**UN Experts Stress Urgent Need to Ensure Child Rights While Implementing Counter-Terrorism and National Security Measures**

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Press Statement: For Immediate Release

The Special Representative of the Secretary-General for Children and Armed Conflict, the Special Representative of the Secretary-General on Violence against Children, and the UN Committee on the Rights of the Child\*, jointly call on Member States today to ensure a child rights-based approach when developing counter-terrorism and national security measures.

Their joint statement is as follows:

UN experts are alarmed at the lack of child safeguarding while defining and implementing national security policies. Increasing practices of arresting and detaining children identified as associated with armed groups, whether because they are perceived as a threat to national security or because they are allegedly associated with armed groups or have allegedly participated in hostilities, is a major concern.

The 2019 [UN Global Study on Children Deprived of Liberty](https://undocs.org/A/74/136) indicated that globally, about 36,500 children are deprived of liberty in armed conflict situations and in the name of national security policies. The number has reportedly continued growing including through the first months of 2023 as intensifying and protracted conflicts continue, increasing the exposure to violence of millions of children around the world.

Children are entitled to special protection under international humanitarian law and international human rights law, including the Convention on the Rights of the Child (CRC) which defines a child as any person under 18 years old, and its Optional Protocols on the Involvement of Children in Armed Conflict (OPAC) and on the Sale of Children, Child Prostitution and Child Pornography (OPSC). Furthermore, international standards such as the Paris Principles and Commitments clearly recognize children recruited or used by armed forces or groups primarily as victims of rights violations and not perpetrators.

Respecting, protecting, and fulfilling child rights in the context of national security measures is fundamental and an essential condition to attain sustainable peace. Finding dignified solutions anchored in the principles of both accountability and the best interest of the child is also key in that regard. National security measures must always incorporate special provisions when engaging with any person under the age of 18 to ensure they receive the special protection they are entitled to under international law.

Member States should refrain from charging and prosecuting children for expressions of opinion or for mere association with armed groups, including those designated as terrorists by the United Nations. Children suspected of national security offences should be treated exclusively within child justice systems which must further be gender and age-sensitive.

Children who are placed in detention and or deprived of liberty in a variety of forms are often kept in conditions that do not meet the minimum standards set out in various international legal instruments on child justice, some even resulting in death while in custody. When they survive, children detained in the context of armed conflict often find themselves doubly victimized and caught in a cycle of violence, including being exposed to torture. The support for the reintegration of those children must include access to age and gender-appropriate services, including mental health and psychosocial support, education, and legal assistance. Pursuing durable solutions, including multisectoral community-based approach to security agenda is called for and reintegration and repatriation of children associated with armed forces or groups, in line with international law including the OPAC, must be a priority. Member States should further refrain from rendering individuals, notably children, stateless.

The UN experts remind that under Article 37 of the Convention on the Rights of the Child (CRC), every child shall be treated in a manner that takes into account the needs of persons of their age, including being separated from adults, the right to maintain contact with their family and the right to prompt access to legal and other appropriate assistance.

The deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time. Member States and de facto authorities should facilitate timely, unimpeded and sustained access to women and children, including those in detention centers or other situations of deprivation of liberty, for the United Nations and other humanitarian actors to ensure their protection and other basic needs are met.

It is time to reconcile national security initiatives and the rights of the child as per the CRC and its optional protocols.

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***Note to editors***

\* [The Special Representative of the Secretary-General for Children and Armed Conflict](https://www.un.org/sg/en/global-leadership/office-of-the-special-representative-of-the-secretary-general-for-children-and-armed-conflict/all), Virginia Gamba, the Special Representative of the Secretary-General on Violence against Children, Najat Maalla M'jid, and the UN Committee on the Rights of the Child through its current Chair, Mikiko Otani.

The two Special Representatives present this week in Geneva their respective annual reports to the fifty-second session of the Human Rights Council with views and recommendations regarding this critical subject and in particular on the situation of children deprived of liberty.

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