

2021 Economic and Social Committee Humanitarian Affairs Segment

Protecting children and their rights in situations where counterterrorism approaches are being implemented

Organizers: UNICEF, Save the Children

Co-sponsors: Mexico (others TBC)

Date/Time: Friday 25 June from 13:30 to 15:00 (Geneva time) – link to join virtually below

Background and objectives of event

As the counter terrorism agenda grows globally and shapes the way in which states respond to internal and regional conflicts, it has become increasingly clear that international counter-terrorism approaches and national counter-terrorism strategies, policies and operations are profoundly affecting the rights of children, increasingly restricting humanitarian space, negatively impacting aid delivery, and posing security and legal risks to UN and NGO humanitarian staff and their operations. Counter-terrorism measures often lack adequate safeguards and result in securitized, rather than protective and rights-based approaches when applied to children and other vulnerable populations, including children with actual or perceived association, links, and/or family ties to designated terrorist organizations. This is evident in the increasing detention of children and erosion of the application of international child rights and juvenile justice standards and instruments. Child survivors of recruitment and use by such armed groups may be handled as ‘terrorists’ or ‘national security’ cases rather than as victims (as stated in the Paris Principles and in UNSCR 2427), and children stranded in conflict zones may face impediments to reintegration or to accessing humanitarian assistance based on stated security concerns. This has resulted in re-victimization, arbitrary detention, protracted displacement, separation from family, lack of access to basic services and services to address experiences of violence, and other impacts contrary to the best interests of children.

As Member States and the international community grapple with the complexities and political sensitivities surrounding how best to approach efforts to cut off sources of financial support for terrorist organizations and their members and to bring suspected terrorists to justice while also allowing assistance and protection for children, families and communities affected by conflicts with such groups, it is increasingly critical that humanitarian actors have a strong presence and voice in platforms in which counter-terrorism policies and strategies are devised, discussed, and developed. This is critical in order to delineate space for affected populations and support the use of existing complementary frameworks, promote the inclusion of safeguards and/or exemptions for humanitarian action in national and international legislation, and to embed child rights, gender, and protection standards into policies and discourse related to terrorism, counterterrorism, and prevention of ‘violent extremism.’

These impacts on the fundamental rights of children are being placed under stress in contexts such as Syria, Iraq, Somalia, Lake Chad Basin and the Sahel region, and other countries affected by conflict and in locations to which children are returning from foreign conflicts. Member States are relying on counter-terrorism approaches and funding rather than utilizing the full range of separate but complementary humanitarian and development related frameworks and approaches that can address root causes and impacts of violence in all its forms and holistically respond to the experiences of children and families.

In the child protection sphere, we have seen several examples that focus on rights-based approaches to child reintegration for children with associations to non-state armed groups that are as ideological and violent as contemporary non-state armed groups. These approaches have been used by humanitarian partners across contexts, such as Sri Lanka and Uganda for decades. Humanitarian actors can use existing tools and frameworks and work to develop new ones, to better preserve space for humanitarian action while also recognizing the political sensitivities, legal complexities, and concerns of Member States. These approaches can simultaneously recognize the protection and security the needs of individuals and communities affected by conflict, including children, and for the need to hold individuals suspected of committing terrorist acts or offenses accountable - in accordance with international human rights law, international refugee law, and as applicable, international humanitarian law.

This side event aims to achieve the following objectives:

- 1) Highlight the implications and impacts that broad counter-terrorism strategies, policies and measures are having on the rights of children and families, and the ability of humanitarian actors to respond to their needs, including in the context of the COVID-19 pandemic.
- 2) Discuss the need to advocate for policy and operational solutions to maintain and to protect space for programming for children and families distinct from counterterrorism and overly securitized approaches.
- 3) Highlight approaches and tools that can provide appropriate coordinated assistance and protection to children and adults while also supporting accountability for individuals suspected of committing terrorist acts, including children.
- 4) Highlight the need for donors to recognize and proactively support establishing and maintaining space for these and related activities.

Discussion points or guiding questions

- 1) How are international and national counter-terrorism strategies, policies and measures affecting the rights of children affected by armed conflict? How have these measures impacted the ability of humanitarian actors to provide principled humanitarian action to respond in particular to the protection needs of children and their families including in the context of the COVID-19 pandemic?
- 2) What are the benefits of maintaining separation between humanitarian and counterterrorism approaches and strategies? How can the objectives for each be advanced simultaneously without creating additional challenges?

- 3) What type of policy, advocacy and operational solutions are necessary to better protect humanitarian space to provide protection responses for children and families, and to safeguard humanitarian action? What tools or approaches can be used to maintain humanitarian action?
- 4) What steps can humanitarian donors take to protect the rights of children and promote principled humanitarian action in a context where counter terrorism approaches are being implemented?

Key concrete action points and recommendations/take away messages

- Bring visibility on the ways in which international and national counter-terrorism strategies, policies and measures are eroding the rights of children affected by armed conflict and shrinking humanitarian space for principles humanitarian action;
- Bring an historical perspective and lessons learnt from a few contexts and highlight relevance for today's challenges;
- Discuss the importance of maintaining separate but complementary frameworks for humanitarian and development assistance, and counter-terrorism – highlighting approaches and examples in which objectives can be pursued simultaneously; and
- Provide donors with critical information to better promote the protection of children and their rights in situations when counter-terrorism approaches are being implemented, including what can be done to support complementary frameworks for assistance and protection, humanitarian safeguards and/or exemptions and ODA-eligible funding.

Format of the side event

Moderated discussion with panelists each giving opening statements and answering questions posed by the moderator and posed by the audience to the moderator through written virtual Q & A function. Additional interventions from the floor identified in advance. No interaction from the audience.

1. **Chair and moderator:** *Siobhan O'Neil, PhD, Project Director, Managing Exits from Armed Conflict, UN University Center for Policy Research*

Panel composition

Opening remarks from one of the suggested co-sponsors

1. IHL/Human Rights expert – *Professor Fionnuala Ni Aolain, Special Rapporteur on Protection of Human Rights and Fundamental Freedoms while countering terrorism*
2. Historical perspective of child protection programming to support release and reintegration of children associated with non-state armed groups or designated terrorist groups – *Christine McCormick, Child Protection Advisor, Save the Children*
3. Child protection field perspective – *field practitioner* – (TBC)
4. Engaging in the counterterrorism and security space for the protection of children and their rights, approaches, examples, and solutions– *Brigid Kennedy Pfister, Sr. Child Protection Specialist, UNICEF*
5. *Member State Perspective, TBC,*

Background Material (feel free to share links to relevant documents)

- UN Support on Syria / Iraq Third Country National Returnees: Global Framework – info brief
- IASC Subgroup on Counter Terrorism - [Desk review of relevant literature on the impact of counter-terrorism legislation and measures on principled humanitarian assistance](#)
- Save the Children - [My Name is Zahra, I am a child too](#)

Connection details to join the event

You are invited to a Zoom webinar.

When: Jun 25, 2021 01:30 PM Geneva

Topic: ECOSOC HAS 2021 Side-Event - Protecting children and their rights in situations where counterterrorism approaches are being implemented

Register in advance for this webinar:

https://zoom.us/webinar/register/WN_hi9riIXBQSqva6tYeCO1Rw

After registering, you will receive a confirmation email containing information about joining the webinar.

Contact(s)

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