

Capacity Building Workshop for ENNHRI members

Human Rights implications of terrorism and counter-terrorism: the role of National Human Rights Institutions (NHRIs)

Date: 11-13 September 2018

Location: Transitional Justice Institute (TJI), Belfast, Northern Ireland, UK

Objectives:

- Strengthen NHRIs capacities to effectively address the human rights implication of terrorism and counter-terrorism, including in (post) conflict;
- Learn from peer NHRIs from the region and beyond and exchange good practices on different approach when addressing human rights implications of terrorism and counter-terrorism, including in (post) conflict;
- Engage with international/regional stakeholders and peer NHRIs to identify future joint actions when reacting to human rights challenges of terrorism and counter-terrorism, including in (post) conflict.

Background

The volatile and politically unstable context in some parts of Europe is often conducive to violent or terrorist actions from non-state actors. These actions are inherently characterised by massive human rights violations, such as right to life, and require immediate coordinated response from the state authorities. In the aftermath of a terrorist attack or a violent act, those who are accountable should be brought to justice and rights of victims and survivors dully protected. The climate of fear that follows these acts leads to increased security and potentially to adoption of counter-terrorist measures, state of emergency or complex counter-terrorist operations. In these contexts, a wide range of rights including, the right to privacy, freedom of assembly, freedom of expression and fair trial are often limited. Moreover, these legal and policy measures can be adopted without consulting any relevant human rights actors including NHRIs, therefore, their implication on human rights and freedoms are of major concern.

NHRIs mandate is unique in addressing the breadth of the issues arising in the relationship between human rights, terrorism and counter-terrorism, including in situation of (post) conflict¹. Their multi-faceted and mutually reinforcing functions enable joined-up approach to work on terrorism and counter-terrorism, building upon its ongoing work in other areas. NHRIs ensure national implementation of international human rights standards, monitor the situation in the direct aftermath of the attack, can conduct investigation and elaborate specific reports. Additionally,

¹ The term (post) conflict is used to capture the variety of contexts in wider Europe including conflict and post-conflict situations, ongoing aggression, dormant or frozen conflicts, international border disputes, reconstruction and peace-building initiatives, violent or terrorist actions by non-state actors, and rising tensions that risk (renewed) conflict.



NHRIs are well-placed to provide an advice on and monitor human rights compliance of counter-terrorism legislation and actions, including security services. NHRIs communicate to and raise awareness on the human rights that protects equally all members of the communities, work on deradicalization and include women and the most vulnerable as part of solutions. NHRI advocate that human rights and security are two sides of the same coin and should reinforce each other.

However, in the climate of fear and increased security, NHRIs are not consulted by relevant actors on possible human rights implication of counter-terrorist measures, which are often adopted in fast-track procedures. NHRIs are not invited to form part of human rights-based solution against terrorism and can be prohibited from accessing the places of terrorist attacks, thus unable to independently monitor human rights situation of victims and survivors and address the issue of accountability. During counter-terrorist operations, NHRIs face difficulties to monitor the human rights compliance of state authorities and security agencies actions and are prevented from accessing the information on and monitor individual cases. This all together makes the efforts of NHRIs to bring human rights to the heart of conflict-resolution very challenging.

Approach

The two-and-a-half-day tailored Workshop will address NHRIs' challenges and opportunities when working on human rights, terrorism and counter-terrorism. It will focus on NHRIs' functions such as legislative advice, human rights monitoring and investigation, communicating human rights and raising awareness on human rights and security as two parts of the same coin, NHRIs' immediate response after the attack/ act and addressing the accountability and human rights of the victims. Other NHRIs functions and role will also be addressed, including the engagement with state authorities, security services, civil society, media and international stakeholders.

The Workshop will be delivered by qualified trainers/experts with deep understanding of and extensive knowledge on human rights, terrorism and counter-terrorism, including the unique role of NHRIs. The gender related aspects will be mainstreamed throughout the Workshop presentations and discussions. Good practices and experience of NHRIs from other regions will be shared among the participants and relevant stakeholders (e.g. UN, EU, ODIHR, CoE, civil society). A political tour introducing the characteristic of the conflict in Northern Ireland will form part of the programme.

The strong engagement and networking component of the Workshop will be reflected in a broad participation of international stakeholders. This will encourage European NHRIs to discuss their challenges and potential needs of support and define possible future cooperation within and beyond the Project.

This Capacity Building Workshop is organized in cooperation with the Northern Ireland Human Rights Commission (ENNHRI members, host NHRI) and the Transitional Justice Institute - Ulster University.

Further Information

For additional information requests and/or need for clarifications regarding this Workshop, please don't hesitate to contact ENNHRI Secretariat: [Valentina Purcel](#) and [Nina Panikova](#).

ENNHRI's "Human Rights and Conflict Project"

Between April 2017 and March 2020, ENNHRI is conducting a 3-year EU-funded Project to enhance the effectiveness of NHRIs to promote and protect human rights in situations of conflict and (post) conflict in wider Europe.

The Project intends to build the capacities of ENNHRI members operating in (post) conflict context and strengthen the engagement of European NHRIs with national, regional and international actors. Furthermore, the Project aims to boost solidarity and cooperation between NHRIs with an extensive experience working in conflict environments and those facing rather recent challenges, including NHRIs that found themselves on the opposite sides of the conflict.

Throughout its life-cycle, various project activities, including the Capacity Building Workshops, will inform the work on the "Guidance on the Role of NHRIs in situations of (post) conflict" that will represent one of the main outcomes of the Project.

Further information on the Project can be consulted on the Project Micro-site: <http://ennhri.org/-Human-Rights-and-Conflicts->