



# United Nations Counter-Terrorism Centre

Counter-Terrorism Implementation Task Force (CTITF) Office

## Conference on the Human Rights of Victims of Terrorism

*New York, United States of America*

*11 February 2016*

### *Concept Note*

“Any balanced and comprehensive strategy for combating terrorism must recognize that victims of terrorism are entitled to our support. Far too often, victims are left to suffer in silence as the world around them moves on even as their own lives have been upended. This only exacerbates their trauma. We must do more to protect the rights of victims of terrorism and provide the services they need.”

Secretary-General Mr. Ban Ki-moon

Launch of UN Victims of Terrorism Support Portal, 2014

### **Introduction**

The United Nations Global Counter-Terrorism Strategy (the Strategy) (A/RES/60/288) was adopted by Member States on 8 September 2006. The Strategy, in the form of a resolution and an annexed Plan of Action, is a unique global instrument that enhances national, regional and international efforts to counter terrorism under four Pillars. Pillar I (that details the conditions conducive to the spread of terrorism) and Pillar IV (on the need to respect human rights and the rule of law as the fundamental basis of any counter terrorism effort) underscore the importance attached to victims of terrorism by Member States and recognises that without their participation terrorism cannot be comprehensively defeated.

Yet Member States had often failed to include victims in their efforts to fight against terrorism, notwithstanding the emphasis placed on victims by the Global Counter-Terrorism Strategy. As international attention has increasingly focused on the repercussions of terrorist acts, including those on victims, Member States have recently turned their attention to the ‘softer’ aspects of preventing terrorism. The last two review outcome resolutions of the Global Counter-Terrorism Strategy, in 2012 (A/RES/66/282) and 2014 (A/RES/68/276), highlighted the important role that victims play in the counter narrative context as well as the need to support victims and strengthen the efforts of Member States in this regard. Nonetheless, the lack of strong and sustainable support by Member States and the international community has meant that victims and those supporting them continue to struggle to find a place within the counter-terrorism debate.

### **Background of the Conference**

The Counter-Terrorism Implementation Task Force (CTITF) Office, under the rubric of its Working Group on Supporting and Highlighting Victims of Terrorism, cooperates with the United Nations system actors to advance the implementation of the Strategy on victims of terrorism issues. The CTITF Victims Working Group consists of the following UN entities: the CTITF Office, the United Nations Office on Drugs and Crimes (UNODC), the Department of Public Information (DPI), the International Civil Aviation

Organization (ICAO), Office of the High Commissioner for Human Rights (OHCHR), the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism (the Special Rapporteur), United Nations Interregional Crime and Justice Research Institute (UNICRI) and as an observer, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). Activities undertaken by these entities of the Working Group have contributed to advance the promotion of, and support to, victims of terrorism.

The Conference on The Promotion and Protection of the Human Rights of Victims of Terrorism will permit a greater understanding of the human rights of victims of terrorism at the international, regional and national level, contributing to policy and legal development in this area, as envisaged in the Strategy. It will also provide strategic direction on victims of terrorism as the Strategy marks its tenth year anniversary in 2016.

In particular, the Conference seeks to elaborate on national measures to address the needs of victims of terrorism, as envisaged under Pillar I of the Strategy and to promote the rights of victims of terrorism in Pillar IV, by encouraging respect for the rule of law in the criminal justice response to acts of terrorism and evaluating the impact such acts have on victims and their families. The Conference will also give effect to Pillar II of the Strategy, by encouraging States to coordinate and cooperate in their criminal investigation activities on, and prosecution of, persons suspected and/or accused of terrorism in full compliance with their human rights obligations.

Hosted by the CTITF Office, and in collaboration with the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, the Conference is guided by the Special Rapporteur's report on the Framework Principles for securing the human rights of victims of terrorism (A/HRC/20/14). The report recommends the establishment of a legally binding and internationally recognized international instrument to enshrine the human rights of victims of terrorism. However, in its absence Member States are recommended to uphold their corresponding international obligations to secure those rights as laid out in a set of 14 Framework Principles.

### **Conference on the Human Rights of Victims of Terrorism**

The day-long Conference on Thursday, 11 February 2016, at the United Nations Headquarters in New York, will bring together a diverse group of experts from government, academia and international, regional and civil society organizations as well as victims of terrorism and victims associations, to present on four thematic issues.

**Session I: The legal obligation on public authorities to use reasonable care in preventing and responding to acts of terrorism.** In his report, the Special Rapporteur notes that States have an obligation under article 6 of the International Covenant on Civil and Political Rights to protect the right to life of individuals under their territory. This obligation should remain central to the actions of States in their efforts to prevent and respond to acts of terrorism. This session will look at how States can take appropriate steps to safeguard the lives of its individuals within its jurisdiction based on recognised international, regional and national standards in preventing and responding to acts of terrorism.

During this session, topics discussed will include:

- How can States effectively respond to acts of terrorism whilst upholding its international obligations to protect the right to life?

- What lessons and good practices can be learnt from how States prevent and respond to acts of terrorism, especially at the national level?
- How can States implement practical actions for public authorities to prevent and respond to acts of terrorism?

**Session II: The rights of victims of terrorism within the criminal justice process.** This session will look at how to strengthen and improve the rights of victims within the criminal justice process, whilst ensuring a fair and public hearing before an independent and impartial civilian court for suspected terrorists.

During this session, topics discussed will include:

- How Member States can ensure better inclusion and protection of victims, in pre, during and after trial phases?
- What lessons and good practices can be learnt of national examples in supporting victims of terrorism within the criminal justice process?
- How can States ensure that their criminal justice procedures are “victim-oriented” allowing for victims to be treated with humanity, compassion and dignity with due respect for their privacy?

**Session III: Reparation to victims of terrorism for acts of terrorism.** This session will look at efforts to implement The United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law and how these measures have supported victims of terrorism.

During this session, topics discussed will include:

- What role can victims associations and civil society play to guarantee reparations for victims and their families?
- What are the short and long term needs of the victims, and how those needs can be taken into account to provide appropriate and continuing assistance to the victims and their families?
- How can reparation measures contribute to victim and community resilience?

**Session IV: The role of victims in preventing violent extremism.** The reach and spread of violent extremists is increasing and expanding, particularly through the use of the internet, reaching more diverse audiences than ever before and tapping into the grievances of those susceptible to radicalization. This session will look at the role of victims in countering these narratives, especially as victims are well-placed to address the messages of hate spread by violent extremists.

During this session, topics discussed will include:

- What role can victims of terrorism play in preventing violent extremism?
- How can States support and empower victims and victims associations to have a greater role within their prevention measures to stop the spread of violent extremism?
- How can marginalised groups, such as women, play an important role in preventing the spread of violent extremism?

The Conference is primarily aimed at Member States, but is open to those interested on the issue of victims of terrorism, including civil society. A brief report will be compiled by the UNCCT on the conference.