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REPORT OF THE PROCEEDINGS

Milan Forum for Parliamentary Action in Preventing Violent Extremism and Mass Atrocities

27-28 November 2017

Introduction

At a time when violent extremism and mass atrocity crimes appear to be on the rise, national governments, international and regional forums are struggling to protect populations from grave human rights abuses. Motivated by the need to address these challenges, Parliamentarians for Global Action (PGA) in partnership with the Montreal Institute of Genocide and Human Rights Studies (MIGS) at Concordia University and the Stanley Foundation convened the *Milan Forum for Parliamentary Action in Preventing Violent Extremism and Mass Atrocities* on 27-28 November 2017 in Milan, Italy.

The forum sought to bring together parliamentarians, civil society members and experts from around the globe to educate, sensitize and mobilize legislators, and encourage them to adopt effective policies to protect civilians from mass atrocities and confront the ideology of violent extremism. The Milan Forum included presentations by legislators, academics, civil society groups and UN experts, including Ms. Virginia Gamba, Under-Secretary-General & Special Representative of the Secretary-General for Children and Armed Conflict, and Mr. Ivan Simonovic, Assistant-Secretary-General & Special Advisor to the UN Secretary-General on the Responsibility to Protect.

Participants acknowledged that extremist ideologies are being used to justify mass atrocity crimes against civilians and that the threat needs to be confronted in a holistic and multidimensional way, not just through governments and the military. In line with the leadership shown by PGA in the field of International Criminal Justice (ICC), this Forum was centered on justice and the rule of law as crucial elements of any viable strategy and policy aimed at addressing mass atrocity crimes.

Interactive sessions sought to develop action-oriented strategies in specific areas of legislative, policy-making and parliamentary-oversight intervention. A wide range of diverse region-specific examples were presented, each reflecting efforts already undertaken by policymakers to prevent mass atrocities and the urgent need for more concrete multi-dimensional action. While discussions demonstrated broad agreement on the need for cooperation, attendees reflected upon obstacles to consistent collective action.

Parliamentarians concluded the Forum by adopting the *Milan Plan of Action on Preventing Violent Extremism and Mass Atrocities*, which recognizes the threat posed by violent extremism and presents a set of concrete legislative and political strategies that parliamentarians can take prevent mass atrocity crimes and combat violent extremism, and protect populations from the gravest violations of human rights.

The following summary provides an overview of the key messages delivered by panelists as well as the outcome of discussions amongst parliamentarians during the two-day meeting.

Key themes

The agenda was comprised of seven interactive sessions which focused on the following themes:

1. Addressing the drivers and root causes of violent extremism and mass atrocities and identifying successful strategies for de-radicalization
2. Halting the Proliferation of Conventional Arms to Violent Extremists and Halting the Proliferation of Weapons of Mass Destruction
3. Ending Impunity for Violent Extremists and Perpetrators of Mass Atrocities: Ensuring Access to Justice for Victims
4. Ensuring that Counter-Terrorism Policies and Regulations Respect Human Rights
5. Role of Parliamentarians in Defending Civic Participation to Counter the Rise of Violent Extremism and Prevent Mass Atrocities
6. Exchanging Best Practices and Policies to Protect the Rights of Minorities and Vulnerable Groups, Including Women, Children and LGBTI Persons
7. Taking Action to Address Violent Extremism and Mass Atrocities: the Role of Parliamentarians

1: Addressing the drivers and root causes of violent extremism and mass atrocities and successful strategies for de-radicalization

Although the methods and tools of violence have changed, violent extremism has always existed in all regions of the world. Today, non-state actors such as the Islamic State, Boko Haram, Al Shabab and Al Qaeda deliberately want to undermine human rights, education, pluralism, multiculturalism and international humanitarian law. These groups are trans-national, versatile and flexible, and understanding the root causes of their existence and support base is therefore crucial.

The push and pull factors that can lead to radicalization vary greatly: they are region- and context-specific, and the patterns and causes vary from person to person. Nonetheless, experts present at the Forum agreed that three elements are usually present. First, real or perceived macro-and/or micro grievances play a major role in leading individuals to join extremist groups and commit crimes. This can include discrimination and marginalization, lack of socio-economic opportunities and education, and poor governance.

Secondly, ideologies play a crucial role in making sense of real or perceived grievances. Extremist groups frame and weaponize grievances in such a way that it creates a sense of victimhood that will eventually legitimize the use of violence. Most participants agreed that, at this point in time, totalitarian approaches and interpretations of religion is one of the main ideologies used by extremists to achieve their ends.

The third central component is mobilization: local social networks and relationships that connect potential extremist to others are crucial. Furthermore, participants agreed that violent extremist have weaponized the internet, which they use as a tool to

disseminate their hateful propaganda, radicalize and recruit fighters, thereby connecting to potential militants faster and easier.

Due to the central role played by ideologies and the fact push-and-pull factors are personal, region-specific and global at the same time, means that military action alone cannot address the foundational problems nor challenge the core ideas that motivate people to join extremist groups. Structural changes have to be made to stop extremism at the source. Combating extremism therefore means building strong national institutions, improving governance and social inclusion to prevent extremist groups from creating a sense of victimhood, and forming ties with local communities and NGOs who can be involved in counter-terrorism due to their proximity to individuals vulnerable to radicalization.

Countering radicalization is a strategic investment for government because the social polarization and the violence created by terrorism are ultimately more expensive than investment in social programs.

Session 2: Halting the proliferation of conventional arms to violent extremism and halting the proliferation of weapons of mass destruction

Mass atrocities and acts of violent extremism are facilitated thanks to illegally obtained conventional arms. Session 2 therefore focused on the need to curtail the transfer of arms to non-state actors and prevent the proliferation of weapons of mass destruction (WMD). In this area, parliamentarians can take decisive steps in the right direction.

The UN Programme of action on small arms and its International tracing instrument, as well as other international and regional treaties, call on state to have national import/export controls systems in place and not to supply arms to non-state actors and to states that are likely to violate international humanitarian law. Participants argued that arms export control lies at the core of any functioning democratic systems and international humanitarian law. They also expressed concern over the capacity of non-state actors developing and manufacturing WMD, steps already undertaken by the Islamic State of Iraq and Syria (ISIS).

However, the foundations of existing international and regional treaties and understandings have been quite shaky as several countries have failed to commit to these instruments on numerous times – some states verbally support the system but fail to practice what they preach. However, no state or individual have ever been prosecuted for supplying states with arms in contravention of international humanitarian law. The European Union has been essential in establishing the key infrastructure of arms export/import control. However, conflicts in Syria and Yemen raise serious concerns about the willingness to comply with rules.

The question today is whether the international community wants to keep the current normative framework on arms export controls in place or whether it wants it to collapse and/or be replaced by something else. Participants appeared to agree that a collapse would be dangerous and that political commitment on arms export issues need to be reaffirmed at the highest levels.

Political commitment to UN Council Resolutions on arms controls and WMD needs to be reaffirmed and the role of parliamentarians must be underlined. Legislators have long played an important role in influencing both how states construct and implement

their arms export control policies. As several parliamentarians exemplified at Forum, they can make the process of arms export more transparent by pressuring their governments to publish data, they can request hearings and committees, put pressure on governments to impose arms embargoes, and change legislation to sharpen control over arms trade.

3. Ending Impunity for Violent Extremists and Perpetrators of Mass Atrocities: Ensuring Access to Justice for Victims

The prosecution of individuals for committing crimes against humanity and war crimes in the past two decades has taken huge strides forwards thanks to the tribunals for Rwanda, Yugoslavia, Sierra Leone and the creation of the permanent International Criminal Court (ICC). They have brought justice to the victims and undermined the impunity that has permitted perpetrators to act without consequences. However, the ICC has its weaknesses, particularly due to the limits to its jurisdiction whether temporal or territorial, while its advantages rely upon its complementarity to domestic jurisdictions and its potential to deliver universal justice based on the principle of equality before the law.

Parliaments can become a partner in raising awareness about the need for justice by putting pressure on governments to act and by pressing for the referral of situations by the UN Security Council. They can push for countries to both accede to the Rome Statute and to try the accused in national courts, as well as to accept the jurisdiction of the ICC even before accession or ratification of the Statute.

Participants particularly underlined the importance and benefits of partnerships with third parties, including other countries (such as in the prosecution Habré by Senegal and supported by the African Union), regional and international agencies, and NGOs. Cooperation is particularly useful when the U.N. Security Council is blocked.

With regards to ISIS, it was agreed that states have a responsibility to prosecute their foreign fighters who committed crimes in Iraq and Syria. Iraqi MPs present at the Forum were particularly adamant on this matter.

Much of the international success is thanks to the work of the victims and families of victims themselves in pushing for justice. Documentation of crimes and evidence collection is a crucial part of this process – that includes the work of the Commission for International Justice and Accountability in Syria and surveys of genocidal violence against the Yazidis. Not only is it vital to the actual trials but it also helps to increase the resolve of both victims and the international community since the evidence is collected. Finally, long-term peace requires the coupling of official avenues for justice with the rehabilitation and healing of victims, particularly relevant in the case of the Yazidis.

4. Ensuring that Counter-Terrorism Policies and Regulations Respect Human Rights.

Session four stressed the need for counter-terrorism policies to respect human rights and the rule of law. In many countries, the threat of violent extremism has led to an expansion of the rights of security services. While this is understandable, States must remain careful not to sacrifice our values and fundamental rights, such as freedom of speech and the right to a fair trial, in search of security. Indeed, violations of these rights can exacerbate problems by increasing the sense of injustice felt by communities,

a feeling used by extremist groups to radicalise individuals.

Parliamentarians can strengthen the integration and political participation of individuals and communities, particularly minority groups, thereby preventing the sense of alienation or victimhood complex sometimes felt by these groups. They should also exercise greater democratic oversight and hold governments accountable. They can do so by asking for more transparency and for information exchange between all levels of governments.

It is not enough for counter-terrorism to be reactive. We are confronted with new realities, including the weaponization of the internet by extremist groups to disseminate hate speech, propaganda and recruit fighters. States have already taken too much time to react to this problem and should discuss and pass laws that target online propaganda and recruitment of fighters. There's a need for the introduction and development of cyber security and the introduction of online media literacy in school curricula.

Concerning counter-terrorism, the former President of the International Criminal Tribunal for the Former Yugoslavia (ICTY) stressed the need to respect International Humanitarian Law when pursuing strategies aimed at “neutralizing” alleged elements of terrorist networks: His critical assessment on the illegality and counter-productive implications of the use of armed drones for targeted killings *outside* active combat-zones has been reflected by Participants in a section of the *Milan Plan of Action*, which dispels one of the myths of the so-called global “war on terror” or counter-terrorism. The imperative to bring to justice, not summarily execute, violent extremists was reaffirmed by other panels during the Forum, in line with the vision that the Rule of Law must prevail over the rule of excessive force and that civilization and justice can break the cycle of violence, atrocity-crimes, impunity, hatred and revenge.

Counter-terrorism policies should not be confined to national boundaries: transnational terrorism requires transnational counter-terrorism measures. All the speakers therefore stressed the need for greater international co-operation with the development and adoption of common pro-active and law-abiding strategies that can be enacted through the framework of international organisations such as the EU, the Association of South-East Asian Nations (ASEAN), and the African Union.

5. Role of Parliamentarians in Defending Civic Participation to Counter the Rise of Violent Extremism and Prevent Mass Atrocities

The significant differences in extremism and terrorism around the world are mainly about style not substance. Combatting the root causes of extremism requires more than military action, which should be used only when absolutely necessary. It requires, among other things, a strong civil society.

However, civil society is increasingly under threat as a result of the growth of theocratic and populist power intertwined with a loss of democratic momentum in recent decades. The threat is exacerbated by a tendency of governments to react to the threat of insecurity and violent extremism by targeting civil society. NGOs are increasingly falling foul of laws designed to limit their spheres of action.

Parliamentarians need to combat the diminishing public sphere by promoting and protecting freedom of association, expression and peaceful assembly. They should refrain from accepting or passing regulations that might overwhelm civil society with compliance issues and limit international funding to local NGOs, therefore restricting their ability to act. Legislators must also guarantee the existence of a fair legal framework that ends the impunity of violent organizations without descending into extra-judicial violence. These steps are beneficial to parliamentarians themselves, particularly the opposition, who need protection to act freely and safely without fear of imprisonment.

A key question in the session was the tendency of the international community's conscience to only pike when the situation reaches disaster levels. The crises in Venezuela and Myanmar did not occur overnight and greater international engagement early on could have prevented the situation civilians currently face. Warning signs included government crackdowns on civil groups and international humanitarian agencies, as well as the violation of the fundamental rights of Parliamentarians, as powerfully highlighted by the description of the situation in The Maldives. The speed and effectiveness of the international action can be improved by establishing international standards on the balance between security and rights, as well as a roadmap for actions against infracting states.

6. Exchanging Best Practices and Policies to Protect the Rights of Minorities and Vulnerable Groups, Including Women, Children and LGBTI Persons

The horrific, and purposefully public, abuse of LGBTI persons by ISIS has shocked the world and it is important for the international community, especially states in the Middle East who have hitherto remained silent, to condemn these crimes. These violent crimes committed by ISIS have not occurred in a vacuum and we must therefore address the legal and cultural contexts that made such abuses possible. While ISIS maybe more violent and cruel, its actions are not a radical divergence from earlier practices in the region. Sadly, in many countries homosexuality is still criminalized through public morality laws. Parliamentarians need to be proactive in halting any such legislation and ensuring that current legislation is not distorted. This includes supporting International law and constitutional guarantees for human rights protection, including equality and non-discrimination based on sexual orientation and gender identity.

The type of discrimination discussed here is certainly not a Middle Eastern phenomenon and a normative shift of values is required around the world. Parliamentarians need to push for greater domestic awareness and understanding of the challenges faced by minority groups as well as women and children. Examples given from Italy and Austria showed how Parliamentarians have respectively raised awareness about the plight of the Yazidis, particularly women and girls who were enslaved and raped by ISIS fighters. Legislators also need to push for legislative changes to protect the rights of vulnerable group. For example, violations against children, including the recruitment of child soldiers and attacks on educational facilities, should be criminalized in all countries, and new international mechanisms and approaches should be put in place to both prevent the use of child soldiers and facilitate the integration of enslaved and indoctrinated children.

7. Taking Action to Address Violent Extremism and Mass Atrocities: the Role of Parliamentarians

The rising number of war crimes and crimes against humanity shows that the Responsibility to Protect is being paid mere lip service. Participants agree that the PGA is right to place violent extremism and mass atrocities on the same agenda as mass atrocity prevention since the prevention of violent extremism will benefit the prevention of mass atrocity crimes. Parliamentarians are in a position to act: they can support civil society, create national taskforces and focal points, provide funding for appropriate programs and policies, and engage with youth and religious groups. Even small changes can add up to meaningful results for people who are caught up in violence.

In their function as legislators, parliamentarians should push their countries to join, if they haven't already, international human rights and arms treaties. War crimes, crimes against humanity, and genocide should be criminalized in domestic laws, putting special emphasis on the incitement of these crimes. Parliamentary oversight is also crucial in keeping government accountable and through the development of committees change can be institutionalized, lasting after individual legislators have left. Participants agreed that the prevention of violent extremism and mass atrocities should be placed above party politics and countered most effectively when MPs work together. Bipartisan parliamentary groups can use the budgetary powers of their members to increase funding for programs that will benefit mass atrocity prevention, including education and support for NGOs. The latter are important because they work on the ground and perform roles that parliamentarians cannot. If the government in power does not want to engage in efforts to prevent atrocities, parliamentarians particularly need to engage with civil society and draw on its expertise as part of efforts to increase the political will for action.

CONCLUSION

The Milan Forum provided an important opportunity to discuss national, regional and global efforts to prevent violent extremism and mass atrocity crimes, and set out a vision for the next few years. Many participants concluded the Forum by acknowledging that initiatives such as the *Milan Plan of Action* will strengthen our collective action by presenting concrete recommendations and steps that parliamentarians can take nationally and internationally. Ultimately, through partnership and multi-lateral action, they can to can strengthen their capacity to protect populations from harm caused by violent extremism.

The organizers and participants are determined to promote the outcomes of the Milan Forum through consultations and presentations, including to the European Parliament, Public Safety Canada, and the congress of the NGO coalition "GAAMAC" (Global Action Against Mass Atrocity Crimes) taking place in Uganda this year. MIGS will draft a Handbook for Parliamentarians that be launched in New York in the summer. The handbook will not only contain a summary of discussion held the Milan Forum, but concrete recommendations for parliamentarians on how they can prevent of mass atrocity crimes and violent extremism at home and on the international stage. PGA will ensure the prompt dissemination and widespread use of the handbook, alongside other initiatives aimed at giving effect to the *Milan Plan of Action*.