



Second United Nations
**HIGH-LEVEL CONFERENCE
ON COUNTER-TERRORISM**

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Statement by H.E. Mr. Stephan Husy, Ambassador at Large for International CounterTerrorism, Switzerland

Second United Nations High-Level Conference of Heads of Counter-Terrorism Agencies of Member States

Breakout session B: Demands of a new decade and strengthening a criminal justice response to countering terrorism

29 June 2021, 3 – 4:30 p.m.

Madam Chair, Excellencies, Ladies and Gentlemen,

There is an increasing overlap between terrorism, armed conflict and organized crime. Members of terrorist groups commit severe human rights abuses and violations of international humanitarian law, including sexual and gender-based violence, recruitment and exploitation of children, and engage in crimes that qualify as war crimes, crimes against humanity and genocide.

It is essential that members of terrorist groups are held accountable for the full range of crimes they are committing. This is not only in the interest of security but an essential component of a victim-centered response to terrorism. Criminal accountability is important for delivering justice to victims, for promoting reconciliation and for preventing further violence.

Criminal justice responses have to navigate complex networks and types of crimes that include offline and online dimensions. This is a huge challenge on the national and international level.

2021 COUNTER-TERRORISM WEEK

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The criminal justice systems have to rigorously respect human rights and the rule of law. Efforts of criminalization must also not lead to the prosecution of legitimate activities, for example of civil society, or, humanitarian engagements, in particular in areas controlled by terrorist groups.

In a number of UN Security Council resolutions, the nexus between terrorism and transnational organized crime as well as international crimes is addressed. The resolutions call on States to prosecute and hold the perpetrators of terrorist acts accountable for their actions in a manner duly reflecting the seriousness of the offences. There is also more and more research analyzing the linkages. To support Member States in apprehending the relevant international legal frameworks, UNODC with the support of Switzerland has developed a training curriculum on Counter-Terrorism in the International Law Context. The module elaborates on a broad range of international law, including international human rights law, international refugee law, international humanitarian law, the law on the use of force and arms control, as well as international criminal law and the international legal framework for combating transnational organized crime.

In the Global Counterterrorism Forum (GCTF), Switzerland together with Nigeria, our Co-Chair of the Criminal Justice and Rule of Law Working Group, developed recommendations on the criminal justice responses to terrorist crimes that are interlinked with transnational organized crimes. Currently we are working on a Memorandum on Criminal Justice Approaches to the Linkages between Terrorism and International Crimes (War Crimes, Crimes against Humanity, Genocide), Sexual and Gender-Based Violence, Recruitment, Exploitation and Abuse of Children, Human Trafficking and Migrant Smuggling. The recommendations contained in the Memorandum will cover a broad range of topics like applicable legal frameworks; prosecutorial strategy; collecting evidence from conflict zones; interagency coordination and international cooperation; role, rights and needs of victims and witnesses.

Obviously, the criminal justice response cannot fix everything. Focusing on the prevention of crimes is equally important, and to fight terrorism successfully, we shall pay more attention to addressing the root causes.

Let me close by a remark which goes beyond counter-terrorism, but which is fundamental to us: all perpetrators of international crimes have to be held accountable, regardless of being a state or non-state actor, or whatever the label is.

Thank you for your attention.