

CONCEPT NOTE

**UN Security Council Arria-Formula Meeting:
“Condemning Hostage-Taking in Israel on October 7 as a Psychological Tool of
Terrorism”**

***May 16, 2024, 3:00 p.m. to 6:00 p.m.
UN Headquarters, Conference Room 11
Live Stream on UN Web TV***

Host: United States Mission to the United Nations

Co-sponsors: Permanent Missions of Albania, Austria, Belgium, Canada, Croatia, Czechia, France, Germany, Hungary, Israel, Italy, Malta, the Netherlands, New Zealand, Romania, the United Kingdom to the United Nations

Overview:

On May 16, the United States Mission to the United Nations, with above list of co-sponsors, will host an Arria-formula meeting to raise awareness of the continuing tactic of taking hostages as a tool of terrorism, intimidation, and armed conflict. Hostage-taking is unlawful, egregious, and undermines international peace and security. The implications on the health and well-being of hostages are catastrophic and inhumane. Moreover, the extreme psychological and mental impact on the hostages, their families, and communities must not be minimized. By focusing on the hostages from more than 20 nations kidnapped from Israel on October 7, 2023, by Hamas and other terrorist organizations, we will highlight how non-state actors wield hostage-taking tactics as a tool of terrorism.

Objectives:

The Arria-formula meeting will focus on the demand that Hamas and other armed groups immediately and unconditionally release all hostages being held in Gaza. This Arria-formula meeting aims to highlight the long-term health and psychological impact of hostage-taking not only on those held, but those left behind, and therefore will seek to identify steps the Security Council can take to address and deter hostage-taking and the related use of physical and emotional abuse and mental anguish as tactics of terrorism. Participants will discuss how to facilitate immediate access for humanitarian actors or neutral intermediaries, so that they may assist those individuals held by non-state actors, including terrorist groups, and support efforts to inform families about the welfare and whereabouts of their family members.

Guiding Questions:

- 1) How can the Security Council deter hostage-taking as a means of armed conflict and hold non-state actors accountable for such actions?
- 2) What collective/multilateral messaging might we employ to communicate that hostage-taking is never an acceptable tactic?

- 3) What resources are available and how might the UN, other international organizations, regional organizations, and Member States support the health, emotional, psychological, and financial needs of victims and survivors of hostage-taking?
- 4) How can the UN support efforts to obtain proof of life, the immediate provision of medical assistance to hostages, or information about the welfare and whereabouts of hostages and abductees to mitigate family and hostage suffering?
- 5) What measures can the Council and other UN entities take to expedite the release of all hostages held in Gaza, or what mechanisms could be activated in order to pressure Hamas to release them?

Background:

The prohibition against taking hostages is well established in international law. Indeed, hostage-taking in the context of an armed conflict is a war crime, and the widespread or systematic enforced disappearance of persons can rise to the level of crimes against humanity. The Security Council has been clear in condemning in no uncertain terms the abduction of civilians, namely through resolutions 2133 (2014), 2474 (2019), 2712 (2023), and 2728 (2024). The Security Council has also adopted ten resolutions on women, peace, and security, including five focused on preventing and addressing conflict-related sexual violence.

More than 250 hostages were taken by Hamas and other armed groups during the October 7, 2023, terrorist attack in Israel. More than 125 remain unaccounted for and are believed to be held in Gaza, in addition to four abductees held by Hamas prior to October 7. Citizens from more than 20 countries were taken hostage. At least 30 hostages are believed to be deceased and Hamas is holding their bodies. The longer this hostage crisis drags on, the greater the risk that additional abductees may lose their lives. Hamas has refused to grant International Committee of the Red Cross (ICRC) representatives access to the hostages.

It is vital the international community demand that Hamas allow the ICRC access to the hostages to provide assistance. Hostages who have been released report being subjected to prolonged psychological, verbal, and emotional abuse during detention and denial of access to food or medical attention. Based on the information the UN Special Representative of the Secretary-General on Sexual Violence in Conflict gathered, the mission team found clear and convincing information that “sexual violence, including rape, sexualized torture, cruel, inhuman and degrading treatment has been committed against hostages” and has reasonable grounds to believe that such violence may be ongoing against those still held in captivity. Torture and cruel, inhuman, and degrading treatment or punishment are prohibited under international law. The sustained captivity of the hostages for over 200 days has inflicted severe emotional distress and lifelong trauma on survivors and their families.

Security Council members and other Member States are invited to propose steps the UN Security Council, UN Secretariat, UN Missions, and other UN organs, bodies and agencies, within their respective mandates, can take to support effective communication channels with family members, incorporate collective efforts to secure the release of the hostages, and establish mechanisms to further pressure to surrender all hostages and abductees.

Briefers:

1. Civil Society Representative - **Prof. Ruth Halperin-Kaddari**, Professor of Law and an international women's rights advocate, former Vice Chair of the United Nations Committee on the Elimination of Discrimination against Women (CEDAW)
2. Identity to be Released Shortly Before the Event
3. Identity to be Released Shortly Before the Event

Format:

The Arria-formula meeting will be held on May 16, 2024, from 3:00 p.m. to 6:00 p.m. at the United Nations Headquarters in Conference Room 11. The meeting will be broadcast on UN Web TV. Interpretation will be provided in all official languages of the UN on an if available basis.

All Member States of the United Nations, as well as permanent observers and non-governmental organizations accredited to the UN, are invited to participate. Co-sponsors, Member States, and Observer Offices will be invited to deliver statements after the briefers and Security Council Members. Priority will be given to co-sponsors and those speaking on behalf of groups of two or more delegations. Participation at the Permanent Representative or Charge d'Affaires-level is encouraged.

Security Council members are requested to limit interventions to five (5) minutes. Other Member States that wish to deliver an intervention are requested to limit interventions to three (3) minutes. In the event that all those inscribed on the Speakers List do not get to speak due to constraints on the meeting length, the United States will collect written statements for the record and distribute to Member States.

Attendees are requested to register for the list of speakers by emailing Ms. Oriana Luquetta (LuquettaO@state.gov) and Mr. Caleb Pine (PineCJ@state.gov) by 4:00 PM on Tuesday, May 14.