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Incitement to terrorism: A matter of Prevention or Repression?

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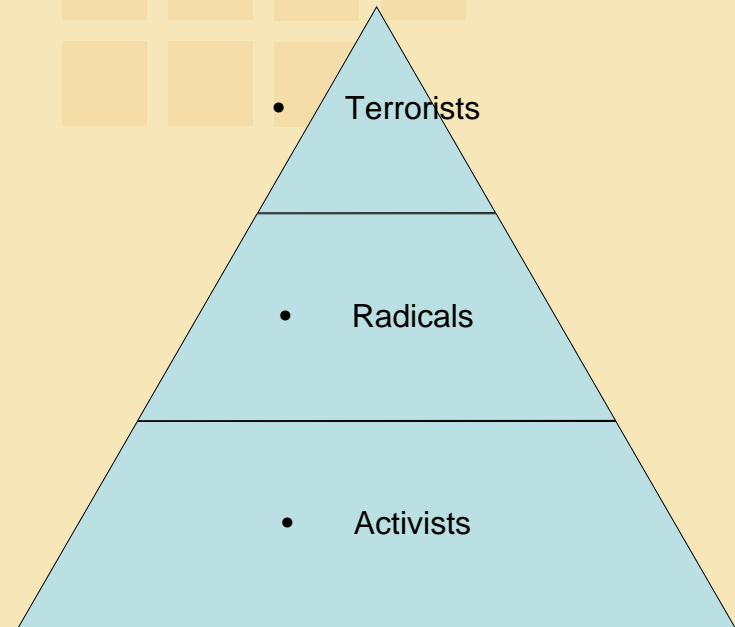
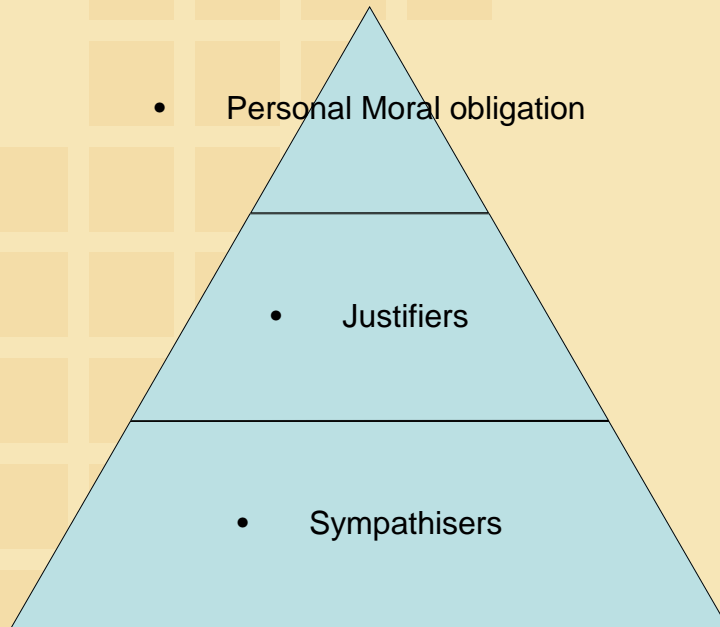
Identifying the problem

- Pre-stage of terrorism/violent extremism; preparation?
- Creating a climate that supports and legitimizes terrorism
- Used for recruitment?
- Role of the internet

Defining the crime

- Scope: incitement; public provocation; or glorification?
- ...of terrorism: what defines terrorism?
- But not violating the freedom of expression!
- Where to draw the line?

Radicalisation narratives v. action



Global Jihad Narrative

- Islam is under attack by Western crusaders led by the US
- Jihadis are defending against this attack
- Actions taken in defence of Islam are proportional, just and religiously sanctified
- It is the duty of good Muslims to support these actions

Right-wing VE or anti-multiculturalism

- The multicultural society is a threat to our Christian-Jewish society, by allowing a large-scale influx of Islamic influences
- Social-democrates are supporting this
- (Violent)Resistance against this position is legitimised
- The violent resistance is even a duty to protect our civilization

Criminalising incitement?

- Target conduct: definition of terrorism?
- Content of speech: public provocation, incitement, glorification?
- Public versus non-public speech
- Mens rea: double intent!
- Causal link: imminence and likelihood of an actual terrorist act being committed

Impact on Rule of Law and Freedom of expression

- Freedom of expression is essential foundation of democratic societies
- Yet not an absolute right; limitation under strict conditions
- Key principles: legality and legal certainty; proportionality
- Johannesburg Principles: speech can be criminalised on national security grounds only where it is intended to incite imminent violence, is likely to incite such violence, and there is a direct and immediate connection between the speech and the likelihood of occurrence of such violence.

Repression or prevention? Are there alternatives?

- Prevention=dealing with the grievances that might cause radicalisation up to the point of VE
- Counter-radicalisation; de-radicalisation; rehabilitation
- Develop counter-narratives: targetted, tailor-made
- Demystification within communities
- Falsification withing communities
- Point out alternatives
- Facilitate a dialogue
- Most important: credibility of the messenger! Role of civil society is crucial!!