



2021 Counter-Terrorism Week **SIDE EVENTS**

24-30 JUNE 2021

UNITED NATIONS HEADQUARTERS • NEW YORK

Towards ensuring comprehensive and meaningful accountability: linkages between terrorism and serious violations of international humanitarian law

25 June 2021 | 10:00 a.m. – 11:30 a.m. EDT

Registration Link: <https://forms.office.com/r/PZrwAsyRwT>

Context and objectives

The conduct of terrorist groups often overlaps in scope with crimes under international law, including serious violations of international humanitarian law amounting to war crimes, as well as crimes against humanity and genocide. Groups such as the Islamic State in Iraq and the Levant (ISIL), also known as Daesh; Al-Qaida; Boko Haram; and others have perpetrated mass executions and summary killings, indiscriminate and deliberate targeting of civilians, kidnappings and arbitrary detention, recruitment and use of children in hostilities, rape and other forms of sexual violence, as well as attacks on, and destruction of, protected objects such as schools and hospitals, and cultural and religious sites.

The United Nations has consistently denounced systematic and widespread abuses of human rights and violations of international humanitarian law committed by terrorist actors, including in armed conflict contexts. In its relevant resolutions, the Security Council has repeatedly reaffirmed that those responsible for terrorist acts, and violations of international humanitarian law or violations or abuses of human rights, must be held accountable.

Security Council resolution 2396 (2017) urges States to develop and implement, in accordance with international human rights and humanitarian law, appropriate investigative and prosecutorial



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strategies regarding foreign terrorist fighters (FTFs). Council resolution 2379 (2017) requests the establishment of an investigative team (United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD)) to support domestic efforts to hold ISIL/ Da'esh accountable by collecting evidence of their acts in Iraq that may amount to war crimes, crimes against humanity and genocide, in cooperation with Iraqi authorities.

As reflected in the emerging practice in a number of Member States, addressing the acts of terrorist groups through the prism of international humanitarian and international criminal law can support a more comprehensive approach to accountability, deliver sentences that are commensurate to the criminal conduct perpetrated, and more effectively address the expressed wishes of survivor groups and impacted communities.

However, in the context of the FTF phenomenon, Member States have faced considerable challenges in ensuring that terrorist acts and related serious violations of international humanitarian law are duly investigated and prosecuted in national courts. In particular, criminal justice systems across the world have been confronted with significant hurdles when seeking to collect and present evidence in relation to conduct that has often been perpetrated thousands of miles away, and sometimes in areas that are impacted by instability and armed conflict and consequently see significant pressure placed on rule of law institutions. Those hurdles include challenges in securing evidence from crime scenes in a manner that allows for its use in domestic proceedings and obtaining testimonial, documentary and digital evidence capable of directly connecting persons of interest to specific geographic locations and criminal acts.

The side event will take stock of efforts aimed at tackling these challenges in support of delivering comprehensive accountability for the acts of members of terrorist groups. Building on the theme of transformative technologies and their role in countering terrorism, it will explore ways in which information obtained in conflict zones (sometimes referred to as “battlefield evidence”) and diverse digital tools can facilitate criminal investigations and related prosecutions and thereby contribute to the delivery of justice as a cornerstone of sustainable peace and security.

The event will also consider how those engaged in accountability efforts can ensure that such evidence can be collected and presented before national courts in full conformity with applicable international law, including international humanitarian law and human rights law.

You can register here: <https://forms.office.com/r/PZrwAsvRwT>.