and timely information to community police officers in the form of general area briefings. Where possible, community police should also be briefed on the reasons behind specific counterterrorism operations, so that they can provide reassurances that these have been carried out in order to ensure public safety.

However, a community-policing philosophy can also be applied to counterterrorism operations.[102] For instance, counterterrorism officers could be encouraged to engage with the public via a designated spokesperson, where possible, and without compromising their operational capability, in order to offer information about:

- Their role, operational objectives and organizational values and standards;
- How counterterrorism operations are planned and carried out, including the reality that authorities often must act despite conflicting information or an incomplete intelligence picture;

101 "AP's Probe into NYPD Intelligence Operations", Associated Press, multiple articles, <http://www.ap.org/Index/AP-In-The-News/NYPD>; "NYPD: Muslim spying led to no leads, terror cases", Associated Press, 21 August 2012, <http://www.ap.org/Content/AP-In-The-News/2012/NYPD-Muslim-spying-led-to-no-leads-terror-cases>.

102 See, for instance, Section 5.3.1 of this guidebook.

- The importance of intelligence in the fight against VERLT and the vital role members of the public themselves can play in providing information that can contribute to the development of accurate intelligence; and
- Their strong commitment to protecting human rights, to combating discrimination against men and women from minority and other communities and to relying on robust recording, internal and external oversight, and accountability mechanisms.

These measures can assist in dispelling harmful rumours about intelligence gathering, by highlighting its place within a human rights-compliant framework regulating all police activity. In this context, some counterterrorism officers could be assigned to conduct outreach and serve as liaisons with specific communities. They should be up front about the nature of their assignment and make clear that they are not community police officers.

Case study No. 8: Simulation exercises on national security with community members, Royal Canadian Mounted Police, Canada

The work of the Royal Canadian Mounted Police (RCMP) is premised on the idea that successful policing requires the development of a positive relationship between the police and the communities they serve. Communities need to trust the police and to have the confidence that if they call the police, they can expect a professional, proportionate, effective and accountable response. This is especially true when dealing with national-security investigations. It is difficult for the majority of people to appreciate the complexity of a national-security criminal investigation in reality, while movies and television offer countless examples of police officers breaking every investigative rule in their pursuit of terrorists.

In an effort to address this lack of understanding, the RCMP, through its National Security Community Outreach efforts, developed a simulation exercise in which community members are given the opportunity to take on the role of the police conducting a terrorism investigation. Prior to an exercise, participants are provided with a series of briefings by the various agencies involved in national security investigations. The agencies explain their role, their requirements to operate within the rule of law and how they are held accountable. Briefings are provided by the Canadian Security Intelligence Service, the Canada Border Services Agency, the Public Prosecution Service and the RCMP. In addition, the independent civilian body responsible for reviewing complaints against the RCMP (the Commission for Public Complaints against the RCMP) explains how the RCMP is held accountable for their actions.

After the briefings, participants are divided into smaller teams and, with a facilitator, begin their investigation. Each team is given a police officer's notebook and instructed to keep an accurate set of notes. A series of inputs are provided, and the "investigators" are required to make decisions based on the information provided to them in their briefings. Throughout the investigation, the investigators are challenged by the facilitators as to why they made certain decisions and whether or not they are consistent with law, policy and public expectations. At the completion of a two-hour exercise, the investigators have successfully disrupted a terrorist plot, but more importantly, they leave with an improved understanding of the realities of a terrorism investigation. These exercises allow participants to gain first-hand experience with national security that is based on trust, accountability, understanding, transparency and the rule of law.

Source: Adapted from information provided by the Royal Canadian Mounted Police

5.1.2. Measures to Ensure the Human Rights Compliance and Accountability of Police Actions for Counterterrorism

A community-policing approach to countering terrorism must comply with international human rights standards and should increase the accountability of police counterterrorism actions. This can be achieved through the measures set out below.

Increasing the transparency and accessibility of policy development and evaluation: Public understanding of, and confidence in, police action to counterterrorism can be strengthened through a process of policy

development and evaluation that is transparent and accessible to the public. This may include:

- **Elaborating public policy documents:** The police can develop written policy approaches to contentious issues, such as stop-and-search methods, searches of houses and other premises, counterterrorism-related arrests and terrorist alerts. Such policies can be fairly broad statements of intention and purpose that illustrate the commitment of the police to transparency. The standard operating procedures (SOPs) that govern police action are not normally published or made available for public scrutiny, especially those that include specific details in relation to tactics and operational deployments. However, a presumption in favour of publication should be applied, with only sensitive tactics and methodologies kept secret; and
- **Public consultations during formulation and evaluation:** The police should consult the public as much as possible in formulating policies and SOPs and evaluating the way they have been implemented. An SOP document that deals with sensitive operational matters not suitable for public dissemination could be shared with a small and trusted group of community representatives, both men and women, particularly if those individuals have undergone a vetting process and have obtained the appropriate security clearance for sensitive documents. It must be made clear that such involvement is not intended to provide selected individuals with some form of privileged access to the police. Moreover, a full assessment should be conducted about the possible personal risks people may be confronted with by co-operating with the police in this way.

Embedding human right standards in police action against terrorism involves**:**

- **Training on human rights and gender issues:** All police officers should undergo basic training in human rights and gender equality, international standards and relevant national legislation. Human rights and gender issues should be incorporated into all aspects of training for law enforcement officials.[103] Police officers working in counterterrorism should also be provided with specialized training in human rights relevant

103 See *Guidelines on Human Rights Education for Law Enforcement Officials* (Warsaw: OSCE/ODIHR, 2012), <http://www.osce.org/odihr/93968>. Also see the professional training materials for law enforcement officials produced by the UN Office of the High Commissioner for Human Rights, available at <http://www.ohchr.org/EN/PublicationsResources/Pages/TrainingEducationthree.aspx>.

to their operational responsibilities.[104] Care should be taken to ensure that such training is practically focused. An overly academic approach may lead to the disengagement of police officers from the issues covered. Training should reinforce the message that human rights-compliant policing is operationally effective policing and that it provides officers with a narrative to justify their actions in a coherent framework. Training should include built-in evaluation processes and be subjected to periodic evaluation by independent and external evaluators, and involve diverse stakeholders, including civil society representatives. Impact assessments of training programmes should also examine their sustainability and long-term impact on the application of human rights in the actions and behaviour of officers and, more broadly, in relation to respect for human rights in practice;[105]

- **Testing for human rights compliance:** All policies and SOPs should be subjected to a rigorous process to determine whether they comply with international human rights and gender standards and relevant domestic legislation, to ensure that they are justified, necessary, proportionate and non-discriminatory.[106] This will not only increase effectiveness and public confidence, but will also reduce the likelihood of legal challenges;
- **Dedicated human rights adviser(s):** While all police officers should be familiar with human rights standards, a legal expert with a specialization in human rights and gender issues could provide practical and effective advice to all officers at all levels, as well as screen policies and procedures to ensure that they comply with domestic and international human rights standards and to advise on specific operations; and
- **Evaluation:** A regular evaluation of the impact of police policies, SOPs and practices on human rights and their gender implications should be carried out both internally and externally by independent evaluators. Such an evaluation would complement the process of compliance-testing policies and SOPs by assessing the human rights and gender concerns that the implementation of particular measures may raise. The evaluation could be made public and should inform the periodic revision of police policies and SOPs, as well as the identification of training needs related to human rights and gender issues.

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104 OSCE/ODIHR, *Countering Terrorism*, *op. cit.*, note 7.
105 OSCE/ODIHR, *Guidelines on Human Rights Education for Law Enforcement Officials*, *op. cit.*, note 103.
106 OSCE, *Human Rights in Counterterrorism Investigations*, *op. cit.*, note 40.

Increasing the accountability of police action against terrorism to the public includes:

- **Assessing community impact:** The impact of police policies, SOPs and other measures against terrorism on the public in general and on particular communities should be assessed. This would allow the police to identify possible issues and take appropriate corrective measures. Police should take a participatory approach and be as inclusive as possible in assessing community impact, to benefit from a broad range of views and feedback from members and groups in the public, men and women alike. The police should strive to involve those communities and community members, in particular women, who appear disproportionately affected by police counterterrorism measures. The police should be transparent about the findings of such community-impact assessments and corrective actions undertaken;[107]
- **SOPs should mandate accurate record-keeping:** Even matters that cannot be open to public scrutiny, because they are sensitive or under investigation, can, and at some point should, be open to supervision by police-oversight bodies, public prosecutors and the courts. National legislation should give such bodies the fullest level of access to police documentation. Accurate records provide integrity to investigative or intelligence-gathering processes and also provide a reliable audit trail charting the progress of events throughout an operation and the decisions that are made in the course of an investigation; and
- **Setting up robust oversight and accountability mechanisms,** both internal and external, to provide the community and police officers with clear guidance as to the standards that are expected from the police.[108] Community confidence in the police will increase if the public are made aware that officers who act improperly will face effective and proportionate disciplinary proceedings. It is also essential that the public be kept informed of the outcome of internal investigations of police misconduct.

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107 Also see Section 5.7 of this guidebook.

108 Addendum to the Report of the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, "Study on police oversight mechanisms", Fourteenth Session of the Human Rights Council, Doc. A/HRC/14/24/Add.8, 28 May 2010, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.24.Add8.pdf>.

Summary of Key Points – Subsection 5.1.

- Community police can contribute to the prevention of terrorism by supporting community resilience and cohesion, as well as by enhancing public interaction with, and confidence in, the police. However, community police officers should not be tasked with specific counterterrorism measures.
- Specific counterterrorism measures and operations should be entrusted to specialist counterterrorism officers and intelligence agencies, who should not act under the guise of community police officers.
- Adequate information exchange and effective co-ordination between community police and counterterrorism operations should be ensured, so that they do not disrupt one another while they engage in their distinct strands of work.
- Community policing, as a philosophy, can also be applied to countering terrorism through specific outreach efforts to explain counterterrorism work to the public, to emphasize safeguards and police commitment to uphold human rights, and to involve all members of the public in the formulation and evaluation of policies and measures to increase accountability.
- All police actions related to countering terrorism should be effectively accountable and strictly compliant with national laws and international human rights standards.

5.2. TASKING AND TRAINING FOR COMMUNITY POLICE OFFICERS

This subsection will address the following questions:

- What aspects of tasking and procedures should be clarified to provide a framework that would enable community police officers to help to prevent terrorism and counter VERLT?
- What knowledge and skills do individual community police officers and community police teams as a whole require to be effective in helping to prevent terrorism and counter VERLT?

5.2.1. Policies and Standard Operating Procedures

Community police officers need to be guided by a framework of clear, human rights - and gender - compliant policies and SOPs. These SOPs should, in particular, establish and regulate an adequate system for regular reciprocal exchange of information between community police, other police branches and agencies or public authorities. Such a system should define communication channels, recording and reporting protocols, briefings and debriefing procedures. Efforts should be made to ensure that communication is ongoing and reciprocal. Communication should occur through formal exchanges and meetings, yet continuously allow opportunities to exchange information on a less formal basis as needs arise.

Community police officers, like all other police officers, need to know:

- Which matters they should be vigilant about during their work, including the potential impact of their actions on the human rights of both men and women, as well as ways to handle witnesses and the immediate needs of victims while ensuring their security and protecting their right to privacy;
- How to record and report relevant information or concerns;
- Which situations require their immediate action, and how they should act under those circumstances; and
- Whether and how they are authorized to engage with members of the public on preventing terrorism and countering VERLT.[109]

The chain of command for community police officers should be clear and should specify:

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109 See Sections 5.3 and 5.4.1 of this guidebook.

- Who is responsible for reporting outside the direct chain of command, depending on the nature and urgency of the concerns and available information;
- What concerns and information need to be reported to other branches of the police, other agencies or public authorities, and what the applicable protocols and channels of communication are; and
- What responsibilities individual officers have for documenting and recording accurate information concerning community-policing activities relating to preventing terrorism and countering VERLT in order to allow for effective oversight and accountability in their work.

5.2.2. Community Police Team Learning and Development

An adequate framework of policies and procedures needs to be complemented with an effective policy for human resources management, covering gender-balanced recruitment, training and career development, to ensure that men and women serving as community police officers have the necessary skills and knowledge to undertake their expected role.

Assembling and developing a successful community police team takes time and careful planning.[110] This may include:

- Composing diverse police teams that reflect the demographics of the community they serve, and that are characterized by adequate experience and an appropriate gender balance. The decision to assign a police officer to serve a particular community should never be determined only by the officer's gender and ethnic or religious background. It should take into account the skills, knowledge and credibility needed to effectively establish relationships with the community;
- Encouraging officers and staff with additional knowledge or expertise to apply for posts in community police teams; additional skills might include command of a second or third language, and knowledge or understanding about a particular faith or ethnic minority;
- Developing skills in mediation and conflict management, chairing or facilitating community meetings, an array of communication skills, including presentation and listening skills;

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110 See *Recommendations on Policing in Multi-Ethnic Societies* (The Hague: OSCE/High Commissioner on National Minorities, 2006), <http://www.osce.org/hcnm/32227>; and OSCE, *Good Practices in Building Police-Public Partnerships*, *op. cit.*, note 6.

- Developing knowledge related to equality, diversity and human rights;
- Encouraging officers working in the community to develop their own skills for reflecting on and evaluating their own performance. While first-line supervisors and team leaders will have a major responsibility for developing their staff, individual officers themselves have a responsibility for personal professional development;
- Incorporating incentives and the accompanying metrics to ensure that community-policing skills, knowledge and activities are provided adequate attention and are incorporated within the hiring and promotional processes; and
- Harnessing the knowledge and skills available within the local community to enhance the effectiveness of police training. By involving community members in the design and delivery of community police training, local police commanders can foster a sense of shared endeavour between the public and the police, and also deliver on a policy of openness and accountability. Bringing a member of the public and a police officer together in a controlled training environment allows both to see problems, issues and local challenges from the perspective of the other. Men and women from the local community are best placed to educate police officers about the diversity of the surrounding population and are in a good position to highlight emerging issues, tensions or concerns. Police could also be more transparent about the training programmes that police officers undergo to increase credibility and public trust. In particular, the police could provide information about any external facilitators relied upon and share with the public the materials used for cultural-awareness training.

To be effective at helping to prevent terrorism and counter VERLT, a community police team needs a further set of knowledge and skills. This may include:

- Knowledge of the domestic legislation and existing policy for the prevention of terrorism;
- Understanding the phenomena of terrorism, violent extremism and terrorist radicalization, including conditions conducive to terrorism, and the push and pull factors that may put an individual at risk of VERLT;
- Specialized training on human rights in counterterrorism;
- Identifying suspicious behaviour or situations and evaluating options for interventions, without relying on discriminatory profiling practices and taking into account that holding radical or extreme views should not be considered a crime if they are not associated with violence or other unlawful acts, as legally defined, in compliance with international human rights law;

- Understanding how terrorists may try to take advantage of a community for support, hiding, smuggling, raising funds and procuring weapons and/or explosives;
- Awareness of potential terrorist targets in their community;
- Understanding the sensitivities and risks around involving members of the public in efforts of preventing terrorism and countering VERLT; and
- Handling public and local media inquiries on terrorism.

The annex to this guidebook provides a generic template for an awareness-raising course for community police officers on preventing terrorism and countering VERLT. Key issues to be addressed are highlighted, but it is important to tailor the content and delivery of the course with information specific to the national situation and, to the greatest extent possible, the area of deployment of the community police officers. The course should include the protection of human rights and use varied examples to demonstrate that terrorism and violent extremism cannot be associated with a particular group or community.[111] Members of the community could be involved in the course to facilitate contact and dialogue.[112]

111 Countering Violent Extremism (CVE) Training: Guidance & Best Practices, United States, Department of Homeland Security, Office for Civil Rights and Civil Liberties, 2011, <http://www.dhs.gov/xlibrary/assets/cve-training-guidance.pdf>.

112 See Section 5.2.2 of this guidebook.

Case study No. 9: Community Policing and the Prevention of Radicalization (COPPRA) Project, European Union/Belgium

COPPRA is a project funded by the European Union aimed at increasing the role of front-line police officers in the early detection of violent radicalization. It was launched in Belgium in 2010 and now involves 15 other European Union Member States.[113]

Phase 1 of the project developed a user-friendly pocket guide for front-line officers, including guidelines on community engagement; brief information on violent groups and their symbols; possible indicators to be considered, in conjunction with a particular context and in combination with other factors, to determine if a situation could be of concern. In addition, the project elaborated a manual for training on how to use the guide. This manual includes materials on terminology, the radicalization process, case studies, how to build community relations, legal frameworks and profiles of multiple violent groups and movements operating across Europe.

Phase 2 of the project entails an update of the guide and manual, the provision of train-the-trainers programmes and the creation of an e-learning module based on the COPPRA materials.

Source: COPPRA factsheet provided by the Belgian Federal Police

5.2.3. A Five-Element Model for Community Police Intervention

Community police officers can rely on a number of different interventions to try to solve community problems. The first and key requirement though, is to accurately understand the nature and scale of the problem. This can be done through the engagement process, through meetings, discussions and other police-community encounters. Further information can be sought from police intelligence units, other public service agencies, by scanning local media and other news outlets, etc.

Community police officers should have a plan or strategy for intervention to address and resolve community problems that relate specifically

113 European Diversity in Policing, project website, <http://ed-pol.eu/site/?page_id=980>.

to VERLT. These may be problems that are caused by rising community tensions, due to either intra – or inter-community difficulties. These tensions might be linked to one particular incident or event of the recent past, or they might be due to a series of different, and perhaps unconnected, problems or concerns.

Empowerment: Actions taken to empower communities to engage with and tackle problems related to preventing terrorism and countering VERLT can have positive effects in the longer term, as they can assist in building community resilience and thereby reduce the need for the involvement of the police. Community police officers can encourage the mobilization of community members and the development of community-driven initiatives. Police officers can use their knowledge and expertise to develop the skills of concerned members of the public. This may include providing information and/or training on:

- How to locate and access public records or other sources of relevant information;
- How to mobilize community support;
- How to access and participate effectively in public consultations;
- How to advocate or petition for change in public policy;
- How to attract and stimulate media interest;
- How to frame an argument or objection to effectively influence policy;
- How to present acceptable compromise policies or alternative approaches; and
- How to apply for funding or support from public authorities.

Education: Problems can sometimes be addressed and reduced through a process of education, which the police can encourage and contribute to. This can take the form of public information campaigns in schools, youth clubs and public places in an effort to try to combat offending behaviour, or by raising awareness of the law and the serious consequences of crime for victims, offenders and the community as a whole.

Enforcement activity: In the early stages, crime problems, especially localized ones, that are precursors or contributory factors to VERLT can sometimes be quickly contained through targeted enforcement activity.

Infrastructure improvement: Some concerns, tensions or grievances in communities can be solved through infrastructure changes. Although it is unlikely that the police alone can initiate such changes, they can join with other stakeholders to lobby for, or facilitate, inter-agency action. This might

consist of securing the perimeter around a particular site, removing offensive graffiti, or establishing a youth and community centre.

Evaluation: On all occasions where specific actions, policy changes, initiatives or interagency plans have been put into effect, it is important to evaluate and assess the degree of success, sustainability or long-term viability of any particular measure and draw relevant lessons.[114] These findings should be shared with the public.

Case study No. 10: The Integrated Security Management Matrix, North Holland, the Netherlands

The Integrated Security Management Matrix (Matrix Integrale Veiligheidszorg) is a tool used by municipal authorities and community police officers in the North Holland region of the Netherlands to identify, prioritize and address safety and security issues in partnership with community stakeholders.

In collaboration with local authorities, community police officers organize a meeting that brings together representatives of the community to identify the most significant safety and security issues affecting the municipality or a particular neighbourhood. The community police officers contribute to the discussions by sharing an analysis they have prepared that draws on their personal knowledge of the community, available demographic and socio-economic data, and information from police records, such as crime data. The objective of the meeting is for all partners to identify a number of priorities they will try to tackle together over a given period of time.

114 See Section 5.7 of this guidebook.

For each priority, the partners brainstorm to agree on a description of the issue, the desired outcome(s) and the role and responsibilities of the different stakeholders who will be actively involved in solving the issue. The agreed-upon problem-solving approach is summarized in the format of an integrated security management matrix.[115] The matrix provides a clear schematic representation of the contribution of all partners (who, what, where, when and how) towards an integrated solution. Two follow-up meetings are held during the period agreed upon to tackle the issue in order to discuss the efforts undertaken, the possible results achieved and to review the matrix. The matrix in itself is simple to fill in. It is the process of engagement and collective deliberation with community stakeholders that is the key to effectiveness.

Source: The Ministry of Interior and Kingdom Relations of the Netherlands[116]

Summary of Key Points – Subsection 5.2.

- Tasking and co-ordination are important aspects of broader police efforts to prevent terrorism and counter VERLT. It is important to establish and maintain clarity about areas of operational responsibility between the community police and other police units or agencies that are working in the same geographic area.
- There must be a clear framework of policies and command structure to govern the community police and its involvement in helping prevent terrorism and counter VERLT, with appropriate levels of decision-making and assignment of responsibilities.
- Community police officers are not counterterrorism investigators and should not operate as such. There is a need for clear procedures and training with regard to their expected role in preventing terrorism and countering VERLT, including an understanding of what VERLT is, as well as of relevant matters to be vigilant about; the potential impact of their actions on the human rights of men and women; whether and how to engage with the public; actions to take in critical situations; and record-keeping and reporting.

115 The matrix is available at <http://www.integraleveiligheidnhn.nl/bestanden/Matrix_IVZ_versie_II.xls>.

116 "Politie en lokaal integraal Veiligheidsbeleid", *Inspectiebericht*, Vol. 4, No. 4, 2008.

5.3. COMMUNICATING AND EXCHANGING INFORMATION WITH THE PUBLIC

This subsection will address the following questions:

- Why is communicating with the public and the media on counterterrorism necessary, and what makes it effective?
- Why is it important to exchange information with communities? What helps or undermines effective exchange of information between the police and communities?

5.3.1. Communicating with the Public on Counterterrorism

Effective, appropriate and timely communication is at the core of successful community-policing approaches to preventing terrorism and countering VERLT. However, there are inherent risks in this process: too little communication can lead to rising levels of public anxiety; too much communication and careless handling of information can undermine police operational capability and/or subsequent judicial proceedings; inappropriate or insensitive communication with either men or women can alienate the community and damage police-public relations.

Police should proactively and regularly communicate with the public, not just in response to a specific counterterrorism activity or a terrorist incident. Individuals often have limited interaction with the police until a crisis happens, whether a traffic accident, a public safety issue, a terrorist act or another criminal activity. It is important for police officers to develop proactive styles of communication with the public. With respect to terrorism, police officers should be able to communicate and explain to the public:

- The nature and extent of the threat of terrorism, neither exaggerating nor minimizing it. The public must have confidence in the reliability of the messages they are given about the terrorist threat;
- The role of the police and what is being done to protect the public;
- How members of the public and communities can protect themselves against terrorism;
- Unusual or suspicious activity or behaviour to look out for, such as abandoned baggage;
- How to alert the police if they see anything suspicious. There should be no penalties for incorrect information that is provided in good faith;

- How counterterrorism operations are planned and carried out, including the fact that authorities often have to operate based on conflicting information or an incomplete intelligence picture;
- The importance of intelligence in the fight against terrorism and the vital role that the public itself can play in providing information that can contribute to the development of accurate intelligence; and
- The strong commitment of the police to protecting human rights and to adhering to robust recording, oversight and accountability mechanisms.

Case study No. 11: The Plan Vigipirate national terrorism alert system, France

Since 1978, France has relied on a nationwide terrorism alert system called Plan Vigipirate. The system was first established in response to a wave of attacks by left-wing terrorist groups and successively reviewed and upgraded several times. Since the last revision, in 2006, France has been considered to be under a permanent terrorist threat. The objective of Plan Vigipirate is twofold: (1) to protect the population, infrastructure and institutions; and (2) to increase preparedness in case of attack. The system is under the direct authority of the Prime Minister, who decides, after consultation with the President, to raise or lower the alert level. Changes in the alert level are widely publicized through the media and through other channels of communication between state authorities and the private sector.

The system rests on four principles:
- A posture of vigilance, based on continued analysis of the terrorist threat;
- A comprehensive approach, monitoring the threat against all sectors of society;
- The involvement of everyone, mainly the public authorities and businesses, but also individual members of the public; and
- The gradation of the state's response to the threat of terrorism.

The system defines four alert levels and corresponding measures to be taken:
- Yellow: measures to increase vigilance;
- Orange: measures to prevent a possible terrorist attack;
- Red: measures to prevent a known risk of one or several serious attacks; and
- Scarlet: measures to prevent the risk of major attacks, simultaneous or otherwise.

Plan Vigipirate is well established and well known by the population. In order to further promote a culture of prevention, the state authorities in France work to raise awareness of the ways to report signs related to potential terrorist activity and concerns about suspicious situations. Individuals are expected to inform, even if in doubt, the nearest police precinct or gendarmerie brigade. A free telephone hotline and an Internet platform have also been established and can be activated in case of a need to allow victims to seek support and witnesses to provide information.

Source: French Government[117]

The police should be prepared, in accordance with domestic legislation, to communicate timely and relevant information to the public about counterterrorism operations.

- The police should concentrate their messages on providing accurate information that may assist the public to stay safe or to warn the public of an impending threat from those engaged in VERLT;
- The police should be able to explain to the general public the rationale behind any particular counterterrorism operations;
- The police should communicate in a manner that provides reassurance to the public, promotes community cohesion and does not reinforce racial, ethnic, religious or gender-based stereotypes, exacerbate tensions or give undue prominence to a non-essential issue;
- The police should appeal to any witnesses for information, while ensuring their security, and ask members of the public for assistance in securing evidence and identifying suspected offenders;
- The police should have the capacity to interact with men and women from different cultural and religious backgrounds who can be potential witnesses;
- The police should be able to refer victims of terrorism to adequate public services and civil society organizations that can provide them with legal, psychological, medical and other support;

117 Service d'Information du Gouvernement, République Française, "Le Plan Vigipirate", <http://www.risques.gouv.fr/menaces-terroristes/le-plan-vigipirate>; Secrétariat général de la défense nationale, *La France face au Terrorisme - Livre Blanc du Gouvernement sur la sécurité intérieure face au terrorisme* (Paris : La Documentation française, 2006).

- The police should be prepared to quickly dispel any false rumours that may be circulating within communities, including through the use of social media; and
- Where mistakes are made or when there are clear concerns about police failures, police leaders should confront these issues and deal with them honestly. Attempts at concealment will do far more to erode and undermine public trust and confidence in the long term than admitting the original error, misconduct or failure.

Case study No. 12: "No surprises" policy of the Police Service of Northern Ireland, United Kingdom

Instances of public disorder occur commonly in Northern Ireland, in particular during the annual parading season, which involves demonstrations and counter-demonstrations by opposing groups. The resulting tensions are often exploited by extremists. This can take the form of inciting violence and launching violent attacks on police officers. It can also involve portraying the police as "oppressors" or as being biased towards one section of the community.

The police have an obligation to protect life and property, which requires them to take necessary and proportionate measures to prevent violent escalations while respecting freedom of expression and peaceful assembly. This may include a police presence involving a large number of protected officers and armoured vehicles, which can be perceived as intimidating and disruptive to community life.

The PSNI has, therefore, adopted a "no surprises" policy. This involves explaining the rationale behind police deployments and tactics, especially around planned events such as demonstrations. Confidential information that could endanger members of the public or police officers is not provided. Coupled with ongoing contacts with community leaders, this helps dispel rumours and speculation that can be spread by individuals or groups whose aim is to undermine the rule of law.

Source: United Kingdom House of Lords and House of Commons Joint Committee on Human Rights[118]

118 "Demonstrating respect for rights? A human rights approach to policing protest", UK House of Lords and House of Commons Joint Committee on Human Rights, 2009, Volume 1, para. 163-169, <http://www.publications.parliament.uk/pa/jt200809/jtselect/jtrights/47/47i.pdf>.

Police should be prepared to effectively handle their contact with the media, not just mainstream media outlets, but also "citizen journalists".[119] Relationships between the police and the media can be very tense and challenging for police leaders, particularly at a time of crisis, such as when an incident involving terrorism or violent extremism has occurred, or is thought likely to occur. This challenge can be addressed by ensuring that:

- It is clear within the police who is authorized to communicate with the media;
- The police have access to trained and, where possible, experienced media liaisons, spokespersons or press officers;
- The police have an advanced and up-to-date understanding of the diversity and complexity of local and national media outlets and demonstrate a readiness to communicate with the media in an impartial and non-selective way;
- The police are prepared to provide facts, context and background information. The police should avoid being drawn into public disputes with journalists or news outlets or becoming overly defensive about their actions or perceived failures;
- The police should refrain from communicating any information to the media on potential victims and witnesses, which may put those in danger or not respect their privacy; and
- Community police officers should be trained and able to handle and or redirect media inquiries. Community police officers should be prepared to speak to local media outlets about their work, their duties and responsibilities, successful programmes, and how they work effectively with local communities.[120]

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119 OSCE/ODIHR, "Monitoring of Freedom of Peaceful Assembly in Selected OSCE Participating States", *op. cit.*, note 64.

120 "Special Report: Handling of the media during political demonstrations", OSCE Office of the Representative on Freedom of the Media, 21 June 2007, <http://www.osce.org/fom/25744>.

Case study No. 13: Dedicated press– and media-relations capacity within the police on counterterrorism, Finland

The Finnish Security Intelligence Service (SUPO) is one of the national police units under the Finnish Ministry of the Interior, and its duties are defined by the national Act on Police Administration. Its core functions include counterterrorism and counter espionage, and the matters it investigates are determined by the National Police Board. SUPO is the main law enforcement authority in charge of preventing terrorist threats and countering violent radicalization and illegal extremist activity in Finland.

The basic values of SUPO are legality, reliability and quality, and it attaches great importance to adequate communication with the media and the public about its work. A press– and media-relations function was established in 2008, under the direct supervision of SUPO's Director. This team currently consists of three full-time staff, including a Head of Communications, a Deputy Head of Communications and a Communications Assistant.

External communication is planned, co-ordinated and carried out by the Head of Communications, according to policy lines and a communication strategy confirmed by SUPO's Director. Arrangements have been established to ensure that the internal flow of information and co-operation work smoothly, that the overall media policy remains coherent and that all services and media products provided are of high quality. For instance, in order to incorporate internal and external communication at the core of SUPO's work and facilitate co-ordination, the Head of Communications attends the meetings of the steering group chaired by the Director of SUPO.

The communications team is responsible for all press- and public-relations issues, and responds to internal and external requests in this regard. Its main activities include:

- Co-ordinating and delivering briefings and providing expertise upon request on various security issues to the staff of ministries, other state authorities, local authorities and private companies;
- Organizing regular meetings on specific themes with representatives of the press and media; keeping SUPO's official website up to date; and

- Communicating through Twitter, including both the publication of short informative statements through SUPO's official Twitter account, and the use of the individual accounts by communication officers to participate in theme-specific discussions.

From SUPO's experience, examples of good practices in press and public communication include:

- Ensuring that communication officers always have access to relevant information from SUPO's operational units;
- Ensuring that all SUPO staff are always aware of important external media releases; and
- Having a clear policy with other police units on communication roles during joint investigations related to terrorism and violent extremism, whereby SUPO is responsible for communicating on the phenomena in general and the investigative unit is responsible for communicating on specifics related to the investigation. A common communications plan with defined roles is prepared for each case involving multiple authorities.

SUPO's communications officers are carefully recruited to ensure an appropriate combination of both communication-specific and theme-specific expertise and professional skills. One of the communications officers has substantial experience in press and media relations, and the other officer has extensive experience in countering all forms of violent extremism and terrorism. In addition to their professional skills, it is indispensable that the communications officers have knowledge of SUPO's history, traditions and working culture, as well as contacts with all key partners, both internally and externally.

Source: Adapted from information provided by the Finnish Security Intelligence Service

5.3.2. Exchanging Information with Communities

The police should not only communicate information to the public on countering terrorism, it is also imperative that the police establish effective mechanisms for a two-way exchange of information with communities on the prevention of terrorism and countering VERLT. However, the exchange of information between communities and the police can be very challenging. The readiness of members of the public to share information with the police, and how useful this information might be, will depend on the degree

of trust and mutual understanding between the police and the communities they serve. This takes time to build and can be quickly undermined by deception and rumours. The exchange of information will be facilitated if there is a common understanding of why the police need information from community members, and what modalities are conducive to an effective exchange of information.

Receiving information from communities is essential for the police to be able to:

- Monitor the situation and take timely, informed action as a concern is reported to them or appears to arise;
- Understand how the role of the police and its outreach towards the public is understood with regard to preventing terrorism and countering VERLT;
- Understand how the threat of terrorism and VERLT is perceived by men and women in the community;
- Identify the questions and concerns communities have about the prevention of terrorism and the explanation, information, and support they need from the police or other authorities;
- Assess the impact of counterterrorism measures on communities, how community members experience or perceive police action against terrorism, the effectiveness and unintended consequences of policies, measures or specific operations; community feedback should inform evaluation and subsequent decision-making in the police;
- Refine and develop their understanding and assessment of the threat of terrorism and VERLT in particular communities and how to effectively respond to it;
- Assess the readiness of communities to engage further and, possibly, partner with the police in preventing terrorism and countering VERLT; and
- Tailor the way they communicate with community members on countering terrorism and adopt more effective approaches to engaging further with communities.

Case study No. 14: Information exchange and community-tension monitoring, United Kingdom

The Centre for Social Relations of Coventry University (formerly the Institute of Community Cohesion) in the United Kingdom has developed a practical guide for local authorities, police services and partner agencies on understanding and monitoring tension and conflicts in local communities. Monitoring community tension is not the same as preventing terrorism, but it can contribute to efforts to do so. Through a process of monitoring community tensions, the police, in partnership with the public, can identify concerns and grievances, defuse emerging threats to community cohesion and reduce the likelihood of individuals being drawn into violent extremism and radicalization to terrorism.

The guide was first developed in 2008, in partnership with the London Metropolitan Police, and updated in 2010. It is premised on the idea that community tension is not intrinsically bad and stresses that tension monitoring is not about spying on particular individuals and communities; the principal concern is about preventing disorder, the fear of crime, insecurity and actual illegal or criminal activity, which often manifests itself when tensions are heightened.

To understand the state of relations between different communities, public authorities need to be able to "read the signs" and need to have resources and techniques to mediate between groups and to help them to resolve conflicts when they arise. The guide provides guidance and advice on: (1) how to set up a tension-monitoring system; (2) tools for understanding local community dynamics; and (3) advice on interventions from experience around the United Kingdom.

The guide recommends, as a first step, the establishment of a tension-monitoring group, including representatives of the police and other public authorities, as well as community representatives, tenants and residents associations, faith groups and voluntary organizations, keeping in regular contact beyond meetings and keeping each other informed. Such a tension-monitoring group is established to:

- Understand local community dynamics and identify potential or actual tensions;
- Minimize the potential negative effects of tension, prevent escalation and reduce conflict;
- Consider and plan interventions in the short, medium and long term;
- Inform and support the management of critical incidents; and
- Support and promote community cohesion.

To this end, the tasks of the tension-monitoring group include:

- Collecting, sharing and co-ordinating information about community dynamics and tensions;
- Analysing community information, based on experienced, evidenced and potential tensions;
- Producing community-impact assessments, including risk assessments;
- Devising interventions;
- Producing an annual plan; and
- Producing a communications plan and determining a media-relations strategy.

The guide emphasizes that gaining commitment and buy-in from all stakeholders is a prerequisite. There needs to be a shared understanding of what is meant by community tension, why monitoring is carried out and its benefits and, in particular, that it is not about spying on individuals and groups in the community. The guide recommends locating tension monitoring within a clear governance framework to ensure accountability and legality, keeping all key players informed and involved and opening the process up to scrutiny.

The guide includes in an annex advice on how all communities can help police defeat extremist violence and terrorism, stressing that these threats can come from any area or any community.

Source: Centre for Social Relations, Coventry University[121]

Factors and modalities that are conducive to the effective exchange of information with communities include:

- **Regularity:** The police should address terrorism prevention as part of a regular exchange with communities, both in informal and more institutionalized settings. Existing mechanisms for information exchange between the police and communities should be used to the maximum extent possible, rather than creating specific new platforms;
- **Reciprocity:** The police should share as much information as possible with communities to demonstrate their commitment to dialogue and

121 *Understanding and Monitoring Tension and Conflict in Local Communities: A practical guide for local authorities, police service and partner agencies* (Coventry: Coventry University's Centre for Social Relations, 2nd ed., 2010).

partnership with the public. When information is particularly sensitive, the police could consider sharing it only with a limited number of trusted community members, especially those who have volunteered to undergo a security vetting process. The police should also provide follow-up information, to the extent legally permissible and consistent with security concerns, on actions taken and progress made in addressing issues and concerns raised by community members;

- **Transparency:** It is important that the police be transparent about the fact that they are addressing terrorism prevention in their exchange with communities. Similarly, if counterterrorism officers are themselves engaged in outreach with communities, they should be up front about the nature of their assignment. The police should also be transparent about how the information provided to them will be recorded, reported, and used, and how the identity of the person providing the information will or will not be protected; and
- **Inclusiveness:** The police should involve a wide, representative range of community members in terms of age, gender, ethnicity and beliefs. Self-proclaimed community leaders may not always be as representative as they claim. The police should be prepared to confront a variety of opinions, including those from people critical of the police and/or government action.

Examples of information-exchange channels and mechanisms that can be used include:[122]

- Assigning community police teams to serve a particular geographic area, with dedicated patrol officers regularly visiting particular communities;
- Organizing public meetings on terrorism-prevention issues, open to all members of the public, to inform local communities and to consult with them on the widest-possible basis;
- Using alternative occasions for meetings and exchanges of views: visits to schools and civil society organizations by police officers; invitations extended to community groups to visit police stations;
- Raising terrorism-prevention issues within public forums: the membership of these forums should represent a cross-section of the community and meet on a regular basis to discuss community issues, play a routine consultative role, and serve as a source of information and better

122 OSCE/High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies, op. cit.*, note 110; OSCE, *Good Practices in Building Police-Public Partnerships, op. cit.*, note 6.

understanding of the local community for the police and other public authorities;

- Setting up community advisory boards to advise police senior management on how terrorism-prevention issues can be most effectively addressed in the context of the community; the police should invite as members of these boards select individuals whom they consider to have the relevant knowledge, skills and experience to give them advice from an independent perspective. Membership should reflect the diversity of the community;
- Specifically assigning counterterrorism liaison officers or contact points to engage on counterterrorism issues with a particular community; and
- Using electronic media to provide important information to the public and to allow individuals to provide feedback and information to the police. Such methods include police websites, text messages (SMS) on cell phones and police use of social media such as Facebook, Twitter, Vkontakte, Odnoklassniki, etc.

Case study No. 15: Police public outreach through social media, Estonia, Finland and the Netherlands

"Virtual community policing" was introduced in September 2008 by the Helsinki Police Department to ensure a police presence, visibility and outreach through the Internet and social media, including through Facebook and Microsoft Messenger. Today, there are three police officers working openly (their social-media accounts show their names and faces) and on a full-time basis as virtual community police officers. Their role is to make the police more accessible online, to carry out preventive work online, to foster feelings of online safety among Internet users, and to act as first responders if they detect suspected criminal acts on the Internet (e.g., child pornography, harassment, hate speech). Their online presence makes it easier for Internet users to ask for information or to report concerns. They also proactively participate in online discussions to provide accurate information about police-related issues, and they are able to engage with some Internet users who might be much harder to connect with face-to-face.

The Police and Border Guard Board of Estonia in June 2011 also introduced online community policing with the appointment of their first web constable. There are now three police officers working full-time as web constables. Their primary role is to provide advice to members of the public and respond on social-media platforms, Internet forums and by e-mail to all kinds of questions that may arise in connection with policing. If a web constable comes across information about activities that might constitute a crime, they forward it to the criminal section of the relevant police prefecture, which is then in charge of the investigation. A web constable is like a community police officer who, instead of patrolling the streets, enhances people's safety on the Internet.

In the Netherlands, the community police officers of several police departments are using Twitter to communicate with the public. They tweet about their daily work, which provides insight into the variety of the tasks of a community police officer. They tweet to provide information and advice about crime prevention (including pictures, videos, locations and links). Through Twitter, community police officers can ask the public for information, for help in solving crimes or, for example, finding missing children, and they can call on witnesses of crimes to contact the police. Twitter opens up an additional, real-time, two-way communication channel with members of the community they serve. Members of the public can easily tweet their community police officers about concerns and incidents. Community police officers have received very positive reactions from members of the public about their use of Twitter. It helps raise their visibility within the community and increase the recognition of their role within the police. In June 2013, there were over 1,500 community police officers in the Netherlands using Twitter in their work.

Source: Helsinki Police Department,[123] Police and Border Guard Board of Estonia,[124] and materials provided by the National Police of the Netherlands

123 The Finnish Police, "Helsinki Police on Internet and Online Local Police", <http://www.poliisi.fi/nettipoliisi>; Sergeant Marko Forss, Helsinki Police Department, "Virtual Community Policing", 2012, power-point presentation accessible from <http://www.poliisi.fi/nettipoliisi>.

124 The Estonian Police, "Web constables give advice on the Internet", <http://politsei.ee/en/nouanded/veebikonstaablid/>.

Summary of Key Points – Subsection 5.3.

- Effective communication is at the core of successful community policing approaches to preventing terrorism and countering VERLT. Police should, in accordance with national legislation, communicate regularly and proactively with the public, not just in response to a specific counterterrorism activity or a terrorist incident.
- In the event of a counterterrorism operation, police should be prepared to provide timely and accurate information to help the public stay safe, refer victims to appropriate support structures, appeal for the assistance of the public in securing evidence and identifying suspects, promote community cohesion, promptly dispel rumours, and provide explanations of the rationale behind their operations.
- Police must be prepared to handle potentially challenging contacts with the media. A trained and experienced media-relations capacity will increase effectiveness. Community police officers should also be able to handle and, as appropriate, redirect media inquiries.
- Exchanging information with communities is essential for effective policing and prevention of terrorism. It helps police enhance their situational awareness, take timely and informed action, identify and address community concerns in relation to terrorism and counterterrorism, and provide the basis for developing partnerships with the public to improve community safety and security.
- Members of the public will only share information if they understand why this is necessary and if they trust the police. This trust must be won and can be easily undermined or lost.
- Exchanging information with communities can be facilitated if it is done in a regular, reciprocal, transparent and inclusive manner. Police should seek to use a wide range of channels and mechanisms to exchange information with the public.

5.4. ENGAGING WITH COMMUNITIES TO PREVENT TERRORISM AND COUNTER VERLT

This subsection will address the following questions:

- Why, with whom and how should police-community engagement take place?
- How can the effectiveness of police engagement with communities be increased?
- How can police engage effectively with specific groups on preventing terrorism?
- What specific issues are related to engaging with young people, women, faith-based organizations and religious leaders, ethnic minorities and civil society organizations? Which approaches may be useful in such engagement?

5.4.1. Parameters of Police Engagement with Communities

The process of engagement is a critical component of any effective community-policing initiative, particularly one aimed at preventing terrorism and countering VERLT. Engagement is not just about organizing a meeting with community members. Effective engagement is a highly complex process that demands sensitivity and very careful planning. A clumsy or careless approach to police-community engagement can be more detrimental than no engagement at all.

When considering police-community engagement to prevent terrorism and counter VERLT, several questions arise: why, with whom and how?

Why can engaging with communities be beneficial to the police?
Engaging with the public offers police officers opportunities to:

- Enhance their situational awareness about what is happening in communities and improve their understanding of dynamics, risk perceptions and concerns within communities; this can then serve as a basis for informed and more effective policing;[125]
- Highlight their presence in communities, which can, in itself, both provide reassurance to the public and prevent or disrupt crime;
- Identify critical situations at an early stage in communities and refer them to relevant partners;
- Disseminate information and key messages to the public, including to dispel misperceptions and rumours;
- Raise awareness of relevant issues and mobilize members of the public in support of addressing them;
- Build, over time, trusting and mutually respectful relationships as a basis for further co-operation; and
- Develop arrangements to ensure public participation and co-operate with communities in solving problems, including addressing critical situations.

125 See Section 4.2.2, and Section 4.2.3 of this guidebook

Figure No. 5: Spectrum of public participation, International Association for Public Participation[126]

	Increasing Level of Public Impact	
	Inform	**Consult**
Public participation goal	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.
Promise to the public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns, and provide feedback on how public input influenced the decision.
Example tools	Fact sheets Websites Open houses	Public comment Focus groups Surveys Public meetings

126 © International Association for Public Participation, www.iap2.org, reprinted with permission.

Involve	Collaborate	Empower
To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.	To partner with the public in each aspect of a decision, including the development of alternatives and the identification of a preferred solution.	To place final decision making in the hands of the public.
We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions, to incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide
Workshops Deliberative polling	Citizen advisory committees Consensus-building Participatory decision-making	Citizen juries Ballots Delegated decision-making

Which members of the community should the police engage with?

- In principle, police engagement with the public should be inclusive, reaching out to all communities and to a cross section of members within communities, including at the grass-roots level. The police should be careful not to engage only with particular groups, self-proclaimed community representatives or only with interlocutors sympathetic to them;
- The police should strive to engage, in particular, with individuals or groups that are marginalized, hard to reach, or who display risk behaviours;
- The police should take great care in establishing partnerships with individuals, groups or organizations when there is evidence that these individuals or groups are not unequivocally committed to non-violence and respect for universal human rights. The short- and long-term benefits and risks should be properly assessed to decide how much the police should support and empower such individuals, groups or organizations, and for which purpose. For instance, while they might be effective partners in accessing individuals at risk of VERLT and drawing them away from such a path, they might also hold and impart views that are ambiguous towards, or at odds with, human rights and enhancing social cohesion;
- Some forms of co-operation, such as the sharing of sensitive information, may require the police to limit their engagement to trusted members of the public, such as individuals who have undergone security vetting; and
- The police should take into account the risk that engaging with individuals may be perceived as co-opting or legitimizing these individuals. The police should be careful not to undermine the perceived independence and credibility of those individuals in a position to exercise a positive influence within communities and support terrorism-prevention efforts. Conversely, the police should be careful not to legitimize individuals whose influence within communities is unclear, or possibly negative, in relation to countering VERLT.

How should the police engage with communities on the issue of preventing terrorism and countering VERLT? Engagement should be:

- Planned carefully to assess the level of current engagement and to identify and mitigate possible risks in moving forward. These risks include, for instance, stigmatizing particular communities through selective engagement, securitizing relationships with communities, or (de)legitimizing individuals engaged in the eyes of other community members;[127]
- Tailored to the specific person, group or community engaged to be more effective; this may include careful choice of time, venue and words to show sensitivity and to best frame and raise the issue;
- Transparent about the fact that preventing terrorism and countering VERLT is an issue that the police are addressing;
- Based on a wide range of community safety issues, just one of which will be preventing terrorism;
- Reciprocal, addressing both the concerns of the police and those of communities;
- As regular as possible and conducted both in formal and informal settings to maximize opportunities for communicating, building mutual understanding and trust, and exchanging information; and
- Possibly facilitated by third parties from other statutory bodies or from civil society, which may have better knowledge of, access to and/or credibility with, certain communities or particular individuals. The police can try to identify and draw on the support of intermediaries or sponsors within the community who can help the police establish contact and dialogue where they might otherwise face reluctance and possible hostility.[128]

127 See Section 4.2.5 of this guidebook.

128 "Community Outreach and Engagement Principles", International Association of Chiefs of Police, Committee on Terrorism, Countering Violent Extremism (CVE) Working Group, August 2012, <http://www.theiacp.org/portals/0/pdfs/IACP-COT_CommPolicingPrinciples__FINALAug12.pdf>.

Figure No. 6: Levels of engagement defined by the Committee on Terrorism of the International Association of Chiefs of Police[129]

Level 1	• No established relationship between community and law enforcement exists. • There is little or no mutual knowledge between the community and law enforcement.
Level 2	• Potential contacts within the community have been identified. • Relationships with law enforcement may be of a conflictual nature.
Level 3	• Initial contact has been established with a community, opening doors for law enforcement and opening channels of communication. • Coverage of critical spheres of influence remains limited, however.
Level 4	• Mutual understanding and shared education is developing. • Community understands that an issue exists and accepts the role of law enforcement. • Recurring dialogue is present and critical "spheres of influence" are addressed.
Level 5	• Comprehensive network of meaningful relationships established between a community, law enforcement and partners. • High levels of trust, open and transparent dialogue, deep understanding of issues, needs, expectations and collaboration. • Community is developing ownership of the issue.

The success of police-community engagement will be further facilitated if:

- Police officers have or develop the required set of skills, specifically communication, empathy, sensitivity, perceptiveness and self-awareness;
- Police officers base their engagement on preliminary observation, reflection and self-evaluation. In particular, police officers need to be aware of the different reasons why people's attitudes or behaviour towards the police can be quite negative. In these circumstances, police officers need to proceed with care, recognizing that extra efforts and reassurances will need to be provided in order to gain the trust and co-operation of communities;
- Police officers listen to community concerns, recognize local people's perceptions of problems and do not try immediately to reframe or redefine the problem to suit the police agenda;
- Police officers clearly explain their role, their legal and organizational mandate and what they can and cannot do;

129 *Ibid.*

- Police officers keep a record of concerns that are raised, clarify their understanding of the issues and report back to the community within a specified period on what has been done to try to address these issues;
- Police officers refrain from giving blanket assurances that problems will be solved (when they might not be) or to exaggerate their influence or ability to change unpopular policies or procedures over which they have little control;
- Police officers should make every effort to deliver on any commitment made to the community and inform its members about difficulties they may encounter in doing so; they should monitor the impact of any policy change or intervention made to address a particular problem;
- Police officers provide, whenever possible, accurate and up-to-date data to communities to illustrate either the scale of a problem, the effectiveness of police intervention or the need for community co-operation for obtaining a more accurate picture of the problem; and
- Police officers provide follow-up information, to the extent legally permissible and consistent with security concerns, on actions taken and progress made in addressing issues raised by community members. This will help to ensure that community members remain confident that their efforts are valued, taken seriously and result in concrete and appropriate action by public authorities.

5.4.2. Engaging with Specific Groups on Preventing Terrorism

The police should treat all individuals equally. At the same time, they should make every effort to be sensitive to the needs and complexities of different communities and groups within these communities. Different communities and groups will be concerned and affected differently by the prevention of terrorism and countering VERLT. The police should adjust their engagement activity accordingly to be effective in establishing contact and rapport.

The police should not make assumptions about how best to engage with any given group. **Engagement requires, in the first place, that the police develop a proper understanding of any specific group, without bias and free from stereotypes:**

- Generally, what are the needs and problems involving group dynamics (e.g., cohesion, divisions, social pressure, and leadership)? What are the relevant demographic and socio-economic data (e.g., gender, age, ethnicity, culture and beliefs)?

- Specifically in relation to the police: what are their experiences with, perceptions of, and attitudes *vis-à-vis* the police in this group and why? and
- The following questions should be asked specifically in relation to the prevention of terrorism: How is the group exposed to the threat of terrorism? How is the threat of terrorism perceived within the group? How have counterterrorism policies and measures been perceived and experienced within the group?

Extra efforts have to be made to engage with individuals and groups who are either afraid of or hostile to the police, or who have no wish to have any contact with the police. Approaches to these groups require particular sensitivity, persistence, skilled communication and negotiation by officers who are fully committed and dedicated to their role. Unusual approaches should be considered where legal compliance and personal safety are not endangered. For instance, the police could rely on trusted intermediaries from civil society to establish initial contact and facilitate dialogue with such individuals or groups.

Engaging members of closely knit groups can be especially challenging for the police and will require additional care. It may be very difficult for individuals to break social barriers and speak out about a specific problem, one perhaps that the rest of the group would rather deny or keep hidden from public authorities, especially one such as violent radicalization. In such circumstances, the police have to tread with the utmost sensitivity in trying to reach out to these individuals. Trust is paramount in such situations, and officers must adhere to the highest possible standards of professional conduct, treating information with care, protecting individuals' identity and maintaining confidentiality.

Building on their understanding of communities, the police should take a strategic approach to engaging effectively with a specific group, and decide on:

- How to frame and address the issue of preventing terrorism with this particular group. Terrorism prevention will benefit most when it is a by-product of transparent and genuine engagement on issues that are of primary concern to this group;
- What means of communication to use to reach out to this particular group, e.g., young people and local businesses may be more effectively engaged through social media, e-mail, SMS updates or through information placed on the police website. A more direct approach may be more effective for engaging with older people, by having patrol officers visit them in their homes or attend public meetings; and

- Whether to use an intermediary in order to gain initial access and secure an opportunity to communicate and establish some trust with a particular group.

5.4.3. Engaging with Youth[130]

It is often easy for the police to contact young people but difficult to engage with them. When young men and women have grievances against society and the state, this may lead to negative perceptions of, a reluctance to have any contact with, or even attempts to challenge the police. In many areas, this is compounded by a history of poor relations between police and youth, especially youth from ethnic minorities or disadvantaged socio-economic backgrounds. This can be the result of unprofessional behaviour by individual police officers, and sometimes even systemic bias within the police against certain minorities.

Changing perceptions of the police among young men and women, and the perceptions of youth among the police, is a prerequisite for effective engagement and takes time. As representatives of the state, it is first and foremost of critical importance that the police empathize with young people in the community and afford them the same respect and protect their rights in the same manner as they would with any other individual. If young people feel respected and valued by the police, they are much more likely to be open to further contact.

Youth engagement activities form a cornerstone of community-policing practices in many countries. Community police officers can perform a key role either through their own autonomous efforts or by supporting existing youth outreach programmes and the work of youth workers from both public authorities and civil society organizations.

Efforts to engage young people in preventing terrorism and countering VERLT can draw on lessons learned and good practices in engaging youth to prevent other risk behaviours and crimes, including school violence, gang membership and crime, drug abuse, trafficking and sexual exploitation.

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130 *Youth Engagement to Counter Violent Extremism and Radicalization that Lead to Terrorism: Report on Findings and Recommendations* (Vienna: OSCE, 2013), <http://www.osce.org/atu/103352>.

Case study No. 16: Police preventive talks with young people at risk of VERLT, Sweden and Norway

The Security Service of the National Police Board of Sweden holds voluntary talks with individuals, often adolescents, at risk of being drawn into security-threatening activities. Those called to these talks are not suspected of any crime. The talks are part of prevention work and are intended to provide information about current legislation and potential risks that individuals could be exposed to by continuing with certain activities. This can also involve talking to someone in order to dismiss erroneous information. Sometimes, talks are also held with family members of individuals who are at risk of being pulled into security-threatening activities, since relatives may have more influence. These talks are also designed as a first step for individuals who wish to leave violence-promoting circles.

The practice of preventive talks is also used in Norway. In 2003, the Norwegian Police Security Service, together with the ordinary police, resorted to preventive talks against a right-wing organization that the authorities feared could evolve into a violent network. During a six-week period, around 100 individual preventive talks were held with young members of the organization, with their parents present whenever possible. The purpose of the talks was to make young people aware of the consequences of belonging to a right-wing group and to convince them to leave the group. The campaign yielded a very positive result: more than half of the young people left the group completely, and several shifted to a more peripheral affiliation within the organization and considered leaving it completely. The Norwegian police believe that there are several factors that can explain this result, including good co-operation between the security service and the rest of the police, close co-operation with the parents of active members, the use of follow-up talks and an offer of help to establish new social networks and/or continue schooling or facilitate the finding of employment.

Sources: Security Service of Sweden,[131] Norwegian Ministry of Justice and the Police[132]

131 *Violence-promoting Islamist extremism in Sweden* (Stockholm: Security Service of Sweden, 2010), p. 20.

132 *Collective security – a shared responsibility: action plan to prevent radicalization and violent extremism* (Oslo: Norwegian Ministry of Justice and the Police, 2011), pp. 16-17.

Case study No. 17: National Security Youth Outreach Program of the Royal Canadian Mounted Police, Canada

The Royal Canadian Mounted Police (RCMP) National Security Youth Outreach Program was introduced to address increasing concerns about the world-wide phenomenon of youth political violence. As a component of the RCMP National Security Community Outreach Program and the RCMP's Bias-free Policing Strategy, it contributes to the goal of the RCMP's Safe Homes and Safe Communities programme and Canada's Action Plan Against Racism. The National Security Youth Outreach Program defines "youth" as young adults between the ages of 14 and 30. The main goal of the RCMP's National Security Youth Outreach Program is to engage youth on national security issues.

The National Security Youth Outreach Program strives to:

- Inform and educate youth on national security in Canada (with an emphasis on the RCMP's role in ensuring national security);
- Discuss with and engage youth on national security issues (consulting with youth to understand their perspectives and concerns, as well as to learn about the impact of national security on young adults);
- Identify and participate in research and programmes (relevant to youth radicalization leading to violence, recruitment issues, extremist prevention, etc.); and
- Involve youth and communities in protecting Canada's national security.

Several initiatives have been undertaken to date. These include:

- Classroom presentations for university students;
- Workshops and focus-group discussions with high school students throughout Canada;
- Presentations at conferences; and
- Outreach to local community groups.

Source: Royal Canadian Mounted Police[133]

133 To learn more about the RCMP's National Security Youth Outreach Program, visit: <http://www.rcmp-grc.gc.ca/nsci-ecsn/youth-jeune-outreach-extension-eng.htm>.

Young people tend to use different methods of communication and get information from different sources compared to those used by older people. For many young people, their social lives and friendships are maintained primarily via social-networking media. The use of social media can be an effective way of reaching young people and communicating key messages to them.

Potentially useful approaches include:

- Police officers can provide sports coaching, fitness training, art and other youth-focused activities as means of initiating contact, creating a platform for regular interaction and promoting peaceful modes of expression;
- Police officers can mainstream terrorism-prevention advice as part of general awareness-raising initiatives directed at youth about staying safe;
- Police can establish a presence on social media to engage with young people, including proactive dialogue on controversial incidents;
- Police officers can establish or support peer-mentoring schemes, whereby young people who have acquired some skills, perhaps in sports coaching, dance classes, community art projects or other activities, mentor and support members of their peer group or of younger age groups;
- Police can invite local young people to contribute to police training, especially in activities that tend to have a disproportionate impact on younger people, such as stop-and-searches. Such initiatives provide an opportunity for both young people and the police to understand each other better and to share views on how young people may be affected by some police measures;
- Police can organize events in which young men and women can learn about and experience police activities. This serves the purpose of demystifying police actions and approaches so that young people have a better understanding of police tactics to address crime;
- Police can establish educational programmes or internships aimed at young people who may be interested in joining the police;
- Police can utilize the facilitation skills of individuals who have credibility with young people; and
- Diverse community police teams that reflect the population, with sufficient experience and an appropriate gender balance, are far more likely to be successful in establishing constructive and positive relationships with young people.

Case study No. 18: Youth engagement initiatives of the Diyarbakır Police Department, Turkish National Police, Turkey

Diyarbakır is the second-largest city in the Southeastern Anatolia Region of Turkey. The Diyarbakır Police Department of the Turkish National Police has implemented a number of initiatives aimed at engaging positively with young people, building trust and supporting cohesion in society.

Since 2008, the Diyarbakır Police Department has been organizing weeklong summer holiday camps for more than 3,000 young people. The topic of the camps is "Discover your country". The camps are facilitated by staff from the police, as well as from the country's youth, education and health authorities. The police officers involved have first to attain a certificate in team coaching, adolescent psychology and communication. The objective of the camps is to promote feelings of belonging, citizenship and pride in the cultural richness and diversity of Turkish society. The initiative relies on sports, arts activities and the experience of fun and positive interaction with public servants and peers, with the objective of addressing issues such as inclusion and equality of opportunity, living together and following rules, teamwork and developing trust in people from diverse backgrounds, gaining new skills and self-confidence. Participants must volunteer to take part, have their parents' permission, attend a local school, and come from a disadvantaged socio-economic background. In order to limit costs, the initiative relies on in-kind support from businesses.

In 2011, the Diyarbakır Police Department established a Youth Support Centre to offer recreational activities to teenagers living in three socio-economically disadvantaged neighbourhoods inhabited by families with many children and facing housing issues. These neighbourhoods were known to the police for being exposed to terrorist propaganda and recruitment activities especially targeted at young people. The police renovated an area of 4 square kilometres, including an old abandoned building and a large garden that had been used by drug addicts and squatters. They established a centre equipped with music and art workshops, study halls, computer classrooms, a conference room, a library, a small movie theatre, a small cafeteria and as sports facilities, including a skating rink. The centre offers academic help and a variety of outdoor activities, and runs art workshops (music, pottery, painting, drama), English – and Turkish-language courses, and computer/Internet classes. Most of the Centre's staff have been seconded by the Police Department, with the exception of special-course instructors. The Centre now counts over 10,000 registered members in the age groups of secondary students.

Source: Based on materials provided by the Turkish National Police

Perhaps the most important ingredient for success in community-policing initiatives aimed at youth engagement is the level of interest and commitment shown by the individual officers involved. This is not the sort of police duty that can be effectively delivered by any randomly selected police officer. Ideally, it requires volunteers, officers who have a natural empathy for, and interest in, young and vulnerable members of the community.

Case study No. 19: Pizza with a Peeler programme, Police Service of Northern Ireland, United Kingdom

In Northern Ireland, relations between the police and young Catholics have traditionally been poor. This has led to higher instances of VERLT and participation in terrorist activities among this group. In recent years, initiatives have been introduced to try to counter this problem. For example, the "Pizza with a Peeler"[134] programme of the Police Service of Northern Ireland encourages police officers and young people to meet and discuss issues of mutual interest in an informal setting, which facilitates better mutual understanding. The programme is the result of the personal initiative of a police officer, which illustrates the importance of personal commitment and interest in developing successful outreach tools.

Participants are identified through local youth groups and also among people who come into contact with police, sometimes after being arrested, for example. Participation is entirely voluntary on the part of both young people and police officers. The programme is informal, and there is no prescribed outcome or range of topics to be discussed. A meeting can occur at the premises of a youth club or at a football pitch, for example. The funding requirements are quite low, and are paid for by the police service.

Source: Publically available media reports[135]

134 "Peeler" is a colloquial term for police officer in Northern Ireland.
135 "Bringing peace and pizza to the interfaces", BBC, 12 October 2010, <http://www.bbc.co.uk/news/uk-northern-ireland-11527796>.

5.4.4. Engaging with Women[136]

Taking gender roles into consideration is an important aspect of security. Men and women have different security concerns and are affected by conflict, terrorism and counterterrorism in different ways. Despite this, counterterrorism strategies and measures have often been shaped with a gender bias:

- There is a prevailing misconception that violent extremism and terrorism exclusively concern men. While the potential for women to be targeted for radicalization and involvement in violent extremist groups has long existed, it continues to be relatively underestimated and unaddressed; and
- The special potential of women in countering VERLT has often been overlooked and sometimes limited to stereotyped roles.[137] The involvement of women as policy shapers, law enforcement officers, educators, community members and activists is essential for addressing conditions conducive to terrorism and the effective prevention of terrorism.

> The full involvement of women in different capacities and roles, in both the private and public spheres, is essential to effectively counter VERLT.

Removing the barriers that hamper the active participation of women in countering terrorism, as part of law enforcement, other public authorities and civil society, is indispensable because:

- Women are members of communities and should, as such, be able to actively participate in initiatives designed to ensure the safety of their community;
- Women bring a different perspective to identifying and addressing specific political, social, economic, cultural or educational concerns that may lead to violent extremism and terrorist radicalization, in general, and among women and youth, in particular;
- Women are frequently victims of both terrorist attacks and counterterrorism measures.[138] They can point out when preventive practices are

136 *Women and Terrorist Radicalization: Final Report* (Vienna: OSCE, 2013), <http://www.osce.org/atu/99919>.

137 See Jayne Huckerby, "Gender and Counter-Radicalization: Women and Emerging Counter-Terror Measures", in Margaret L. Satterthwaite and Jayne Huckerby (eds.), *Gender, National Security, and Counterterrorism: Human rights perspectives* (Oxon: Routledge, 2013).

138 Jayne Huckerby, "Women and Preventing Violent Extremism: the USA and UK Experience", briefing paper, Center for Human Rights and Global Justice, New York University School of Law, 2012.

counterproductive and cause a backlash in their communities. This information can be decisive in avoiding creating or sustaining conditions that are conducive to terrorism; and
- Women are effective participants in initiatives and can shape effective narratives to counter violent extremism and terrorist radicalization; they may also be able to better reach out and influence other women and youth.

In order to avoid or correct potential bias in its action to prevent terrorism and counter VERLT, the police should:[139]
- Commit themselves to, and actively pursue, the goal of attaining gender equality and protecting women's rights in all police infrastructure and activities, and not simply to the extent that it helps in countering terrorism;
- Involve and effectively engage women at all stages of development, implementation and evaluation of counterterrorism and counter-radicalization strategies, policies and measures;
- Include specific gender benchmarks in the monitoring and regular evaluation of the effectiveness, as well as positive and negative impacts, of their policies and measures against terrorism;
- Increase the presence of women among the police involved in countering terrorism and in engaging the public on preventing terrorism, at all levels and in all functions, and remove obstacles to their recruitment, retention and career progression;
- Enhance co-operation with other government agencies to discuss and better understand the gender implications of counterterrorism; and
- Institute mandatory gender training for all supervisors and police officers performing security checks and body searches.

In engaging women in the prevention of terrorism and countering VERLT, the police and, in particular, community police teams should seek to:
- Actively facilitate the participation of women in police-community consultations. The location, time, venue and format of meetings can be designed to ensure the successful participation of women;
- As with approaches to men, avoid engagement with women solely for intelligence-gathering purposes;

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139 For more information on how to mainstream gender within the police, see *Gender and Security Sector Reform Toolkit* (Warsaw: OSCE/ODIHR, DCAF and UN-INSTRAW, 2008), <http://www.osce.org/odihr/70294>, Tool No. 2 on Police Reform and Gender, in particular Section 4.5 on Community-Based Policing, Section 4.7 on Recruitment and Section 4.10 on Advancement.

- Develop genuine partnerships with women's organizations based on the idea of active co-operation in pursuit of common goals. The police should be transparent about terrorism-prevention concerns, but strive to address women's primary and broader concerns with regard to the safety of their communities;
- Include awareness-raising about the risks of, and possible responses to, VERLT as part of initiatives to inform women about measures to address other safety and crime-related issues, such as domestic violence or sexual abuse, without securitizing the engagement of the police with women on these other sensitive issues;
- Identify key women activists and organizations, their capabilities and needs, in order to diversify partnerships and thereby involve and reach out to various groups in the community;
- Prioritize engagement with small women's organizations at the grassroots level, rather than with self-proclaimed community leaders or only with large and well-established organizations;
- Encourage and, to the extent possible, support initiatives to empower women's participation in the public sphere, which is essential so that they can play an active role in addressing terrorist radicalization in their community while avoiding the creation of safety or security risks for women engaged in such initiatives;
- Support the provision of platforms and safe spaces for women to share resources, experiences and concerns in facing violent radicalization, including skills and tools to respond more effectively;
- Support civil society initiatives to educate women about their cultural, religious and political history, recognizing that there will be different interpretations, in order to enable them to formulate and discuss different normative messages challenging extremist narratives; and
- Ensure that women have better access to gender-sensitive programmes to disengage from VERLT and that guarantee them adequate protection and support.

Engaging women from stigmatized minority backgrounds may prove particularly challenging for the police. This may especially be the case when the police are reaching out to women who belong to a group that has been the focus of disproportionate and/or discriminatory counterterrorism policies and measures. In such circumstances, the risk of counterproductive engagement is even more acute. The police should ensure that its engagement strategy is based on a sophisticated understanding of the culture, religion and gender roles within a particular community, and that such a strategy is free of stereotypical assumptions and does not have any negative consequences for the women engaged.

Case study No. 20: The Shanaz Network, engaging women in "Prevent", United Kingdom

Project Shanaz was developed in 2011 by the Association of Chief Police Officers in the United Kingdom to understand the perception women have of activities related to the national strategy to counter terrorist radicalization, known as Prevent, and to share how local police forces have overcome obstacles to engagement with women. The project was led by a woman police detective inspector.[140]

As result of the project, the Shanaz Network was established to break down barriers and encourage women to play an active part in the Prevent agenda. The Network, now an independent body counting 50 women community leaders, provides a platform for the group to participate as equals in decision-making around the development of policy and strategy, in an area of policing that impacts directly upon them. The Network's objectives include work to address ideologies that terrorists use to recruit people to their cause, to support those who may be vulnerable to radicalization, and to strengthen institutions that can play a role in Prevent. The Shanaz Network will also help to mainstream Prevent's engagement activities into daily police business.

As part of this work, the Association of Chief Police Officers has also produced a guidance document for police and practitioners about engaging women in Prevent activities. Called "Women and Prevent", these guidelines provide an overview of successful Prevent activities that have been used by police forces and partner agencies from around the United Kingdom and that have overcome barriers to engagement. The work featured in the guidelines can be tailored to meet local conditions and replicated by other forces where similar barriers to engagement exist.

Source: Association of Chief Police Officers, United Kingdom[141]

140 See Detective Inspector Khizra Dhindsa, "Flying on One Wing", keynote speech at the joint OSCE Secretariat-ODIHR Expert Roundtable on "The Role and Empowerment of Women in Countering Violent Extremism and Radicalization that Lead to Terrorism", 12-13 March 2013, Vienna, <http://www.osce.org/atu/88965>.

141 For more about this programme, see the website of the Association of Chief Police Officers at <http://www.acpo.police.uk/ACPOBusinessAreas/PREVENT/EngagingWomeninPrevent.aspx>.

5.4.5. Engaging with Faith-based Organizations and Religious Leaders

It is imperative that counterterrorism efforts not discriminate against, or unwittingly stigmatize, any particular religion or belief. Terrorists may invoke a wide range of reasons to justify their actions, including religious considerations, but religions are not responsible for terrorism and VERLT. OSCE participating States firmly reject the identification of terrorism with any religion.[142]

However, police need to engage with religious leaders and faith-based organizations for a number of reasons, including the following:

- They and their communities may be potential targets of terrorist attacks;
- They can provide crucial feedback on how counterterrorism measures have affected their communities and are perceived within them;
- They can help law enforcement better understand their communities and tailor their outreach initiatives;
- They may be aware of the presence of individuals or materials circulating within their community that are providing narratives justifying terrorism;
- Their insights can help the police assess whether narratives justifying terrorism are gaining traction with particular individuals; and
- They may be better placed to proactively and effectively challenge some aspect of the narratives used by terrorists to justify terrorism.

Engaging with religious leaders and faith-based organizations may, however, pose particular challenges to the police, for instance:

- There may be a history of tension and distrust between the state and religious communities, with real and/or perceived grievances related, in particular, to discrimination and violations of the freedom of religion, including as a result of discriminatory profiling practices by the police;
- Many religious communities present complex dynamics, with divisions based on ethnic, cultural, linguistic or doctrinal differences, and there might also be competition among leaders, factions and organizations;
- Some religious leaders are self-appointed and do not necessarily enjoy significant levels of support within their community, nor do they accurately reflect the views of their followers on major issues;
- Religious leaders and faith-based organizations may reject the notion that they can do something to help prevent terrorism and counter VERLT; and
- Some religious leaders and faith-based organizations might prefer to deny, hush up or play down situations of violent radicalization because they see

142 OSCE, "Charter on Preventing and Combating Terrorism", *op. cit., note 9.*

these instances as potentially damaging to the image of their communities, and/or they might even see these as resulting from their own failures.

Successful police engagement with religious leaders and faith-based organizations can be facilitated if the police:

- Develop and base their engagement on an accurate understanding of local demographics, dynamics and the complexities of religious communities;
- Take a reflective approach to identifying and rejecting the possible stereotypes and prejudices they may hold against the religious beliefs of those they seek to engage with;
- Demonstrate knowledge and, to the extent possible, sensitivity to religious beliefs, although it is neither necessary nor practical to expect police officers to share the religious beliefs of the community that they are seeking to engage with;
- Make clear from the outset that they do not hold religion responsible for terrorism and VERLT, and actively challenge the association of terrorism with religion through their engagement with other communities and the public at large;
- Explain how the proactive involvement of religious leaders and faith-based organizations in preventing terrorism and countering VERLT is in the interest of safeguarding communities;
- Make every effort not to be seen to favour one group over another and refrain from trying to co-opt single interlocutors; and
- Engage with leaders and organizations from all religions and encourage them to mobilize jointly to denounce terrorist violence and express solidarity with all victims of terrorism.

Case study No. 21: Project "Schnittmengen", Islamic Centre and district police of Gütersloh, Germany

In 2011, Germany's Federal Ministry of Interior launched a Security Partnership with Muslim Citizens. The initiative aims to raise awareness of the threat of VERLT, identify successful examples of partnerships between Muslim communities and the security authorities, and encourage and financially support the development of other community-led projects. A competition was organized as part of the initiative to award funding for two years to the best existing project and to the best idea for a new project to promote co-operation between Muslims and law enforcement authorities. The project ''Schnittmengen" (Intersections) won the award in the first category.

"Schnittmengen" is a youth programme established and run as a joint initiative of the Islamic Centre in the city of Gütersloh, the district police and the regional branch of the Anti-Violence Villigst Academy. The project engages mainly Muslim young people between 15 and 25 years of age. It aims to raise their awareness about violence, to highlight that they share needs and aspirations in common with the rest of society, to foster tolerant attitudes and a sense of belonging to society among participants, as well as to improve their perceptions of the police and other authorities through positive interaction.

Participants meet once a week in groups of 15 to 20 to take part in sporting activities and once a month for practical training on de-escalating violence. Through these activities, they gain knowledge and develop social and communication skills that can help them handle difficult situations and reject violence. The project is actively supported by several members of the Muslim community in Gütersloh.

Source: Federal Office for Migration and Refugees, Germany[143]

5.4.6. Engaging with Ethnic Minorities

The potential for the police to engage with ethnic minorities in a constructive manner in order to prevent terrorism depends, to a large extent, on the broader context of police relations with ethnic minorities and the integration of men and women from ethnic minorities in society.

- The police may be able to build on existing efforts to implement good practices for policing in multi-ethnic societies, as well as other initiatives to facilitate the participation of men and women belonging to ethnic minorities in public life.[144]
- Conversely, the opportunity for the police to effectively engage with ethnic minorities on preventing terrorism will be limited, and possibly undermined, by a history and persistence of poor interaction and distrust

143 German Federal Office for Migration and Refugees, "Initiative Sicherheitspartnerschaft: Gemeinsamen mit Muslimen für Sicherheit", <http://www.initiative-sicherheitspartnerschaft.de/>.

144 OSCE/High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies*, *op. cit.*, note 110; OSCE, *Good Practices in Building Police-Public Partnerships*, *op. cit.*, note 6; also see *Police and Roma and Sinti: Good Practices in Building Trust and Understanding* (Vienna: OSCE/ODIHR, 2010), SPMU Publication Series Vol. 9, <http://www.osce.org/odihr/67843>.

between the police and ethnic minorities, especially as a result of discriminatory practices and police abuse against ethnic minorities. In the case of immigrants, negative experiences with the police are sometimes imported from abroad.

It is imperative that police actions against terrorism not discriminate against, or unwittingly stigmatize, any particular ethnicity, turning it into a "suspect group". Terrorism cannot and should not be associated with any nationality, people or ethnic group.[145] Discriminating against and stigmatizing ethnic minorities is not only unlawful and should result in legal action against the police, but it may also be counterproductive, as it can lead to grievances, alienation and animosity towards the police. This, in turn, can significantly reduce the willingness of ethnic minorities to engage with, and support, the police in preventing terrorism and countering VERLT.[146]

The police should exclude discriminatory ethnic profiling as a matter of principle, and in particular in the context of discretionary stop-and-search powers:

- Police officers should be provided with clear guidance and training on legitimate profiling, e.g., on the factors they may employ to develop profiles based on evidence gathered by the police. Police officers should handle stop-and-search operations with the highest level of professional standards and in line with international human rights standards,[147] which require using non-violent means and resorting to the use of force as a last resort in exceptional measures only when it is strictly unavoidable in order to protect life and when less extreme measures are not sufficient.[148] If the use of force is necessary during stop-and-search operations, it should comply with the principle of the minimum use of force and the proportionality of the level of force to a particular threat, minimizing physical injury and damage to property;
- Complaint mechanisms should be made sufficiently known and be accessible to the public, and cases of discrimination by the police should be effectively dealt with through disciplinary proceedings and the outcome

145 OSCE, "Charter on Preventing and Combating Terrorism", *op. cit.*, note 9; *"OSCE Consolidated Framework for the Fight against Terrorism", op. cit.*, note 2; *UN Global Counterterrorism Strategy, op. cit.*, note 8.

146 See Case Study No. 7.

147 See Case Study No. 2.

148 UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 1990.

communicated to members of the ethnic minorities concerned. The participation of representatives of ethnic minorities in these mechanisms is another way of increasing trust that can enhance perceptions of police legitimacy; and
- The participation of people with an ethnic-minority background in practical stop-and-search training for the police can also help to enhance mutual understanding of the rationale for stopping and searching an individual and how the public experiences it.

Successful engagement with ethnic minorities on preventing terrorism and countering VERLT requires that the police:
- Exclude behaviour, practices and procedures that amount to, or may lead to, discrimination;
- Effectively enforce criminal laws against racism and discrimination and be able to recognize manifestations of racism, intolerance and xenophobia;
- Ensure, as far as practicable, that they have the ability to communicate and disseminate information on counterterrorism in minority languages, or work with interpreters, if necessary;
- Ensure that the mechanisms in place for members of the public to contact and report to the police, or other statutory bodies, on terrorism-related issues are accessible to ethnic minorities;
- Make clear that they do not associate terrorism and VERLT with any particular ethnic groups and actively challenge associations of this kind in their interaction with all segments of the public, including by refraining from communicating statistics and data on VERLT in a biased manner that could foster prejudices and stereotypes against particular ethnic minorities;
- Ensure that police officers involved in preventing and countering terrorism reflect the diversity of the population, so as to build confidence and increase operational effectiveness. The public image of the police as a demographically representative body should be actively promoted in the context of countering terrorism;
- Compose diverse police teams that reflect the demographic composition of the population, especially for community engagement. The decision to assign a police officer to serve a particular community should not be determined only by their gender and ethnic or religious background. It should take into account the skills, knowledge and credibility needed to effectively establish relationships with the community;
- Equip police officers with the necessary knowledge, through training, to base their engagement on an accurate understanding of the demographics, dynamics and complexities of each ethnic minority; and

- Provide opportunities, such as seminars and coaching, whereby police officers can learn about the ethnic minorities they are tasked to engage with, and take a reflective approach to identifying and rejecting the possible stereotypes and prejudices they may hold against them. Individuals belonging to ethnic minorities can usefully contribute to such efforts.

While engaging with ethnic minorities on preventing terrorism and countering VERLT, the police will be more effective if:

- They can rely on officers who already have established relationships with men and women from ethnic minorities as liaison officers or contact points;
- They make clear from the outset that they do not view the ethnic minority itself as a problem or as a suspect group;
- They reach out to individuals and organizations from all ethnic minorities, as well as the majority population, and make every effort not to be seen as favouring one group over another;
- They ensure that any formal or informal forums for interacting with communities are open to all segments of the public, including ethnic minorities;
- They provide ethnic minorities, as far as possible, with information in their own language;
- They have, and demonstrate some knowledge of, the language, customs, history and religious beliefs of the ethnic minority they aim to engage with;
- They acknowledge any legacy of poor relations between the police and the ethnic minority they aim to engage with, while showing genuine efforts to rebuild relationships;
- They engage with a cross-section of people belonging to the ethnic minority they are engaging with – men and women, younger and older people – and strive to further adapt their outreach accordingly;
- They do not limit the focus of their engagement to countering terrorism only, but genuinely address a broader range of issues and possible concerns to ethnic minorities;
- They inquire about, listen to, and address the concerns of ethnic minorities in relation to countering terrorism; and
- They explain why the proactive involvement of ethnic minorities in preventing terrorism and countering VERLT is in the interest of safeguarding communities.

Through their engagement with ethnic minorities, the police should encourage ethnic minorities to link up and mobilize collectively, including with

individuals and organizations from the majority group, to jointly denounce terrorist violence and express solidarity with all victims of terrorism.

Case study No. 22: Diversity Education and Law Enforcement Outreach Program of the American-Arab Anti-Discrimination Committee, United States

The American-Arab Anti-Discrimination Committee (ADC) is a nationwide grass-roots Arab-American organization engaged in advocacy and educational work to defend the rights of people of Arab descent and to promote their cultural heritage in the United States. One of its objectives is to combat stereotypes and discrimination against the Arab-American community. The ADC's educational initiatives have included specific outreach towards the police in response to the backlash against Arab-American and Muslim communities following the 11 September 2001 terrorist attacks against the United States.

In late 2001, the ADC launched its Diversity Education and Law Enforcement Outreach Program to provide law enforcement personnel with:

- Enhanced knowledge of cross-cultural skills to improve effectiveness and build trust in engaging with American-Arab and Muslim communities;
- Increased understanding of cultural differences and attitudes;
- Suggestions on how to better engage communities and recruit officers from among their members; and
- Guidance on what is and what is not considered suspicious within communities.

Relying on interactive, in-person seminars, the programme trained over 20,000 professionals, including employees at the Federal Bureau of Investigation (FBI), the Department of Homeland Security, the Department of Justice, and state and local law enforcement, university and corporate groups. The Director of the programme also contributed to the development of two federal government training videos about Arabs and Muslims. The programme received several awards from federal, state and local government agencies in recognition of its community leadership efforts.

The Program Director at the ADC was also a founding member of the Arab, Muslim and Sikh Advisory Council to the FBI's Washington Field Office. AMSAC was established in 2003 to ensure transparency and better communication between the communities and the WFO. AMSAC and the WFO have been holding quarterly meetings to share cultural, linguistic and contextual expertise, and to work to prevent hate crimes by building relationships with community members, so that they will be willing to work with law enforcement.

Sources: American-Arab Anti-Discrimination Committee[149], FBI[150]

5.4.7. Engaging with Civil Society Organizations

OSCE participating States have recognized that it is vital to engage with civil society organizations in the fight against terrorism and have committed themselves to enhancing their co-operation with these organizations.[151] Because civil society organizations are central to public life and information-sharing networks, the police should try to engage them and involve them in the development of partnerships, even if there have been tensions and controversies between them and the police in the past.[152] Human rights organizations, including women's organizations, associations of victims of terrorism and community-based organizations, in particular, can play a key role in working with the police to prevent terrorism and counter VERLT.

The police can increase civil society organizations' awareness of the wide range of activities through which they themselves can contribute to the prevention of terrorism. These include, for instance:

- Raising awareness among the public about the nature of the terrorist threat and applicable laws and measures to prevent and combat terrorism, and informing them of what communities and their members can do to protect themselves against terrorism;

149 American-Arab Anti-Discrimination Committee, "ADC LEOP Continues to Lead Fight Against Ignorance and Intolerance", <http://www.adc.org>; also see "Diversity Education and Law Enforcement Outreach Program", American Arab Anti-Discrimination Committee, 5 October 2009, <http://www.osce.org/odihr/39324>.

150 United States Department of Justice, the Federal Bureau of Investigation, 2009 Director's Community Leadership Awards, <http://www.fbi.gov/about-us/partnerships_and_outreach/community_outreach/dcla/2009/wfo>.

151 OSCE Ministerial Council, Decision No. 5/07, *op. cit.*, note 80.

152 OSCE, *Good Practices in Building Police-Public Partnerships*, *op. cit.*, note 6, para. 8.

- Raising awareness among the public about the human rights standards that the police must comply with when preventing and countering terrorism;
- Researching conditions conducive to terrorism to support the development of a better understanding of VERLT;
- Undertaking specific activities to address conditions that are conducive to terrorism, such as initiatives to strengthen human rights and the rule of law, to promote democratic accountability and to combat discrimination and human rights violations, as well as to foster social cohesion and inclusion and tackle negative socio-economic factors;
- Contributing to the prevention and resolution of tensions within and between communities by creating safe spaces for discussing issues and concerns, channelling expressions of dissent and grievances through the democratic process, and facilitating the sharing of experiences and views among members of the public;
- Advocating solidarity with victims of terrorism, providing them with support and highlighting their voices in order to counter the dehumanization of victims in terrorist and violent extremist narratives;
- Actively speaking out against violent and extremist ideologies, leaders and groups to delegitimize them; and
- Engaging with individuals drawn into VERLT to divert them from a path of violent radicalization.[153]

Civil society organizations can perform a number of important roles specifically in relation to police efforts to prevent terrorism and counter VERLT. The police should try to develop constructive relationships with civil society organizations along these lines. Civil society can support and increase the effectiveness of the police by, for instance:

- Strengthening cohesion and mobilizing men and women in communities in support of problem-solving initiatives, including those designed to address community grievances and conditions conducive to terrorism, such as discrimination;
- Acting as an intermediary for communication between the police and different communities, groups and individuals, especially those that are reluctant to engage with, or are hostile to, the police;

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153 OSCE/ODIHR, "The Role of Civil Society in Preventing Terrorism", *op. cit.*, note 84; also see David Cortright (ed.), *Friend not Foe: Opening Spaces for Civil Society Engagement to Prevent Violent Extremism* (Fourth Freedom Forum and the Kroc Institute for International Peace Studies at the University of Notre Dame, 2nd ed., May 2011).

- Enhancing the understanding among communities about the role and functions of the police in countering terrorism and, conversely, channelling to the police some of the views and concerns of communities with regard to terrorism and countering terrorism;
- Promoting police accountability to the public by maintaining continuous and direct dialogue on issues of concern, evaluating the impact of police actions on communities and the rights of their members, advising on specific police measures to prevent terrorism and counter VERLT and suggesting potential alternatives;
- Acknowledging positive steps or measures taken by the police to prevent terrorism and counter VERLT, thus enhancing public confidence; and
- Engaging with individuals and groups vulnerable to, or drawn into, VERLT to better understand them and/or divert them away from a path of terrorist radicalization, with the understanding by the police that such engagement does not imply legitimizing or otherwise supporting these individuals and groups.

Case study No. 23: Society for Democratic Culture, Germany

The Society for Democratic Culture (ZDK Gesellschaft Demokratische Kultur) is a civil society organization and NGO network in Germany that works to promote democratic values and human rights against violence and extremism. It was established in 2003 to expand nationwide on the mission of the Centre for Democratic Culture (ZDK), founded in Berlin in 1997. The organization does not have any political or religious affiliation, and its work is both academic and practical. Its focus encompasses all types of extremism. It conducts research and analysis and provides scientific advice and coaching services to municipalities, other public authorities, other civil society organizations and businesses on issues of extremism and violence. It also functions as an independent observatory on extremism and crime, producing reports, case studies and other publications to contribute to and stimulate public discussion in Germany on these issues.

Between 1999 and 2003, the ZDK developed a three-stage model of "community coaching" to build capacity to counter extremism at the level of municipalities or city districts by fostering the development of democratic values.[154] This methodology relies on:

154 Dierk Borstel, "Das Konzept Community Coaching", Schriftenreihe des Zentrum Demokratische Kultur, No. 4, 2003, pp. 6-15.

(1) Assessing the local situation and needs, including, for instance, a qualitative mapping of the extent to which the community is affected by extremism and violence;
(2) Facilitating the development of a community network among local stakeholders; and
(3) Providing advice for the formulation and implementation of adequate community-based options and strategies to counter extremism.

This community-coaching model has been adapted and implemented in over 20 municipalities throughout Germany. Several projects are ongoing, including the largest, run since 2010 in the Neukölln district of Berlin.

In addition to the ZDK, the Society for Democratic Culture is also responsible for EXIT Germany, an initiative co-founded by a former police detective and a former neo-Nazi leader in 2000 to provide individual support to people who wish to abandon right-wing extremism. EXIT helps them, through personal dialogue and coaching, to critically reflect on their extremist worldviews and their own past behaviour, develop new perspectives and start a new life. It provides them with practical assistance and facilitates contacts with other stakeholders, but does not provide financial or social support to former radicals and does not offer protection from prosecution. EXIT also provides customized counselling to families, teachers, police officers, and anyone in need of advice to deal with cases involving right-wing extremism.

In late 2011, EXIT Germany designed and distributed 300 free T-shirts bearing extreme-right symbols and slogans during one of the largest neo-Nazi rock concerts in Europe. After being washed, the T-shirts lost their imprint, revealing a different design underneath, a slogan reading: "What your T-shirt can do, you can also do! We help you free yourself from right-wing extremism. EXIT Germany." The initiative was coupled with an online media campaign, including a video production, and attracted worldwide attention. The number of individuals contacting EXIT Germany tripled after the campaign began.

Source: ZDK Gesellschaft Demokratische Kultur[155]

155 To learn more about this project, visit EXIT Germany's website at <http://www.exit-deutschland.de/>.

In order for police engagement with civil society organizations to be possible and successful, it is imperative that any obstacles and challenges that civil society organizations may face be removed, and especially those that may have emerged or increased in the context of countering terrorism. Some of these obstacles will require actions that fall outside the scope of police responsibility, such as reviewing unduly restrictive laws on registration and funding of NGOs Nevertheless, within their own remit, the police should:

- Consider civil society organizations independent and equal partners in addressing grievances and security issues of common concern within a community; the police should not attempt to manipulate civil society organizations for policing purposes;
- Engage with a diverse range of civil society organizations representing different communities and addressing various issues;
- Engage constructively even with those civil society organizations critical of the police;
- Ensure the protection of members of civil society organizations and human rights defenders, in particular their physical integrity where their involvement in preventing terrorism and countering VERLT has resulted in harassment or persecution;
- Share, to the extent possible and preferably through direct channels of communication, relevant and accurate information with civil society organizations on police assessments of the terrorist threat, so that these organizations can provide valuable perspectives, advice and assistance;
- Not treat civil society organizations with suspicion unless there are genuine and objective grounds to do so, especially when they engage with individuals and groups vulnerable to VERLT to better understand them and/or divert them away from a path of terrorist radicalization;
- Not limit the activities of civil society organizations by associating them with terrorism unless this has been established by a court in compliance with due process and fair-trial standards; and
- Consider involving civil society organizations in training for police officers on diversity, non-discrimination, human rights and gender issues, in general, and especially in the context of counterterrorism.

Case study No. 24: Centre for Information on Destructive Subcultures, Fryshuset, Sweden

The Centre for Information on Destructive Subcultures (CIDES) is a project of the non-governmental youth centre and foundation Fryshuset in Sweden. CIDES works to develop and disseminate effective approaches to combating the formation of destructive subcultures, reducing their recruitment and facilitating defection from such groups. Examples of destructive groups include violence-promoting extremist groups, criminal gangs and violent groups among football supporters.

The work of CIDES is premised on the idea that problems with destructive groups cannot be fixed by the police alone. There are a lot of stakeholders in society who need to assume their responsibilities and work together, and they need to listen to young people to find out what support they need to avoid, or leave, destructive groups.

CIDES, therefore, closely involves young people in its work. It supported the establishment of three youth councils in Stockholm, Gothenburg and Malmö, respectively, to allow young people from disadvantaged backgrounds to formulate the problems they experience in their daily lives and make suggestions as to how these problems can be addressed.

CIDES has also set up a network with representatives of the National Board of Health, the police, the Swedish Prison and Probation Service, schools, universities and decision-makers who work on various levels with issues related to young people. Network participants can exchange experiences, identify problems and work together to find solutions.

Sources: Centre for Information on Destructive Subcultures,[156] Security Service of Sweden[157]

156 To learn more about CIDES, please visit their website at <http://cides.fryshuset.se/>.
157 *Violence-promoting Islamist extremism in Sweden, op. cit.*, note 130, pp. 78-79.

5.4.8. Engaging with Small and Medium-sized Businesses

Businesses are a critical part of a country's infrastructure and central to its resilience, generating income, employment and providing goods and services to the population. Engaging with businesses in preventing terrorism is just as important for the police as engaging with individuals and civil society groups. Businesses can, for instance, become the target of terrorist attacks, or terrorists may try to procure materials and equipment from businesses.

While engagement by public authorities with large businesses may be organized at a more centralized level, community police officers are well placed to engage with small and medium-sized businesses. It may be the case, however, that engagement with businesses of any size in some countries does not fall within the remit of community police and will be geared explicitly towards intelligence gathering.

Case study No. 25: Project Griffin, City of London Police, United Kingdom

Establishing a police-public partnership to prevent terrorism aimed specifically at businesses has proved to be a successful approach in the City of London. Project Griffin was initially established in 2004 to advise and familiarize managers, security officers and employees of large public - and private-sector organizations on security, counterterrorism and crime-prevention issues. It has now grown into a national initiative, and there has been considerable interest from police in other countries.

The project today aims to enlist the help and support of individuals or groups responsible for the safety and security of buildings, businesses, districts or neighbourhoods. It provides an official and direct channel through which the police can share and update vital information relating to security and crime prevention.

Its principal aims are to:

- Raise awareness of current terrorism and crime issues;
- Share and gather information;
- Build and maintain effective working relationships;
- Seek solutions for defeating terrorism and crime;
- Maintain trust and confidence in the police and other authorities; and
- Empower people to report suspicious activity and behaviour.

Project Griffin's framework consists of four main strands:

- Awareness days: These are staged locally by participating police forces to introduce the concept and establish relationships and networks. They focus on how to recognize, respond to and report suspicious activity and behaviour (e.g., hostile reconnaissance, vehicle-/person-borne improvised devices). They also help participants reflect on their own local procedures for dealing with certain types of incidents and emergencies;
- Online refresher module: An informative, interactive and easy-to-follow refresher package has been developed to help keep participants engaged and informed;
- Bridge calls: Most participating police forces employ a system of regular bridge calls, whether by conference call, SMS, pager or e-mail. These keep individuals and groups aware of current information and intelligence, as well as issues or incidents affecting their particular areas; and
- Emergency deployments: Although the primary role of Project Griffin is to focus on community awareness, surveillance and reporting, additional procedures might be activated in times of emergency. Police forces, utilizing civilian powers, might deploy Project Griffin-registered personnel for activities such as setting up cordons or high-visibility neighbourhood patrolling.

Source: Project Griffin, City of London Police[158]

158 To learn more about Project Griffin, please visit its website at <http://www.projectgriffin.org.uk>.

Summary of Key Points – Section 5.4.

- Police engagement with communities on preventing terrorism and countering VERLT should be:
  - **Inclusive**, reaching out to all communities and to a cross-section of members within communities;
  - Carefully **planned**, to mitigate possible risks, especially stigmatizing communities, securitizing the relationship with them, or further alienating those who are afraid of, or possibly hostile to, the police;
  - **Tailored**, taking into account the needs, concerns and complexities of different communities and groups within those communities;
  - **Transparent** about the fact that preventing terrorism and countering VERLT are issues that the police are addressing;
  - **Broad**, addressing a wide range of community safety issues, not just preventing terrorism;
  - **Reciprocal**, addressing both the concerns of the police and those of communities; and
  - As **frequent** as possible and conducted both in formal and informal settings, to maximize opportunities for interaction and building trust.
- Engagement can potentially be facilitated by third parties from other statutory bodies or from civil society, which may have better knowledge of, access to and/or credibility with communities or particular individuals.
- The police should be careful not to undermine the perceived independence and credibility of individuals in a position to exercise a positive influence within communities. Conversely, the police should be careful not to legitimize individuals whose influence within communities is unclear or possibly negative in relation to countering VERLT.

5.5. ANTICIPATING THE REACTIONS OF MEMBERS OF THE PUBLIC TO POLICE ENGAGEMENT

This subsection will address the following questions:

- How are members of the public likely to react to police attempting to engage with them on the issue of preventing terrorism and countering VERLT?
- How might members of the public show that they are open to engaging constructively with the police? What questions might they ask to better understand the aim of further engagement?
- What information could members of the public be encouraged to share with the police?

It can be unsettling for members of the public, groups of individuals or communities to be engaged by the police on the issue of preventing terrorism and countering VERLT. Initially, one might feel surprised, worried or even angered. Members of the public will then consider how to respond to the police. This will very much depend on the particular way and context in which the police bring up the issue. Therefore, it is important that police try to anticipate these reactions when planning how to engage members of the public. In doing so, they may consider the following points:

Faced with an attempt by the police to engage with them, members of the public are likely to ask themselves, for instance:

- Why are the police contacting me? Why are the police contacting people in my community?
- How am I affected by the threat of terrorism and by counterterrorism measures? Is my community affected? How are others affected?
- What opportunities does engaging with the police offer me and my community? How would I envisage working in partnership with the police?
- Are other members of my community working with the police? How will I be perceived by my community if I co-operate with the police?
- What do I want from the police? What can I expect from the police or from other agencies?
- Do I have any concerns, and how can I raise them?
- How much trust and confidence do I have in the police? and
- How do I ensure that the police remain accountable to the community?

The police should anticipate that some members of the public may have prepared for engaging with them by seeking information about, for instance:

- Their rights and obligations;
- The obligations of the state and applicable legislation;
- How the threat of terrorism and VERLT is currently assessed countrywide and within their local areas;
- The policies and measures in place to prevent and combat terrorism, their reported effectiveness and shortcomings;
- The role of the police and other agencies in preventing terrorism and countering VERLT;
- Reported successes, failures and possible violations of human rights in the state's action against terrorism;
- Any current initiatives aimed at preventing terrorism and countering VERLT within their local areas, led by civil society or public authorities, including police-public forums;
- How they can get involved in efforts to prevent terrorism and counter VERLT within their local areas; and
- The current dynamics between the police and community members within their local areas, whether there are tensions and, if so, why.

The police should recognize and reciprocate the efforts of those members of the public striving to take a constructive approach while engaging with the police. These members of the public may, for instance, try to:

- Refrain from dismissing police efforts and try to see the issue from the perspective of the police;
- Show that they understand the issue, its challenging nature and the role and obligations of the police;
- Raise and explain possible concerns constructively;
- Reframe and reformulate the issue in a way that is more relevant to the community; and
- Maintain contact even when various local, national and international factors might place strain on between the community and police relations.

The police should be prepared to provide information that members of the public could request to better understand the rationale and clarify the modalities of further engagement, such as:

- An assessment of the current threat posed by terrorism and VERLT, the origins and nature of the threat, and how it currently manifests itself;
- Regular updates on the initiatives taken and progress made by the police in tackling VERLT;
- An explanation of how the police envisage that men and women in the community might co-operate with them;

- A single point of contact for members of the community to use in their communications with local police on the issue of VERLT;
- Possible information about ongoing operations or planned measures that are likely to impact communities;
- Clear protocols and guarantees around confidentiality, privacy and liability for the reporting of concerns to the police and for the sharing of sensitive information; and
- Clear guidelines and guarantees on the protection of witnesses and collaborators of justice.

The police can encourage members of the public to reflect and share feedback with the police, at a time of their own choosing, on questions such as:

- How police-community relations are perceived and experienced in their community;
- How the role of the police and its outreach towards the public is understood in their community with regard to preventing terrorism and countering VERLT;
- How the threat of terrorism and VERLT is perceived by men and women in the community;
- What questions members of the community are asking themselves about the prevention of terrorism and what kind of explanations and information they need from the police or other authorities;
- How community members perceive or may themselves experience the implementation of specific pieces of anti-terrorism legislation, measures or operations; and
- How community members assess vulnerabilities and threats to terrorism and VERLT in the community, how they recommend that these could be most effectively addressed, and whether they can help to do so.

Summary of Key Points – Subsection 5.5.

- Members of the public may be upset, worried or even angered if engaged by the police on the issue of preventing terrorism and countering VERLT. The police should try to anticipate such reactions and make attempts to better plan how to engage various individuals and groups.
- The police should encourage and reciprocate the efforts of those members of the public striving to constructively engage with them. They should be prepared to provide additional information and clarification on the aim and modalities of further engagement.

5.6. INTER-AGENCY CO-ORDINATION AND REFERRAL MECHANISMS

This subsection will address the following questions:

- Why is inter-agency co-ordination necessary to support effective community engagement?
- What can the police do to promote inter-agency co-ordination?
- How does community policing relate to the institution of referral mechanisms to address cases of individuals at risk of VERLT?
- What are the challenges in making referral mechanisms human rights-compliant and effective?

5.6.1. Inter-agency Co-ordination between the Police and Other Public Authorities

One of the key strategies for implementing community-policing principles is to involve all government agencies and services in proactive problem solving.[159] This is consistent with the multidisciplinary approach that is necessary to effectively counter terrorism and, in particular, to counter VERLT.[160] Through their community engagement, the police may identify or be alerted to existing or emerging issues that are relevant to preventing terrorism and countering VERLT but that fall outside their remit. It is crucial that these issues not be left unaddressed and that the competent public authorities be informed and get involved.

Effective and accountable inter-agency co-ordination is a prerequisite for a timely and appropriate response. In particular, it is indispensable for mitigating the risk of securitizing the engagement of public authorities with particular communities.[161] Inter-agency co-ordination can be facilitated if there is:

- A clear division of areas of responsibility and accountability among all agencies;
- Mutual awareness of the distinct roles and competencies among all agencies; this will prevent confusion about who has the lead and who is responsible for addressing a particular issue;

159 See Section 4.1 of this guidebook.
160 See Section 3.2.2 of this guidebook.
161 See Section 4.2.5 of this guidebook.

- Established protocols for lawful and human rights-compliant sharing of information, especially confidential information;
- Clear decision-making procedures on joint action; and
- Transparency and oversight of inter-agency co-ordination arrangements.

The police can play a proactive role in facilitating inter-agency co-ordination on preventing terrorism and countering VERLT, especially at the local level. The police can, for instance:

- Raise awareness among other public authorities about the threat of terrorism and VERLT and what they can do. This can consist of imparting general knowledge and briefings specifically on the local situation;
- Involve other agencies in assessing the local situation, in particular with regard to how terrorism and counterterrorism are perceived among sectors of the public, possible concerns about specific individuals or groups, as well as the impact of counterterrorism measures on the community;
- Involve other agencies as early as possible when planning their engagement. The police can benefit from the expertise and experience of other agencies. The police may also find that it is more effective to let another agency lead the engagement or help establish contact with a particular individual or group;
- Regularly inform other agencies about their planned or ongoing engagement activities and seek feedback from other agencies on how these activities are perceived in the community; and
- Try to make sure that other public authorities are present during community meetings where the issues related to preventing terrorism and countering VERLT may be raised.

5.6.2. Institutionalized Referral Mechanisms for Individual Cases

A particular application of community-policing principles may consist of the establishment of institutionalized referral mechanisms to engage with individuals vulnerable to VERLT. It is imperative, however, that these arrangements be clearly defined with strong safeguards to ensure strict compliance with international human rights and gender-equality standards, while at the same time allowing for effective enforcement of the law.

Referral mechanisms can help bridge the gap where a case of concern has been identified and needs to be addressed proactively, but law enforcement action is not warranted, and the involvement of the police may actually be counterproductive. Referral mechanisms allow for the mobilization of

stakeholders who are better placed to deliver an effective and targeted preventive intervention, because they have particular competence, expertise, perceived credibility or legitimacy that the police or others do not possess.

There is a broad range of options in terms of who can be allowed to bring a case to a referral mechanism, e.g., the community police, other first-line public authorities, designated community members or any member of the public. While it may be beneficial to make a referral as widely accessible as possible, there is a risk of overwhelming the mechanism with a high number of referrals, most of which may turn out to be unwarranted. It is, therefore, critical to empower those expected to make use of the referral mechanism to understand the threat of VERLT, question their assumptions and stereotypes, and recognize what reliable conjunction of factors points toward a risk of violent radicalization.

Likewise, there is a broad range of options in terms of which stakeholders can be mobilized through these mechanisms, e.g., diverse public authorities other than the police; civil society partners, such as individual community members, a community-based organization or other NGOs; or a consortium of both public authorities and partners from civil society capable of providing tailored interventions. This will depend on the status of inter-agency co-ordination among public authorities and the relationships between public authorities, in particular the police and civil society stakeholders.

Public confidence and the effectiveness of a referral mechanism will be enhanced by measures to make its establishment and functioning transparent and to ensure the accountability of its activities. Appropriate communication and consultation with men and women of the public, as well as community participation in the mechanism itself, are instrumental in this regard.

Referral mechanisms need to be supported by clear information-sharing protocols and decision-making procedures. Key issues that need to be addressed when establishing a referral mechanism include the following:

- **What criteria are used to select non-governmental actors for participation in the mechanism?** The selection of partners, as a whole, should ensure a broad range of expertise, experience and community representation. The police should take great care in establishing formal partnerships

with individuals, groups or organizations when their commitment to non-violence and respect for universal human rights is unclear.[162]

- **How is a referral request assessed to ascertain the need for an intervention and to determine what this intervention should actually consist of?** A referral should not lead to a systematic intervention; each case should be individually screened and decided upon for a tailored response.
- **What are the modalities for overseeing interventions, re-assessing cases and terminating interventions?**
- **How is information on referrals and interventions managed, including data-retention and sharing protocols?**
- **How does the referral mechanism interact with the criminal-justice system?** Individuals engaged through referral should not be treated as offenders, as long as it has not been decided otherwise by the judiciary. There should be clear guidelines on responsibilities and the procedure for escalating the intervention and, when it becomes necessary, timely reporting to law enforcement authorities for preventing and investigating crimes and prosecuting suspected perpetrators. Individuals should be treated, as far as possible, in a way that minimizes the risk of pushing them further towards VERLT. For instance, diversionary arrangements could be considered for minor crimes, including community restorative justice, rather than formal police interventions.

162 See Section 5.4.1 of this guidebook.

Case study No. 26: Inter-agency co-ordination to provide mentoring to a young man affiliated with right-wing extremists, Denmark

In 2009, a 15-year-old boy from a provincial town in Denmark was arrested by the police for disorderly behaviour after a football game. Officials from his school were concerned about the boy, who showed no interest in schoolwork, was increasingly isolated in the classroom and occasionally showed up for school visibly bruised. His parents were concerned about their son, who frequently ran away to be with his friends.

Concern for the boy grew when the police informed the municipality of his affiliation with right-wing extremists. The boy had been apprehended more than 50 times in the company of older, known right-wing extremists, for instance in connection with football riots, disorderly behaviour and violence. Social services reviewed the case and decided that the municipality should act upon it. The municipality sought specialist assistance from an interdisciplinary task group (ITG) working on the prevention of extremism and radicalization in the neighbouring municipality. The ITG decided to provide an external mentor for the boy.

A meeting between a social worker, the boy and his parents was attended by the boy's teacher, the local social services co-ordinator and representatives of the ITG. The participants at the meeting openly shared their information and concerns for the boy. The boy's parents accepted an offer of an adult mentor. In addition to good interpersonal skills and relevant professional experience with outreach work, the mentor chosen was familiar with the social environment around the football stadium and the various associated supporter groups.

This example provides useful insight into how different agencies and individuals can work collaboratively to assess a risk of violent extremism in an individual case and decide on an adequate response. It further illustrates that the police are not always best placed to take the lead in addressing such issues.

Source: The Danish Ministry of Social Affairs and Integration[163]

163 *Preventing Extremism – A Danish Handbook Series: 14 Cases on Handling Radicalisation* (Copenhagen: The Danish Ministry of Social Affairs and Integration, October 2011).

Summary of Key Points – Subsection 5.6.

- Through community engagement, the police may become aware of issues that are relevant to preventing terrorism and countering VERLT but that fall outside their remit. It is crucial that the competent public authorities be informed and mobilized for joint and proactive problem-solving.
- Effective and accountable inter-agency co-ordination is a prerequisite for timely and appropriate responses. The police can play a proactive role in facilitating inter-agency co-ordination on preventing terrorism and countering VERLT, especially at the local level.
- Referral mechanisms among the police and other stakeholders can help to more effectively engage an individual vulnerable to VERLT when the involvement of the police might be counterproductive.
- The institution of referral mechanisms requires careful planning to ensure strict compliance with international human rights standards, public confidence and, at the same time, effective enforcement of the law.

5.7. Evaluating the Impact of Community Policing Approaches to Preventing Terrorism and Countering VERLT

This subsection will address the following questions:

- Why is evaluation indispensable?
- What are the specific challenges in evaluating community-policing approaches to preventing terrorism and countering VERLT, and what can make these more effective?

Evaluation is primarily a learning exercise that helps increase effectiveness. It is an essential component of any implementation strategy for the introduction of community policing.[164] An effective evaluation framework relies on both ongoing internal evaluation and ad hoc external, independent evaluation.

164 For more guidance on evaluation and community policing in general, see OSCE, *Good Practices in Building Police-Public Partnerships*, *op. cit.*, note 6, paras. 104-110.

Continued evaluation of policies and measures is crucial to ensuring accountability, generating public confidence and support, and increasing effectiveness. Police leaders, politicians and communities will all be seeking evidence that can demonstrate whether or not community-policing initiatives aimed at preventing terrorism and countering VERLT have had a beneficial impact. However, obtaining clear-cut evidence presents inherent difficulties:

- Effectiveness can be characterized by a non-event, namely that no terrorist attack occurred, or no one was radicalized or recruited for terrorism. But even if such an incident *does* occur, it does not necessarily mean that policies and measures were ineffective – they may have prevented several other incidents from occurring;
- Effectiveness can also be characterized in qualitative terms, which can be difficult to assess, especially in the short term, such as increased public confidence in the police and, in particular, its action against terrorism, as well as improved capacity to resolve conflict and identify and address grievances at the community level;
- Preventing terrorism and countering VERLT require a broad range of measures, many of which are placed outside the remit of the police. If a terrorism-related incident occurs, it would be problematic to assign any particular share of the responsibility to any one specific stakeholder; and
- Preventive work entails diffuse and long-term activities, such as raising awareness, the impact of which is difficult to capture and isolate from other intervening factors.

In order to address these difficulties, the need for evaluation should be anticipated early on, at the stage of formulating policies and measures. A baseline and meaningful benchmark should be identified to assess change and progress. Evaluations should include human rights benchmarks, including those related to equality, non-discrimination and gender, that measure progress toward or regression away from achieving gender-based equality and addressing the needs of women and men. Depending on the particular type of community-policing initiatives to assess, it may be more or less easy to identify evaluation criteria. Evaluation criteria should be SMART, i.e., **S**pecific, **M**easurable, **A**ttainable, **R**elevant and **T**ime-bound.

The police should draw on a broad range of possible measures and a number of different sources to corroborate findings, e.g., incident reports, intelligence reports, observations made by patrol officers, public-opinion surveys, minutes of community meetings, and reports published by newspapers and NGOs. The police could also commission targeted research by independent experts

to bolster their knowledge and understanding of the current situation in their neighbourhood or sector.

Consulting men and women in communities in order to determine the evaluation framework and involving a broad representative range of community members in the evaluation process are keys to increasing both the reliability of, and public confidence in, the findings of the evaluation. The police should make every effort to share with the public the conclusions of these evaluations. Where possible, information provided to the police can be published in a sanitized version so that it is available for others to challenge, question or correct.

While the evaluation of community-policing initiatives may prove inconclusive, especially in the short term, it is important not to precipitate a decision to simply discontinue such efforts. Community policing requires commitment and adequate resources over the medium to long term, allowing time for trust and partnerships to develop and tangible benefits to materialize.

Figure No. 7: Examples of possible indicators to evaluate progress in achieving benefits of community policing in preventing terrorism and countering VERLT

Example of indicators	Example of desired outcomes	
• **Attitudes towards the actions of the police to counterterrorism are improving across all segments of society, including minorities and marginalized groups.** • **Increased understanding among communities of the role of the police in counterterrorism.** *Possible verification measures:* - *Opinion surveys, focus groups;* - *Analysis of press coverage;* - *Analysis of public statements by community representatives;* - *Statistics on the number of suspicious situations/concerns reported to the police by members of the public; and* - *Reductions in the number of complaints against the police.*	**Increased trust in, and legitimacy of, the counterterrorism efforts of the police.**	**OBJECTIVE: INCREASED EFFECTIVENESS OF POLICE COUNTERTERRORISM EFFORTS**
• **More information is made available to the public on the policies and SOPs governing the actions of the police to counterterrorism.** *Possible verification measures:* - *Review of the quantity and quality of information publically available and how accessible it is;* - *Meetings with communities and other community outreach activities organized by the police; and* - *Statistics on information requests received and addressed.* • **Oversight and complaint mechanisms are extended or established, and function effectively with regard to the actions of the police to counterterrorism.** *Possible verification measures:* - *Official documents establishing and governing the mechanisms;* - *Independent expert assessment of the effectiveness of the mechanisms, including disciplinary actions;* - *Statistics on complaints filed (nature, number, outcome); and* - *Timeliness and quality of information given to the public on the work of these mechanisms;* • **The evaluation of police counterterrorism measures becomes systematic and involves public consultations, as well as a community impact assessment.** *Possible verification measures:* - *Official documents setting out evaluation policy;* - *Actual frequency and methodology of the evaluations;* - *Involvement of independent experts and members of the public in the evaluations;* - *Communication of evaluation findings to the public.*	**Increased transparency and accountability of the counterterrorism efforts of the police.**	

• **Increasing level of awareness and understanding across all branches of the police and at all levels of the threat of terrorism, factors conducive to terrorism (including human rights violations), and aspects of an effective, comprehensive and co-operative response.** • **The role of communities in preventing terrorism and countering VERLT is increasingly recognized and understood across all branches of the police and at all levels.** *Possible verification measures:* - *Existence of training/awareness-raising initiatives, number of recipients; knowledge evaluation after these initiatives compared to prior knowledge; and* - *Survey and/or focus-group studies.* • **Efforts within the police to review and address obstacles to effective engagement and partnership with communities, e.g., excluding discriminatory ethnic-profiling practices, increasing the demographic representativeness of the police.** *Possible verification measures:* - *Official documents on these efforts;* - *Reports of non-governmental and international organizations; and* - *Quantitative and qualitative impact assessment of these efforts (e.g., statistics on the composition of the police).*	**Increased recognition within the police of the need and conditions for partnerships with communities to prevent terrorism and counter VERLT.**	**OBJECTIVE: INCREASED EFFECTIVENESS OF POLICE COUNTERTERRORISM EFFORTS**
• **Police communication with the public on counterterrorism is planned, more proactive and frequent.** • **Police provide information to the public on counterterrorism in different formats/through different media to reach out to all segments of society.** *Possible verification measures:* - *Communication plans and policies, institutional communication capacity (e.g., dedicated staff and training for others);* - *Review of the quantity, quality and format of the information communicated to the public; and* - *Statistics on public consultation of the information provided (e.g., website hits, social-media followers);* • **Police communication with the public and the media in times of terrorism-related incidents and operations is timely, helps members of the public stay safe and promote social cohesion.** *Possible verification measures:* - *Extent to which communication is included as part of operational planning and crisis preparedness;* - *Communication efforts direct victims towards support structures and appeal to potential witnesses; and* - *Post-operation/-crisis assessment of the effectiveness of police communication.*	**Improved police communication with the public on counterterrorism.**	

• **The level of public awareness and understanding of the threat of VERLT and terrorism is increasing.** *Possible verification measures:* - *Opinion surveys and focus groups;* - *Analysis of press coverage; and* - *Analysis of public statements by community representatives.* • **Mechanisms are established and publicized to facilitate the reporting of suspicious situations by members of the public to the police.** *Possible verification measures:* - *Official documents on these mechanisms;* - *Accessibility of these mechanisms, e.g., formats, guarantee of anonymity, absence of sanctions for incorrect information that is reported in good faith);* - *Initiatives to inform the public about these mechanisms; and* - *Statistics on the use of these mechanisms.* • **Concerns about suspicious situations are more often reported by members of the public to the police.** *Possible verification measures:* - *Statistics on information reported, including instances of attacks prevented and investigations started or furthered as a result of information provided; and* - *Analysis of the number of instances where reported situations were, indeed, suspicious.*	**The role of public vigilance and resilience is developed with regard to the threat of VERLT and terrorism.**	**OBJECTIVE: INCREASED EFFECTIVENESS OF POLICE COUNTERTERRORISM EFFORTS**
• **The police try to make themselves more accessible and develop innovative solutions to reach out individuals and groups that are traditionally hard to reach.** *Possible verification measures:* - *Increased demographic representation within the police across all branches and levels, deployment of police teams reflecting the demographic makeup of the community they serve; and* - *Development of specific tools/initiatives to engage with these individuals and groups, e.g., use of social media, development of partnerships with community members and/or other public authorities to facilitate engagement.* • **The attitudes of these individuals and groups towards the police improve.** *Possible verification measures:* - *Statistics on positive contacts with these individuals and groups, e.g., participation in police outreach initiatives;* - *Opinion surveys and focus groups; and* - *Number of contacts with the police initiated by these individuals and groups.*	**Improved relations between the police and individuals and groups that have been hard to reach or not yet engaged with.**	

• **Opportunities for the exchange of information between the police and communities become more frequent, inclusive and reciprocal.** *Possible verification measures:* - *Protocols are established within the police to govern information exchange with communities;* - *The existence of such engagement opportunities, formal and informal, and level of community participation in them; and* - *Number of invitations for the police to take part in community-organized discussions and functions.* • **Mutual understanding increases and trust develops between the police and the community. Increasingly sensitive issues are raised and discussed constructively.** *Possible verification measures:* - *Community-level opinion surveys or focus groups;* - *Records of information exchanged, issues discussed between the police and community members; and* - *Initiatives to exchange information and consult with trusted community members on particularly sensitive issues.* • **Procedures and mechanisms are established to record and refer concerns and issues raised by communities and report back to them on measures undertaken in response and progress.** *Possible verification measures:* - *SOPs on recording concerns;* - *Official documents establishing and governing referral mechanisms within the police and/or from the police to other community stakeholders;* - *Statistics on the use and analysis of the effectiveness of referral mechanisms; and* - *SOPs on providing feedback to communities.* • **Community stakeholders (civil society and public authorities) increasingly recognize their own responsibilities and take ownership of the issues. Joint problem-solving approaches are developed.** *Possible verification measures:* - *Records of discussions with community stakeholders, public statements by community members;* - *Number of community stakeholders that take independent initiatives and/or are involved in joint problem-solving; and* - *Number of issues addressed through joint problem-solving approaches and impact assessment.*	**Improved capacity at the community level to identify and address issues and concerns related to both terrorism and counterterrorism.**	**OBJECTIVE: INCREASED EFFECTIVENESS OF POLICE COUNTERTERRORISM EFFORTS**

Summary of Key Points – Subsection 5.7.

- Evaluation, both internal and external, of policies and measures is crucial to increasing effectiveness, ensuring accountability and generating public confidence and support.
- There are inherent difficulties in obtaining clear-cut evidence to evaluate policies and measures to prevent terrorism and counter VERLT. These challenges can be mitigated by planning for evaluation at an early stage when formulating these policies and measures.
- Consulting men and women from the local community in the design and conduct of an evaluation will increase both its reliability and public confidence in the evaluation. The findings of the evaluation and the information provided for the evaluation should, to the extent possible, be made available to the public.
- Community policing requires medium - to long-term commitment and resources. If the evaluation of community-policing initiatives proves inconclusive, it is important not to precipitate a decision to discontinue these efforts.

6. Conclusion

States, in particular through their police agencies, have an obligation to provide protection against terrorism to all individuals within their jurisdictions, as well as to respect and protect human rights. This requires that they adopt a comprehensive approach to countering terrorism, with a particular focus on prevention and countering VERLT, while and through upholding human rights and the rule of law. The effectiveness and legitimacy of the state's action against terrorism will be undermined if the state, through any of its agencies, uses its power in contravention of international human rights standards. As the police play a central role in countering terrorism, it is particularly crucial that they be held effectively accountable for their actions to ensure legitimacy, confidence, trust and support from the public.

There has been growing recognition that the public and communities are stakeholders and partners in countering terrorism, rather than simply the passive object of law enforcement activities. Accordingly, some OSCE participating States are developing community-oriented approaches to counterterrorism that emphasize public support and participation in order to increase accountability and effectiveness. These approaches consist of locally tailored and locally driven initiatives that draw on partnerships among a wide range of actors, beyond traditional security practitioners, to include other public authorities, as well as civil society organizations, businesses and/or the media. In this spirit, some police services have sought to apply community policing in their efforts to prevent terrorism.

Community policing, with its focus on establishing police-public partnerships between the police, other public authorities and communities for proactive problem solving, can also make a tangible and durable contribution to wider strategic efforts to prevent terrorism and counter VERLT. However, policymakers and police leaders should have realistic expectations about the results that community policing can deliver in response to what is often a low-incidence, highly complex and multidimensional problem.

The manner in, and degree to, which community policing may incidentally benefit counterterrorism depend on the level of trust and co-operation that already exists between the police and the public. This takes time to build and is best achieved by engaging communities on broader security and safety issues that are of concern to them.

Community policing should first be implemented in its own right, independent of counterterrorism purposes and as a genuine application of democratic policing. Community policing is not a stand-alone tool that can function effectively in isolation. It should be embedded in a comprehensive, coherent and human rights-compliant strategy to combat terrorism in all its forms and manifestations, as well as to tackle the conditions under which terrorists are able to win support and recruit.

Annex

Template: Awareness-Raising Course for Community Police Officers on Preventing Terrorism and Countering VERLT

This generic template offers basic recommendations in terms of the issues that could be addressed during an awareness-raising course for community police officers on preventing terrorism and countering VERLT. The purpose of the course is to help participants better conceptualize the threat of VERLT and to clarify the role that community police officers are expected to play in support of efforts to prevent terrorism while upholding human rights and the rule of law. It is essential to tailor the content of the course and related training materials with information specific to the national situation and, to the greatest extent possible, to the area of deployment of the community police officers. Delivery of the course, in terms of language and training tools, should also be adapted to the local context.

FORMAT: The suggested course consists of three modules, requiring a minimum of half a day each. They can be arranged back-to-back or separately over a longer period of time. A maximum number of 12 participants is recommended to allow for effective interaction with the course facilitator(s). Participants should be encouraged to ask questions and share their own thoughts throughout the course. The template indicates where interactive training techniques may be especially effective. The course should be facilitated by a trainer with a combined knowledge of and, ideally, prior experience with counterterrorism, human rights and police-community engagement. The expertise and training experience of external facilitators should be carefully assessed before selection.

CONTRIBUTORS: Specialist counterterrorism/intelligence officers could be involved to provide briefings and to facilitate communication and co-ordination between their department(s) and community police. Their participation should also help emphasize the division of roles and responsibilities between community police officers and other stakeholders. It is also recommended to involve community members willing to constructively share their

knowledge and perspectives in facilitated interaction that is aimed at promoting mutual understanding. A third, optional module foresees such a discussion with community members based on a clear understanding of the purpose and informal nature of the exercise.

COMPLIANCE: Care should be taken to ensure that all materials used for the course are in line with national legislation and international human rights standards, especially if the course is to be facilitated, in whole or in part, by an external expert.

EVALUATION: Both the impact of the course on the participants' knowledge and the satisfaction of participants should be evaluated. Key messages and issues that the course will address could be identified to prepare multiple-choice questions and an evaluation questionnaire. This questionnaire should be completed anonymously by all enrolled participants and scored, both before and after the course. The result of the pre-course evaluation may assist facilitators in identifying key messages to emphasize during the course. Possible improvement in the rate of correct answers after the course will provide an indication of the impact of the course. The participants' satisfaction with the content and facilitation of the course, as well as third-party contributions, can be assessed through a short feedback questionnaire completed after each module.

TIME	ISSUES TO BE ADDRESSED	KEY DESIRED OUTCOMES	SUGGESTED METHODOLOGY
30 minutes	**Course introduction**	• Participants understand the purpose of the course and the different modules that will be addressed.	• Conduct a *tour de table*, asking participants to introduce themselves and express their expectations from the course; • Explain the objectives of the course; • Facilitate a short interactive exercise discussing participants' views on the role of community police officers in preventing terrorism and countering VERLT.

4.5 hours	Module 1: Understanding VERLT		
TIME	**ISSUES TO BE ADDRESSED**	**KEY DESIRED OUTCOMES**	**SUGGESTED METHODOLOGY**
110 minutes (incl. 10-minute break)	**Session 1.1: Understanding Terrorism and VERLT** • Terrorism and conditions conducive to its spread; • VERLT as a dynamic, individualized process, with push and pull risk factors; • Human rights particularly at stake in preventing terrorism; and • Terrorism and VERLT as threats to community security; communities as part of the solution.	• Participants reject the association of terrorism with a specific demographic group and understand there is no single terrorist profile or pathway to terrorism; • Participants understand which human rights are particularly at stake. They recognize that upholding and respecting the rule of law and human rights, including gender equality, enable effective prevention of terrorism; • Participants are able to understand that holding views or beliefs that are considered radical or extreme, as well as their peaceful expression, should not be considered a crime; and • Participants recognize the need for local approaches and the participation and support of both men and women community members to effectively prevent terrorism and counter VERLT.	• Group work and interactive discussion with participants; • Deliver a presentation using visual materials to highlight key points; provide frequent opportunities for questions and answers; and • Distribute relevant hand-outs.
15 minutes	Break		

110 minutes (incl. 10-minute break)	**Session 1.2: Domestic context** • Domestic policy and legislation for the prevention of terrorism; • International standards and relevant domestic legislation on human rights protection in countering terrorism; and • Terrorism and VERLT threat-assessment briefing, to the extent possible, specific to the area of deployment.	• Participants are acquainted with the definition of terrorism and the related preparatory criminal offences in national law, as well as characteristics of terrorism recognized at the international level; • Participants are familiarized with relevant international standards and domestic legislation relating to the protection of, and respect for, human rights in countering terrorism, as well as mechanisms in place to ensure the accountability of police actions; • Participants are introduced to the national approach to countering terrorism, in particular prevention efforts; and • Participants develop an awareness of how terrorists may try to take advantage of and/or target the community they serve.	• Presentation by a local expert(s), including specialist counter-terrorism/intelligence officers covering the area of deployment of the participants; • Distribute relevant reference documents as hand-outs (during the course or as part of the pre-training course preparatory package); and • Provide opportunities for questions and answers.
15 minutes	Module wrap-up	• Key points from the module are reiterated; and • Participants provide feedback on the module.	• Use visual materials summarizing key points; and • Provide and collect a five-minute questionnaire to be completed and returned anonymously by participants to provide feedback on content and delivery.

4.5 hours	Module 2: Defining the Role of Community Police Officers		
TIME	**ISSUES TO BE ADDRESSED**	**KEY DESIRED OUTCOMES**	**SUGGESTED METHODOLOGY**
110 minutes (incl. 10-minute break)	**Session 2.1: Engagement and Information Exchange with the Public** • How community police officers can support the prevention of terrorism; • Parameters for planning community engagement: why, with whom, risks, how; • Guidance for engaging with specific groups; • Information and key messages to communicate to the public; and • Available resources for additional information/guidance.	• Participants understand that the nature of their assignment does not change; • Participants understand the sensitivities and risks, including those related to the protection of human rights, around engaging members of the public on preventing terrorism and countering VERLT; • Participants are provided with core guidance on how they can carefully build upon or expand their current engagement; and • Participants know where to seek further information and guidance.	• Facilitate group work and/or interactive discussion with participants; • Use visual materials summarizing key points; • Consider using relevant video support; and • Distribute relevant reference documents as hand-outs.
15 minutes	Break		

110 minutes (incl. 10-minute break)	**Session 2.2: Recording, Reporting and Co-ordination** • Identification of suspicious behaviour or situations without relying on discriminatory practices; • How to record, report and act upon relevant information or concerns depending on their nature and urgency (SOPs); and • Recording and documenting engagement activities related to preventing terrorism, countering VERLT (SOPs).	• Participants make the distinction between behavioural profiling and discriminatory profiling practices. They are reminded about applicable rules and pointed towards further guidance, excluding discriminatory practices; • Participants understand that using indicators of VERLT is problematic from a human rights perspective and difficult practically, as possible indicators of VERLT are hard to define and should always be considered within the local context and in combination with other factors; • Participants receive clear instructions on individual recording and reporting responsibilities; and • Participants clearly distinguish their roles from those of other stakeholders, in particular specialist counterterrorism officers.	• Deliver a presentation(s) drawing on concrete examples and visual materials; provide frequent opportunities for questions and answers; • Involve a specialist counterterrorism officer(s) responsible for the area(s) of deployment of the participants to explain the division of roles and responsibilities between community police officers and other stakeholders; and • Distribute relevant reference documents (e.g., SOPs) as hand-outs.
15 minutes	Module wrap-up	• Key messages from the module are highlighted and reiterated; and • Participants provide feedback on the module.	• Use visual materials summarizing key points; and • Provide and collect a five-minute questionnaire to be completed and returned anonymously by participants to provide feedback on content and delivery.

4.5 hours	Module 3: Exchange with Community Representatives		
TIME	**ISSUES TO BE ADDRESSED**	**KEY DESIRED OUTCOMES**	**SUGGESTED METHODOLOGY**
130 minutes (incl. 20-minute break)	• Community perspectives on the threat of terrorism to the community; • Community concerns and expectations with regard to countering terrorism; and • Community perspectives on the role of community police officers.	• Participants are sensitized to community concerns and expectations with regard to counterterrorism; • Participants are made aware of communities' potential concerns and questions on the modalities of the engagement with the police and are better prepared to address them; and • Participants' knowledge is tested in a discussion with community representatives.	• Involve community representatives who have prior experience engaging constructively with the police; • Use an icebreaker to set an informal tone; • Presentation(s) by community representatives followed by questions and answers; and • Facilitate group discussion.
15 minutes	Module wrap-up	• Participants collectively summarize main takeaway points; and • Participants provide feedback on the module.	• Conduct a *tour de table*, asking each participant to highlight one main takeaway; and • Provide and collect a five-minute questionnaire to be completed and returned anonymously by participants to provide feedback on content and delivery.

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