

**ASEAN REGIONAL FORUM (ARF) STATEMENT
ON THE TREATMENT OF CHILDREN RECRUITED BY OR ASSOCIATED WITH
TERRORIST GROUPS**

WE, the Foreign Ministers of the ASEAN Regional Forum (ARF) Participants, namely Australia, Bangladesh, Brunei Darussalam, Cambodia, Canada, China, Democratic People's Republic of Korea, India, Indonesia, Japan, Lao PDR, Malaysia, Mongolia, Myanmar, New Zealand, Pakistan, Papua New Guinea, Philippines, Republic of Korea, Russia, Singapore, Sri Lanka, Thailand, Timor-Leste, United States, Viet Nam and the High Representative of the European Union, gathered today, at the 27th ARF on 12 September 2020 in Ha Noi, Viet Nam,

ACKNOWLEDGING that recruitment and exploitation of children by terrorist groups are serious forms of violence against children, and expressing deep concern for its harmful, widespread, and life-long traumatic impact on the physical and mental well-being of the child as well as for its consequences on families, the community and society at large,

STRONGLY CONDEMNING all recruitment and use of children to perpetrate terrorist attacks, as well as the violations and abuses committed by terrorist groups against children, including killing and maiming, abduction and rape and other forms of sexual and gender-based violence, attacks against schools or hospitals, in contravention of applicable international law, and denial of humanitarian access for children and noting that such violations and abuses may amount to war crimes or crimes against humanity, and recommending ARF Participants, within their respective jurisdiction, to investigate duly any such violations and abuses committed by terrorist groups and to hold perpetrators accountable,

RECOGNISING that it is the primary responsibility of States to protect children from the threats associated with terrorism and violent extremism conducive to terrorism, in accordance with applicable international and domestic laws,

ACKNOWLEDGING that children are especially vulnerable to radicalization to violence, and further acknowledging that in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child should be a primary consideration,

STRESSING the importance of the development and maintenance of effective, fair, humane, transparent and accountable criminal justice systems in accordance with applicable international and domestic law as a fundamental basis of any strategy to counter-terrorism and violent extremism conducive to terrorism, taking into account, inter alia, the rights, dignity and needs of the child,

ACKNOWLEDGING also that given the status of children as potential victims of terrorism, as well as of other crimes, every child accused of having or legally recognised as having violated the law, particularly those who are deprived of their liberty, as well

as child victims and witnesses of crimes, children should be treated in a manner consistent with his or her human rights, dignity and needs, in accordance with applicable international and domestic laws,

RECOGNISING that States should take appropriate measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse,

RECOGNISING that foreign terrorist fighters may be traveling with family members, underscoring the need for ARF Participants to assess and investigate such individuals for any potential involvement in criminal or terrorist activities, including by employing evidence-based risk and needs assessments,

FURTHER RECOGNISING that children are especially vulnerable to radicalization to violence and therefore may be in need of particular social support, including trauma-informed, age and gender sensitive post-trauma counseling, and should be treated in a manner that respects their rights and dignity, in accordance with applicable international law,

RECOGNISING that terrorism and violent extremism conducive to terrorism have a detrimental effect on the full enjoyment of all human rights and fundamental freedoms,

REAFFIRMING that terrorism and violent extremism conducive to terrorism cannot and should not be associated with any religion, nationality or civilization,

REAFFIRMING the significant role of the ARF as one of the main multilateral forums for political and security dialogue and cooperation in the region which supports ASEAN Centrality,

RECOGNISING the 2010 Hanoi Plan of Action to Implement the ASEAN Regional Forum Vision Statement which charted a vision for the ARF to develop an effective network for regional law enforcement and military agencies by 2020, to build regional capacity, share information, and individually and collectively respond in a timely and effective manner to the threats posed by terrorism and transnational organized crime in the region, as well as the 2019 ARF Statement on Preventing and Countering Terrorism and Violent Extremism Conducive to Terrorism (VECT),

RECALLING relevant UN Security Council and UN General Assembly Resolutions, especially the UN Security Council (SC) Resolution 2396 (2017) "Threats to International Peace and Security Caused by Terrorist Acts", UNSC Resolution 2427 (2018) "Children and Armed Conflict", UNSC Resolution 2143 (2014), UNSC Resolution 2225 (2015), UNSC Resolution 2242 (2015), and UN General Assembly Resolution A/RES/72/284 (2018) and A/RES/71/291 (2017),

RECALLING the 2007 ASEAN Convention on Counter Terrorism, the 2017 ASEAN Comprehensive Plan of Action on Counter Terrorism, the 2017 Manila Declaration to Counter the Rise of Radicalization and Violent Extremism, and **NOTING** the ASEAN Plan

of Action to Prevent and Counter the Rise of Radicalization and Violent Extremism (PCRVE) (2018-2025) and the Work Plan on ASEAN Plan of Action to PCRVE (the Bali Work Plan),

ACKNOWLEDGING AND COMMENDING the works of various ASEAN-led mechanisms in countering terrorism and violent extremism conducive to terrorism, including the ASEAN Ministerial Meeting on Transnational Crime (AMMTC), the ASEAN Defense Ministers' Meeting (ADMM) and ADMM-Plus,

ACKNOWLEDGING activities and recommendations of the UN Secretary General's Special Representative for Children and Armed Conflict as well as the Working Group on Children and Armed Conflict of the UN Security Council within their respective mandates to promote the protection of children affected by armed conflict,

TAKING NOTE OF the work of the Global Counterterrorism Forum and its Countering Violent Extremism Working Group, co-chaired by Australia and Indonesia,

TAKING NOTE OF efforts undertaken by all relevant United Nations agencies and bodies in accordance with their existing mandates in emphasising the role of education and of the justice system to prevent and address the recruitment and exploitation of children by terrorist groups,

ACKNOWLEDGING the possibility of non-judicial measures as alternatives to the prosecution and detention that focus on the rehabilitation and reintegration for children recruited by or associated with terrorist groups,

ACKNOWLEDGING the importance of strategies and measures to prevent recruitment and exploitation of children by terrorist groups and encouraging the ARF Participants, to invest in such strategies and measures, with a view to building peaceful and sustainable societies,

Do hereby:

1. Call upon ARF Participants to continue efforts to counter terrorism and violent extremism conducive to terrorism through national legislation, and to take all appropriate legislative, administrative, social and educational measures at the national and local level, consistent with international law, to protect children from all forms of physical, sexual or psychological violence associated with terrorism and violent extremism conducive to terrorism, including the recruitment of children by terrorist groups.
2. Urge ARF Participants to develop and implement, if needed, national comprehensive strategies and tailored risk and needs assessments, effective rehabilitation and effective reintegration strategies for children accompanying their family members who have joined terrorist groups, or are associated with terrorist groups, consistent with international and domestic law, taking into account, where appropriate, gender and age sensitivities, and to take appropriate

action consistent with relevant international and domestic laws, including by prosecution, rehabilitation, and reintegration measures, where appropriate and to cooperate, where appropriate, with local communities, mental health and education professionals and other relevant civil society organizations and actors, with the best interests of the concerned children as a primary consideration.

3. Encourage ARF Participants to develop appropriate safeguards in cases involving children accused of terrorism-related offenses so that prosecution, rehabilitation and reintegration strategies developed are in full compliance with their international law obligations and that no child should be deprived of liberty, unlawfully or arbitrarily, and the arrest, detention or imprisonment of the child should be in conformity with the law and be used only as a measure of last resort and for the shortest appropriate period of time.
4. Emphasise the particular importance of providing, through the whole of government and whole of society approach, timely and appropriate rehabilitation and reintegration assistance to children associated with foreign terrorist fighters returning or relocating from conflict zones, through access to health care, gender and age-sensitive, and trauma-informed psychosocial support, family and parenting support and education programs and that contribute to the well-being of children and to sustainable peace and security, consistent with relevant international and domestic law;
5. Underscore the importance of targeted training on a voluntary basis, including through bilateral and multilateral programmes and sharing of information and experiences among the ARF Participants, aimed at developing a better understanding of the threats and providing an effective response to the current statement;
6. Call upon ARF Participants to invest in capacity building, and to this end, encourage ASEAN mechanisms, ASEAN-led mechanisms and ASEAN Dialogue Partners to strengthen efforts in preventing the recruitment and exploitation of children associated with terrorist groups.

Adopted on the Twelfth of September in the Year Two Thousand and Twenty (2020) at the 27th ASEAN Regional Forum in Ha Noi, Viet Nam

Statement ends