

**Amin Mohsen's remarks
for the High-Level International Conference on Human Rights, Civil
Society and Counter-Terrorism
Malaga, 11 May 2022**

Excellencies,

Esteemed Colleagues, Ladies and Gentlemen

On behalf of the Office of Rule of Law and Security Institutions in the United Nations Department of Peace Operations, I would like to thank UNOCT and the Kingdom of Spain for convening this very important discussion and for inviting us to participate. I would also like to thank the distinguished panelists for their insightful interventions.

The Office of Rule of Law and Security Institutions, or OROLSI, is an integral part of the United Nation architecture that is working to address the root causes as well as the aftermath of terrorist activities. Our Office provides CT/PVE capacity building support to Member States hosting peace operations as well as in non-mission settings. Our mandate is derived from pillar 3 of the Global Counter Terrorism Strategy.

OROLSI works very closely with other UN actors in this area. In particular, I would like to acknowledge the important partnership we have with the United Nations Office of Counter-Terrorism which culminated in the signing of a Strategic Partnership Framework in 2018, for which a 24 month action plan was recently signed.

Excellencies,

In all our capacity building support to Member States, fostering human rights and the rule of law is a primary objective. In this respect, the United Nations Human Rights Due Diligence Policy guides our interventions, especially for the training we provide to national police forces.

We have at the same time also identified a number of challenges to ensuring an effective human rights and rule of law-based approach to countering terrorism and preventing violent extremism. Let me highlight some of those challenges:

The first is that rigid counterterrorism measures prevent the adoption of flexible and complementary approaches. The excessive emphasis on security-driven counterterrorism has often discouraged Governments from exploring peacebuilding, conflict resolution and preventive measures. This approach often leads to human rights violations (e.g. arbitrary detentions), creating new grievances which ultimately perpetuate violence. At all times, the Organization should uphold the “Do No Harm” principle and avoid supporting measures which can foment the escalation of violence.

A second challenge is the vague interpretation of “association with terrorist organizations”, which leads to the stigmatization of entire communities and their re-victimization. Under emerging counter-terrorism concepts, diverse groups living in territories controlled by non-State actors are in many cases labelled or perceived as being associated with terrorist groups. Such interpretations violate basic principles such as the presumption of innocence and individual criminal responsibility. In accordance with UN principles and norms, no one should be prosecuted for crimes committed by family members.

In certain contexts, counterterrorism is perceived as a top-down, internationally driven approach, ignoring the role of national authorities to legislate and define applicable measures. It is therefore **essential that we support conflict-sensitive and context-specific approaches, taking into account national capacities and levels of violence.**

Another challenge worth mentioning is the current lack of a UN system-wide guidance on dealing with Armed Groups Designated as Terrorist Groups. Given the policy vacuum, the inter-Agency Working Group on DDR, comprised of 27 UN entities, has worked towards the consolidation of a common guidance which will offer minimum parameters in engaging in contexts affected by such groups.

And finally, children, regardless of the armed group they are associated with should primarily be considered as victims in accordance with the Paris Principles. The number of children being kept in detention-like camps due to their association with terrorist organizations is extremely concerning. The United Nations should prioritize their immediate release and reintegration.

I would like to conclude by emphasizing that working with all of you, we will continue to prioritize all efforts that ensure that the rule of law, human rights, and gender are duly integrated in counter-terrorism measures and initiatives.

I thank you for your attention.