



European Union

### Concept Note

#### ***Enhancing the Role of Parliamentarians in Building Effective Counter-Terrorism Systems within a Rule of Law Framework***

#### **Parliamentary Workshop**

**Istanbul, 20 - 21 April 2016**

States' responsibility to protect citizens from terrorism-related threats require the establishment of a consistent rule of law framework that assigns primary responsibilities to legislatures. Parliamentarians' work in the field of counter terrorism increases the effectiveness of counter terrorism policies that will benefit from enhanced accountability mechanisms, civic participation, and adherence to international best practices. Moreover, the transposition of the counter terrorism international legal framework into domestic legislation requires parliaments to enjoy accurate assistance for national security goals to be pursued in accordance with the international law. Legislators also directly impact the effectiveness of an anti-terrorism regime through allocation of national budget resources, oversight of justice sector institutions and existing legislation, public statements, and overall setting of national policy. Their independent role requires informed judgment to guarantee a transparent anti-terrorism legislation and national policy aiming at securing individual rights and the rule of law.

In recognition of the critical role of parliamentarians, the International Institute for Justice and the Rule of Law (IIJ), in the framework of a project funded by the European Commission (EC), announces the second regional workshop on "*Enhancing the Role of Parliamentarians in Building Effective Counter-Terrorism Systems within a Rule of Law Framework*" to be hosted by the Grand National Assembly of Turkey (GNAT) on 20-21 April 2016 in Istanbul. The event marks the fourth stage of the overall series inaugurated in Valletta on 5-6 May 2015 and followed by the first regional workshop addressing legislators hosted by the Parliament of Morocco in October 2015, and the Symposium held in Brussels on 1-2 March.

In the course of the project, a set of draft good practices to assist the work of legislators on counter terrorism emerged. These address the following key topics:

- 1) incorporating requirements of international instruments against terrorism into domestic law and enacting timely anti-terrorism laws respecting human rights and fundamental freedoms;
- 2) investigating the sources of terrorism, including radicalisation of individuals;
- 3) establishing effective justice sector institutions and interagency bodies;

- 4) setting investigative tools within the rule of law;
- 5) promoting criminal procedure rules, rules of evidence, and justice system reforms to meet the challenges of terrorism cases;
- 6) fostering public acceptance and inclusiveness of the national counter terrorism legal regime;
- 7) engaging civil society in the formation of counter terrorism policy;
- 8) allocating sufficient budget and government resources to support national counter terrorism strategy implementation;
- 9) overseeing law enforcement and intelligence services to secure citizens' rights;
- 10) balancing the needs of state secrecy with the benefits of public disclosure; and
- 11) promoting inter-parliamentary exchange of information and cooperation.

A recommendation for a parliamentary agenda on counter terrorism also emerged.

During the upcoming workshop, parliamentarians from national committees related to counter-terrorism and the security sector of Middle East and Africa countries and the European Union will convene to discuss and finalise the set of written good practices to support parliamentarians in the region in the area of counterterrorism. These discussions will also be reflected in the ongoing analytical study of the priorities, challenges and recommendations for parliamentarians in developing terrorism legislation, policy, and oversight.. The good practices developed during this program will also be submitted to the Seventh Ministerial Plenary of the Counterterrorism Forum (GCTF) in September 2016 for adoption and further dissemination.