SUMMARY

Report of the Secretary-General on Terrorism and Human Rights

(A/80/380), *September 2025*



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UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

I CONTEXT AND PURPOSE

The report, prepared pursuant to General Assembly resolution 78/210, underscores that countering terrorism and respecting human rights are complementary objectives. It reviews global developments in terrorism and counter-terrorism, highlighting persistent human rights concerns, emerging trends, and recommendations for Member States.



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II PERSISTENT HUMAN RIGHTS CONCERNS IN COUNTER TERRORISM ACTION

1. Broad and Vague Definitions of Terrorism:

Many States have adopted, revised and implemented overly broad definitions and ancillary offences (e.g., 'glorifying' terrorism), undermining legality and legal certainty. Vague and overbroad criminal law create uncertainty regarding the prohibited conduct and hinder individuals' ability to regulate their conduct in accordance with the law.

2. Fair Trial and Due Process Violations:

Individuals accused of terrorism often face arbitrary detention, limited access to lawyers, trials in military courts, and harsh sentences, including the death penalty for crimes not meeting the 'most serious' threshold.

3. Victims' Rights:

Many victims of terrorism struggle to access justice and effective remedies. In addition, conflict-related sexual violence continue to be used as a tactic of terrorism and is often treated with impunity.

4. Technology and Counter-Terrorism:

The use of new technology in counter terrorism efforts often lacks transparency and accountability. Use of AI-driven surveillance without sufficient safeguards threatens privacy, while inaccurate data and biased algorithms can lead to discrimination. Separately, the widespread use of spyware without safeguards continues to raise serious concerns about misuse and detriment impact on human rights.

5. Foreign Fighters and Families:

Thousands remain arbitrarily detained in dire conditions in north-east Syria. Repatriation of third country nationals to their countries of origin remains slow while reintegration of returnees faces obstacles, including stigmatization and inadequate child protection.

III MISUSE OF THE TERM 'TERRORISM'

During the reporting period, the term 'terrorism' was often misused to describe situations and behaviours that do not relate to terrorism. This section analyzes that trend and aims to inform future research and discussions on its implications

1. Shrinking Civic Space:

Protected behaviour is increasingly conflated with acts of terrorism. Broad counter terrorism laws and practices have been misused to silence dissent, restrict freedoms of expression, assembly, and association, and target journalists, human rights defenders, and minority advocates. In some cases, the label 'terrorism' has been unjustifiably invoked to ban or punish mere anti-war discussions or peaceful assemblies, and in other instances, civil society actors were labelled 'terrorists' and stigmatized in the name of countering the financing of terrorism.

2. Conflation with Organized Crime:

Broad and vague definitions of terrorism risk conflating it with organized crime, which has different motives and requires distinct legal responses. Applying counter-terrorism frameworks to groups or acts that are not inherently terrorist can lead to disproportionate measures, legal errors, and serious human rights impacts, including violations of liberty, privacy, expression, and fair trial rights. Additionally, mislabelling individuals or groups as 'terrorists' jeopardizes rights and reputations.

3. Terrorism and Armed Conflict

Counter-terrorism justifications and laws are increasingly applied in armed conflict settings, where acts regulated under international humanitarian law are wrongly classified as terrorism. This blurs the boundaries between legal frameworks, weakens compliance with humanitarian and human rights law, and risks overly permissive interpretations that justify violence against entire groups. In particular, States' misuse of the label 'terrorism' in armed conflict setting risks placing civilians at heightened risk and eroding protections during conflict.

4. Terrorism and migration

Counter-terrorism measures and rhetoric are increasingly applied to refugees and migrants, often without evidence, resulting in securitized approaches that frame migration as a security threat rather than a matter of protection. Such approach may entail unlawful practices such as discriminatory profiling, collective expulsion, family separation, arbitrary detention, and refoulement, undermining human rights and refugee protections. Additionally, the misuse of the 'terrorist' label in migration contexts has facilitated deportations without due process, stigmatization of communities, and exposure of individuals to serious risks such as torture and ill-treatment.



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IV CONCLUSIONS

While counter terrorism is essential for security, some measures have been overbroad, disproportionate, and discriminatory, undermining international human rights law. Such practices weaken the rule of law, erode public trust, fuel grievances, and perpetuate cycles of violence.

The vague and broad definitions of terrorism-related offences are compounded by the misapplication of the term 'terrorism' to conduct that is neither terrorist in nature nor, in many cases, even criminal. This practice has serious human rights implications, particularly for individuals who hold opposition views or are perceived as a threat to powerful interests.

V RECOMMENDATIONS

Member States should:

- **Legislation:** Adopt precise, narrow definitions of terrorism; exclude legitimate human rights and humanitarian work. As a minimum the definition of terrorism should include a violent act that causes or is intended to cause death, serious bodily injury or hostage- taking, to provoke a state of terrorism in the general public, intimidate a population, or compel a government or an international organization to do or abstain from doing any act.

- **Fair Trial:** Guarantee due process; impose a moratorium on death penalty, and, in any case, ensure that the death penalty is applicable only to the most serious crimes, as interpreted by the Human Rights Committee.

- **Victims:** Ensure access to justice and remedies; address gender-based violence in terrorism and counter terrorism settings.

- **Technology:** Apply robust safeguards, oversight, and impact assessments; prohibit use without protections.

- **Repatriation:** Expedite return of nationals from conflict zones; prioritize rehabilitation and child-sensitive reintegration.

- **Civic Space:** Stop misusing counter terrorism justifications to unduly restrict freedoms; ensure financing measures comply with international law, are transparent, proportionate, and do not harm non-profits. Enable safe, equal civil society participation, including women-led groups.

- **Organized Crime:** Address terrorism–organized crime links on a case by case basis; ensure that any terrorist proscription is based on clear legal criteria and subject to the principles of legality, necessity, proportionality, and independent review.

- **Armed Conflict:** Refrain from using counter-terrorism rhetoric in armed conflict to bypass obligations under international humanitarian and human rights law. Counter-terrorism justifications must not undermine protections for civilians, humanitarian actors, or persons hors de combat..

- **Migration:** Do not apply counter-terrorism frameworks or powers to migration management. Migration governance should remain with specialized civilian bodies to ensure a rights-based, protection- and development-oriented approach.

- **Private Sector:** Require companies to implement human rights due diligence in AI and algorithmic tools.



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