



Organization for Security and
Co-operation in Europe



UNITED NATIONS
OFFICE OF COUNTER-TERRORISM



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Joint Regional High-level Conference
convened by the OSCE, UNOCT and Switzerland, in cooperation
with the Albanian OSCE Chairmanship on

FOREIGN TERRORIST FIGHTERS ADDRESSING CURRENT CHALLENGES

VIENNA, AUSTRIA

11-12 FEBRUARY, 2020



Summary by the Co-Organizers



Organization for Security and
Co-operation in Europe



UNITED NATIONS
OFFICE OF COUNTER-TERRORISM



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

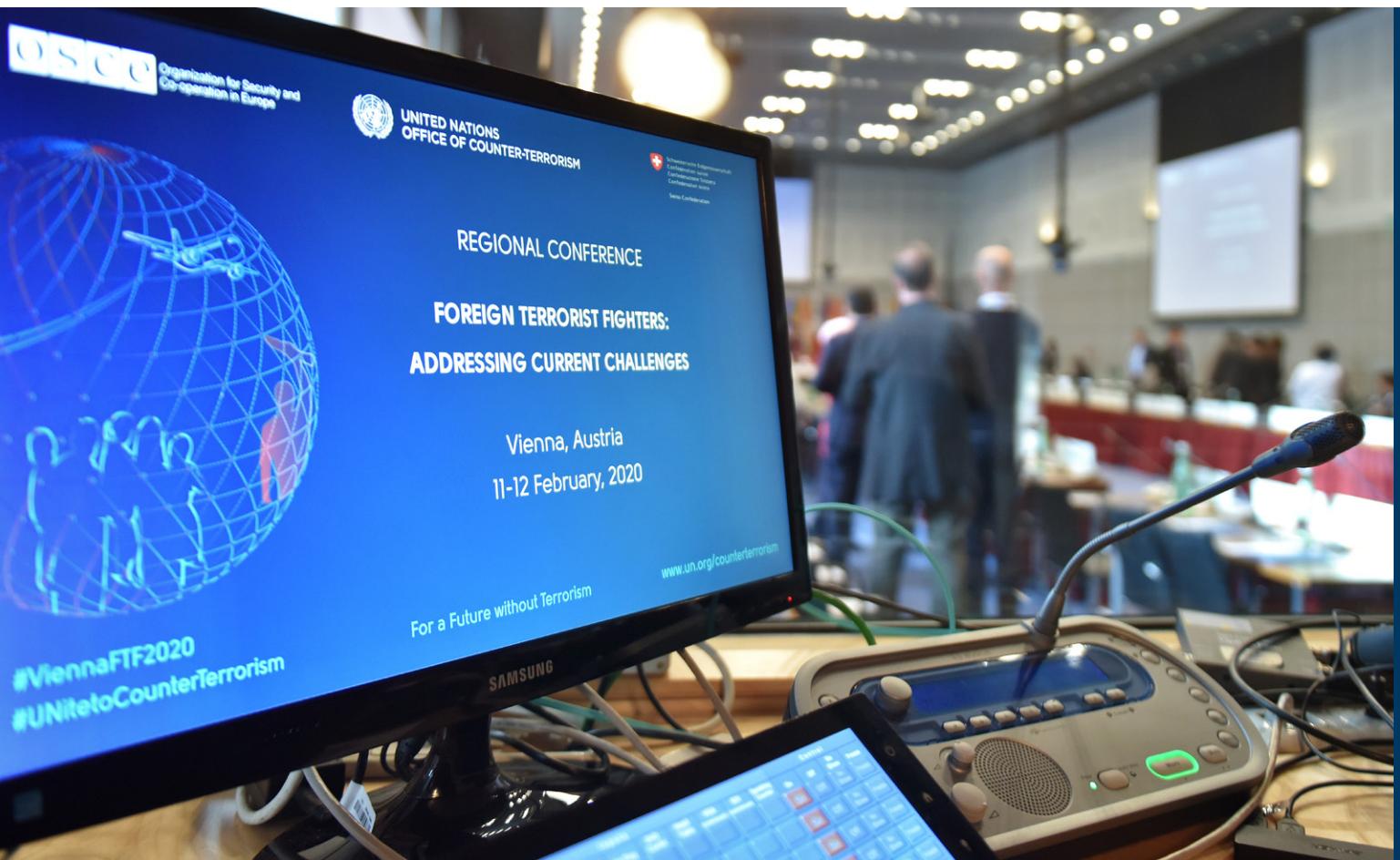
Executive Summary

On 11-12 February 2020, the OSCE, UNOCT and Switzerland, in co-operation with the 2020 Albanian OSCE Chairmanship, jointly organized a High-level Regional Conference on the topic of “Foreign Terrorist Fighters – Addressing Current Challenges”. This conference in Vienna was part of a series of regional events organized in follow-up to the 2018 UN High-level Conference of Heads of Counter-Terrorism Agencies of Member States. The Conference brought together 438 participants from 63 countries, as well as from international and regional organisations – among them several UN agencies – and from 38 civil society organizations.

Participating experts identified a considerable amount of good practices, lessons learned and recommendations during this event, with some of the following key findings:

- During Session I of the conference, the need for a comprehensive approach to prevention was emphasized. These efforts should include civil society practitioners with whom trustful partnerships needed to be established and maintained.
- As to preventing and disrupting i.a. FTF travel (Session II), the use of existing (Interpol) and establishing further (API/PNR, Biometrics, AI) systems for gathering and sharing information was highlighted. These new instruments were to be applied with robust safeguards for privacy and protections against discriminatory effects in place.
- With regard to the gathering and sharing of evidence (Session III), a particular focus was placed on Battlefield and Electronic Evidence, stressing the need for an effective and human-rights compliant approach.
- The prosecution of FTFs (Session IV) needed to reflect the individual degree of involvement in the related crimes. Correspondingly, a strong emphasis was placed on the application of gender- and age-sensitive criminal justice approaches vis a vis women and children associated with terrorist groups.
- In connection with the rehabilitation and reintegration topic (Session V), the issue of repatriation was discussed. Moreover, in-prison rehabilitation efforts linked with post-detention reintegration assistance were identified as the most promising way forward.

The good practices, lessons learned and corresponding recommendations are summarized more in detail in this report. Since they are all based on input provided by conference speakers and participants, they do not represent conclusions of the co-organizers, but rather impressions collected throughout the event.



Contents

Introduction	6
Session I: Responses to Incitement, Recruitment for and Facilitation of FTF Activities.....	10
Session II: Preventing and Disrupting FTF Travel	13
Session III: Gathering and Sharing of Evidence	16
Session IV: Prosecution of FTFs.....	19
Session V: Repatriation, Rehabilitation and Reintegration	22
Annexes	25
1. Save-the-date Letter and Concept Note	26
2. Invitation Letter.....	29
3. Conference Agenda.....	30
4. Speeches by the Co-organizers	37
5. Summary of the Civil Society Workshop	56
6. Summaries of Side Events	59

Introduction

On 11-12 February 2020, the OSCE, UNOCT and Switzerland, in co-operation with the 2020 Albanian OSCE Chairmanship, jointly organized a High-level Regional Conference on the topic of "Foreign Terrorist Fighters – Addressing Current Challenges" in Vienna. This conference was part of a series of regional events organized in follow-up to the 2018 UN High-level Conference of Heads of Counter-Terrorism Agencies of Member States on "strengthening international cooperation to combat the evolving threat of terrorism". The outcomes of the Vienna conference shall inform the Second UN High-level Conference that will be held in June 2021.

Given recent developments in Syria and Iraq, OSCE participating States and Partners for Co-operation are expecting the return of foreign terrorist fighters (FTFs) with increasing concern, as some of these returnees may commit violent acts, incite others, or take part in recruitment and fundraising efforts for terrorist organizations. As indicated by expert speakers at the conference, approximately 40,000 FTFs travelled to the conflict zone since 2011/12. In addition, at least 7,000 children travelled with their parents or were born in terrorist-controlled areas. While the FTF-phenomenon is not new, this movement to join terrorist organizations in Syria and Iraq was unprecedented in scope. To date, approximately 8,000 FTFs have returned, including approximately 1,500 children, most of them to Central Asia and Europe. Ensuring appropriate treatment of these returnees, including prosecution, rehabilitation and reintegration, will be crucial.

On the other hand, the humanitarian and security situation in Syria and Iraq has captured the attention of the international community and requires action. This was highlighted in the UN Secretary General's *Key Principles for the Protection, Repatriation, Prosecution, Rehabilitation and Reintegration of Women and Children with Links to UN -listed Terrorist Groups*, including analysis of pertinent UN Security Council resolutions 2178, 2396 and 2427. The issue of repatriation has, therefore, come to the forefront of discussions, including how to address this in compliance with relevant international standards and obligations.



From left: Fejzo Numanaj, Acting Head, OSCE Action Against Terrorism Unit; Ghada Fathi Waly, Executive Director, UNODC; Thomas Greminger, Secretary-General, OSCE; Vladimir Voronkov, Under-Secretary-General, UNOCT; Johannes Matyassy, State Secretary, Federal Department of Foreign Affairs, Switzerland; Igli Hasani, Permanent Representative of Albania, Chair of the OSCE Permanent Council.

Correspondingly, the conference focused on five main topics, namely (I) Responses to incitement, recruitment for and facilitation of FTF activities; (II) Preventing and disrupting FTF travel; (III) Gathering and sharing of evidence; (IV) Prosecution of FTFs; and (V) Repatriation, rehabilitation and reintegration.¹

In addition to the plenary sessions, participants had the opportunity to attend and contribute to seven side-events on the margins of the conference, dealing with the following topics:

- Preventing and Countering Online Recruitment and Radicalization to Violence (convened by Switzerland, the U.K. and the OSCE)
- Rehabilitation and Reintegration of ISIS Family Members (convened by the U.S.A. and Kazakhstan)
- Training guides on the investigation and prosecution of FTFs cases through sharing of electronic evidence (convened by UNODC in collaboration with UNCTED and the OSCE)
- Rehabilitation and Reintegration: Building capacity inside and outside the prison context (convened by the OSCE Secretariat and the OSCE Presence in Albania)

¹ Compare also main areas covered by aforementioned UN Security Council resolutions as well as by the 2018 Addendum to the 2015 Madrid Guiding Principles on Foreign Terrorist Fighters: <https://www.un.org/sc/ctc/wp-content/uploads/2019/09/Security-Council-Guiding-Principles-on-Foreign-Terrorist-Fighters.pdf>.

- Joining Efforts to Combat Trafficking in Human Beings and Terrorism (convened by the OSCE, UNODC and INTERPOL)
- Repatriation of FTFs and their Families from Conflict Zones in Syria and Iraq (convened by the OSCE/ODIHR)
- Presentation of National Strategy on Prevention of Violent Extremism and Countering Terrorism for 2020-2024 (convened by Turkmenistan, UNRCCA and the OSCE)

Moreover, a Civil Society Workshop was convened by UNOCT with support from the Global Center on Cooperative Security in advance of the conference on 10 February 2020. Summaries reflecting the results of this workshop as well as of all the side events are annexed to this report.

The good practices and lessons learned summarized in this report are based on input provided by conference speakers and participants – they are not conclusions of the co-organizers. This report is therefore also not a consensus document, but rather a summary of statements and presentations, as well as key outcomes of the conference.



From left: Fejzo Numanaj, Acting Head, OSCE Action Against Terrorism Unit; Ghada Fathi Waly, Executive Director, UNODC; Thomas Greminger, Secretary-General, OSCE; Vladimir Voronkov, Under-Secretary-General, UNOCT; Johannes Matyassy, State Secretary, Federal Department of Foreign Affairs, Switzerland; Igli Hasani, Permanent Representative of Albania, Chair of the OSCE Permanent Council.



Vladimir Voronkov, Under-Secretary-General of the UN Office of Counter-Terrorism, co-chaired the Opening Session



Thomas Greminger, Secretary-General of OSCE, co-chaired the Opening Session



Johannes Matyassy, State Secretary, Federal Department of Foreign Affairs, Switzerland, co-chaired the Opening Session

Session I

Responses to Incitement, Recruitment for and Facilitation of FTF Activities

With FTF departures to conflict zones having peaked in 2015, OSCE participating States and Partners for Co-operation face an increase in the number of returning or relocating FTFs and accompanying family members. There is a concern that these returnees may engage in violent acts at home, incite others to violence, take part in recruitment efforts and/or fundraise for terrorist organizations.

Therefore, law enforcement and intelligence agencies need to be equipped with appropriate and effective tools to respond in a rule of law-compliant manner to terrorist activity. Equally important, programmes aimed at disengaging returning FTFs and their family members need to be developed or improved, and new recruitments of so-called “home-grown terrorists”, often inspired by FTF-narratives, need to be prevented. A comprehensive approach involving both government agencies as well as relevant civil society actors can be regarded as crucial.

The conference participants highlighted the following lessons learned and good practices for countering and preventing the incitement by and recruitment into terrorist groups:

- Efforts to prevent incitement and recruitment into terrorist groups should apply to all types of violent extremism.
- Community policing and hotlines can provide helpful early responses to signs of radicalization for concerned families, teachers and friends or alert authorities about violent extremist individuals.
- Data analysis can also support detecting signs indicating radicalization to violence, which seems even more important as the current threats mainly emanate from “home-grown” violent extremists rather than from FTF-returnees who are more likely to be on the radar of security services already.

- Finally, overcrowded prisons and detrimental conditions in camps in conflict zones risk being incubators for further radicalization. Improvement of conditions there and repatriation of FTFs and their accompanying family members could avoid this. In order to equally prevent and counter radicalization in prisons in home countries, improving prison management and investing in disengagement programmes in prisons is crucial, as well as the monitoring of those FTFs that have been released after serving their sentence.

With regard to pursuing these measures in line with applicable human rights standards and fundamental freedoms, the following lessons learned and good practices were discussed:

- Agreeing on a common threshold to determine terrorist content and hate speech would help in developing an early response mechanism as well as in finding responses to radicalization to violence beyond the security focus. The definition and application of such a threshold needs to be in accordance with freedom of expression standards²
- Harmonizing national law with the international regulatory framework is crucial for legal consistency, as well as for effective regional and international co-operation.
- It is also imperative that laws are applied consistently and fairly. While human rights law requires the prohibition of incitement to hatred and violence, criminal charges of incitement to terrorism should not be abused for suppressing peaceful political opposition.
- The United Nations Office of the High Commissioner for Human Rights (OHCHR) identified the following focus areas in response to hate speech: monitoring of hate speech, technology and media, support to victims, especially to affected ethnic groups, and human rights defenders. In this regard, OHCHR works with religious and community leaders who can help disseminating information and increasing resilience.

Lessons learned and good practices in strengthening co-operation between governments, the private sector and civil society organizations for a comprehensive response:

- A multi-agency approach within national government structures should include education, as well as social and health services in addition to different law enforcement and detention agencies and specialized entities, such as financial intelligence units.

² Agreed OSCE language would require a “radicalization to violence” – nexus needed to avoid unjustified infringements of the freedom of thought/expression/assembly. Compare ODIHR’s FTF-Guidance Material and/or TNTD/ATU’s VERLT Guidebooks.

- For an early detection of driving factors for and signs of radicalization to violence, it is important to develop public-private partnerships and to mobilize civil society.
- Civil society organizations often have direct insight into affected communities and can be crucial partners in building societal resilience, raising awareness, facilitating religious education and inter- and intra-faith dialogue, by building community trust with government institutions.
- Apart from the freedom to operate within communities, civil society organizations need sufficient funding and clear legal and operational frameworks, especially in rehabilitation and reintegration work.
- To allow for inclusion of the entire spectrum of civil society expertise, an inclusive and diverse approach is advisable, given that psychologists, religious and educational civil society actors all have a critical role to play.



Raffi Gregorian, Director and Deputy to the Under-Secretary-General of the UN Office of Counter-Terrorism, moderated the first session.

Session II

Preventing and Disrupting FTF Travel

Returning or relocating FTFs poses particular challenges to border security and management agencies. Existing travel security efforts in identifying and detecting returning or relocating FTFs and how the UN, the OSCE and other international and regional actors can further support participating States and Partners for Co-operation in these endeavors was discussed.

The use of passenger data collection (i.e. through Advance Passenger Information Systems and Passenger Name Records) and the role of capacity-building activities for front-line screeners, such as immigration, customs and border security agencies were also addressed. While sharing relevant information is a key element of successful internal co-ordination and international co-operation, the conference also highlighted the need for this to take place in compliance with human rights standards.

Lessons learned and good practices identified in detecting and disrupting FTF travel:

- The complex nature of Advance Passenger Information and Passenger Name Record (API/PNR) systems can create challenges of a legal, operational, or technical nature for their implementation. To ensure inter-operability of different national databases, the respective agencies (e.g. immigration, customs and border security) need to cooperate closely with each other.
- Clear operational frameworks facilitating inter-agency co-operation and co-ordination at the national level should be established. In order to be effective, these frameworks also need to include private companies such as air carriers and travel agencies.
- Passenger Info Units (PIU) can assume such co-ordinating functions by checking travel information against various watch lists and risk indicators, informing other relevant national authorities and international partners accordingly.

- Sharing information about hits generated by the API/PNR systems through all appropriate bilateral and multilateral channels in a time-sensitive manner is important in order to be as effective as possible.
- Apart from API/PNR data, the exchange of information on terrorist tactics and methods as well as the use of biometric data can be useful in preventing and countering terrorism and violent extremism.

Exchanging travel-related information in an effective and human rights-compliant way – related good practices and lessons-learned highlighted by conference speakers and participants:

- Since terrorist profiles vary, risk indicators should avoid reinforcing stereotypes based on religion, countries of origin or ethnicity, which may stigmatize communities, minorities and vulnerable individuals (e.g. migrants) and undermine trust towards government entities.
- The use of artificial intelligence and algorithms is also not free from the risk of bias and discrimination. It is therefore important to regularly review existing screening procedures, to amend them accordingly, and to train the officers administering these systems.
- States can rely on the good services offered by international and regional organizations to sensitize their officers towards unconscious bias, thereby ensuring the application of Human Rights standards. OSCE-ODIHR offers capacity building for law enforcement officers and border officials aimed at eliminating stereotypical profiling.

Establishing effective API/PNR systems while respecting the right to privacy:

- While government decrees setting up API/PNR systems can expedite the implementation of mechanisms requested by UNSCR 2396, the legislative process in parliaments is important to protect personal data and to give citizens the opportunity to seek redress, prerequisites for complying with international human rights law in this context.
- Harmonization of personal data protection standards is important to overcome potential barriers in international co-operation, deriving from non-aligned legislation in this field.
- The EU's API/PNR legislation provides a system of safeguards, including restrictions on the handling of sensitive data, the depersonalization of information after six months and deleting them completely after five years. An independent supervisory authority ensures the application of these rules.

- UNOCT's Counterering Terrorist Travel Programme is supporting states in establishing national API/PNR co-ordination by providing legislative assistance, facilitating private entity involvement, training of co-ordination staff and by providing the 'goTravel' technology, enabling interoperability of databases.
- UNOCT's programme also foresees a number of safeguards, such as the restriction of API/PNR data use solely for counter-terrorism purposes, the designation of competent authorities authorized to process API/PNR data, a reasonable retention period, as well as further mechanisms to prevent data abuse.



Session III

Gathering and Sharing of Evidence

Participants reflected upon the question of how governments and international organizations could enhance co-operation in the sharing of evidence, including battlefield evidence, in order to enable the successful and rule of law-compliant prosecutions of FTFs, also in their home countries. Apart from evidence gathered by the military and sometimes by NGOs in the conflict zones, the digital space and especially social media content may be searched for investigation purposes, and discussions explored how such evidence can be obtained in compliance with the rule of law.

Lessons learned and good practices on enhancing co-operation in the sharing of evidence, including battlefield evidence, for rule of law-compliant prosecutions of FTFs:

- Particular challenges with battlefield evidence can be the improper collection, handling, preserving and sharing of evidence by the military, rendering evidence inadmissible in subsequent prosecutions. The uncertain application of mutual legal assistance treaties to evidence seized by the military can be another issue. A UNCTED guidebook on military evidence provides guidance on how to properly retrieve, collect, handle and preserve such evidence for criminal procedures³.
- Interpol facilitates military-to-police exchange, passing information from conflict zones to the hands of law enforcement officers, to support investigations and prosecutions. This also covers data collected on the battlefield, available to all Interpol member countries.
- The international human rights framework demands the investigation of terrorism cases and other serious crimes. States have a duty to bring the perpetrators to justice and to co-operate in investigations and prosecutions. Investigations need to be independent, which requires taking all appropriate steps to acquire evidence and to respect the principles of a fair trial.

3 https://www.un.org/sc/ctc/wp-content/uploads/2020/01/Battlefield_Evidence_Final.pdf.

- Human rights-compliance in evidence gathering does pose challenges that need to be addressed at the national level. One of the principles is the inadmissibility of evidence obtained under torture. Moreover, the accused's ability to prepare a defense must not be impeded and overreliance on intelligence that cannot be disclosed in court proceedings can become an issue.

Use of the Internet and social media platforms for counter-terrorism investigations, in compliance with human rights and the rule of law:

- Common challenges encountered by law enforcement agencies regarding electronic evidence collection include a lack of request process standardization for service providers, problems in determining what type of data can be requested from which provider and the technical capacity to draft corresponding requests as well as to analyze the material received in response to a request⁴.
- In turn, judicial authorities often have difficulties in requesting Mutual Legal Assistance (MLA). Common issues here include lengthy MLA procedures, varying interpretations concerning the ambit of freedom of speech/expression, short data retention periods among service providers, and the application of different standards depending on the service provider or type of crime.
- To help mitigate these challenges, UNODC developed a “Practical Guide for Requesting Electronic Evidence across Borders”⁵, offering information on regional legal instruments on cybercrime/e-evidence, legal requirements for MLA requests (including direct preservation requests to service providers) and data retention laws in selected states. The guide also provides a mapping of service providers, as well as summarizing the request procedures and requirements of 36 of the most widely used providers.
- When it comes to the gathering of electronic evidence, respecting privacy rights is crucial. Scope, duration and procedures for the storage and use of electronic evidence should be clearly defined and safeguards implemented, such as independent review and redress for violations. Moreover, states need to be vigilant when exchanging such information, to avoid potential abuses. OSCE/ODIHR’s “Guidelines for Addressing the Threats and Challenges of FTFs within a Human Rights Framework” are a helpful tool for a human rights-compliant gathering and sharing of information⁶.

4 SIRIUS Europol Digital Evidence Report, Dec 2019.

5 https://sherloc.unodc.org/cld/login/index.jsp?from=http://sherloc.unodc.org/cld/secured/18-05840_Practical_Guide_Electronic_Evidence_ebook.pdf.

6 <https://www.osce.org/odihr/393503?download=true>.

Enhancing the use of existing mechanisms such as INTERPOL's databases and information systems:

- Interpol offers 18 different databases containing about 100 million police reports as a resource for law enforcement agencies worldwide.
- Among these, biometrics are considered particularly important in the fight against terrorism, with 200,000 related fingerprints already stored. Face recognition tools are still under development (72,500 records currently stored). To enhance these tools, Interpol collects the biometrics of convicted terrorists from its member states.
- The EDISON database (Electronic Documentation and Information System on Investigation Networks) is another Interpol initiative providing more than 4,500 records of travel documents, to help identify counterfeits. It contains images, descriptions and security features of genuine travel and identity documents issued by countries and international organizations.
- Many FTFs departed from the MENA region, but in comparison to data from Europe, Interpol only received a fraction of the information on FTFs from the region. To help remedy this imbalance, the EU-funded project 'Sharaka' connects agencies working at airports, seaports and national borders throughout the MENA region with I-24/7, Interpol's secure, global police communications network.
- Finally, states are also encouraged to make use of Interpol's Red Notice, requesting law enforcement worldwide to locate and provisionally arrest a person pending extradition, surrender, or similar legal action.



Igli Hasani, Permanent Representative of Albania, Chair of the OSCE Permanent Council

Session IV

Prosecution of FTFs

Criminal justice responses related to relocating or returning FTFs and their affiliates, or those inspired or directed by them was an extensive point of discussion. Participants addressed challenges in the effective and human rights-compliant prosecution of suspected terrorist and violent extremist offenders, whose alleged criminal conduct mainly happened in remote conflict zones, with related evidence often having been gathered by the military. Moreover, discussions also included how to ensure that criminal justice processes are gender-responsive, while at the same time adequately contributing criminal responsibility for support activities, where these qualify as a contribution to or participation in terrorism. Last but not least, the strict application of juvenile justice standards in cases where the criminal responsibility of a minor needs to be tested, and the support and protection of those children affiliated with FTFs that – due to their age or other circumstances – can only be considered victims themselves, were also addressed in this session.

Lessons learned and good practices for effective human rights-compliant prosecutions of suspected FTFs, as highlighted by conference speakers and participants:

- The complexity of FTF cases might necessitate specialized training for judges, prosecutors and defense lawyers, which is time consuming and costly. Centralizing the prosecution of FTFs at the national level to pool related expertise is a good practice that has already proven its worth in several states.
- Good prosecution practices include the use of the triangulation technique comparing evidence from different sources (e.g. terrorist registration forms, passports, interrogation records, social media information), as well as the involvement of academic experts and journalists in investigations.
- Eurojust supports EU Member States in ensuring co-operation among their judicial and prosecutorial authorities, by convening regular co-ordination meetings and building joint investigation teams in cases with a multi-national dimension.



Ghada Fathi Waly, Executive Director of UNODC

- While there is agreement that all individuals suspected of crimes should face investigations and prosecution, the question where FTFs should stand trial remains under debate. In any event, the respective legal system needs to be equipped for such prosecutions, to conduct them in line with the principles of fair trial.

Ensuring the right to a fair trial, due process, and full respect for human rights:

- Violating the fundamental rights of an accused is not just contrary to international law, but also highly counter-productive to preventing terrorism, as it may be instrumentalized for a “martyr” narrative among terrorist groups. While national security concerns can lead to the limitation of certain rights and procedural guarantees, fundamental rights can never be nullified.
- Charging FTFs based on “association” or “membership” in a terrorist group alone, risks blurring the lines between a person’s active role within a terror group, and another’s mere presence in terrorist-controlled territory. National authorities have a responsibility to ensure that convictions are based on a case-by-case assessment, reflecting different degrees of involvement in FTF-related crimes.
- National authorities should consider necessary steps to assist authorities in the conflict zone with prosecuting FTFs in a human rights-compliant manner. This could be achieved by deploying experts that would then engage closely with the prosecuting authorities.

Criminal justice processes that are **gender-responsive** and ensure **children's best interests** and welfare – good practices and lessons-learned identified during the conference:

- While there is still a lack of understanding of the roles of women in this context, a stereotypical view on women linked to terror groups should be avoided, particularly regarding the question of prosecution or when assessing the risk which some of these women may pose upon return.
- Within the EU, the scope of what constitutes a criminal offence has widened under EU Directive 2017/541, qualifying the way most women married to FTFs had been involved with these terror organizations as a criminal offence, with the exception of those who were forced into marriage and minors.
- Women who were kidnapped, coerced into slavery, subjected to sexual exploitation, groomed online and recruited to marry, provide sexual or household services to husbands, or labor for the terror organization, should qualify as victims.
- Children must generally be considered as victims. In cases of prosecution and conviction, alternatives to detention should be found for children in particular. In case of repatriation, families should be kept united, e.g. by having mothers serve their sentences in their home country, closer to their children - crucial for the mothers' rehabilitation as well as their children's wellbeing.
- In those exceptional cases, where it is deemed necessary to prosecute a child for very serious offences, juvenile justice standards must apply. These procedural safeguards protect minors and ensure that the age, level of maturity and mental development of the child are duly taken into consideration when deciding on the question of guilt, as well as when determining the appropriate sentence. Specialized tribunals, staffed with lawyers trained in dealing with children in the context of criminal proceedings, can ensure the application of juvenile justice standards. Establishing provisions for the child's social rehabilitation and reintegration into society is equally important.
- The focus of the prosecution should be on those recruiting children into terrorist groups, not on children. Child recruitment is a serious form of violence against children, which states are obliged to prevent. Trajectories of children into terrorist held territories are diverse. Some are kidnapped and transferred across borders by terrorist groups, while others travel with their families. Thus, a comprehensive and case-by-case approach to address these complex realities on the ground is needed.
- Children are not recruited or used by terrorist groups 'by chance'. There is a strategic purpose behind their recruitment and their exploitation. Children are often perceived as attractive investments by terrorist groups, since they may be used as spies, messengers, or suicide bombers. The rationale for treating children as victims therefore derives from a number of different circumstances, including the lack of access to parents or other caregiver, living in areas controlled by terrorist groups, and/or children below the minimum age of criminal responsibility.

Session V

Repatriation, Rehabilitation and Reintegration

Given the humanitarian and security situation in formerly terrorist-controlled territory, the issue of repatriating FTFs and/or their family members has also come to the forefront of discussions. This was highlighted by the UN Secretary General's *Key Principles for the Protection, Repatriation, Prosecution, Rehabilitation and Reintegration of Women and Children with Links to UN -listed Terrorist Groups*, including analysis of pertinent UN Security Council resolutions 2178 (2014), 2396 (2017) and 2427 (2018).

Apart from addressing repatriation in general, conference participants also explored ways of managing and assisting in particular women, girls and boys associated with FTFs. Discussions included appropriate gender and age-sensitive assistance and protection, as well as prosecution, rehabilitation and reintegration efforts, in compliance with domestic and international law. Moreover, prison-based and non-custodial programmes to rehabilitate and reintegrate terrorist offenders and the need for linking these efforts with each other to ensure sustainability were discussed.

Addressing the particular needs of women and children with links to UN-listed terrorist groups in compliance with international law – best practices and lessons learned, as well as recommendations identified includes:

- Access to detention facilities in the conflict zone must be increased in order to obtain adequate information on the number of children and other detainees, and to ensure they are treated according to human rights standards.
- Humanitarian and medical assistance, including psychological care, needs to be provided urgently in camps where FTFs and/or their family members are held. Special expertise is required for a smooth processing of repatriations, especially when children are concerned.

- Priority in repatriation needs to be given to those most vulnerable, especially children without primary caregivers. The international legal requirements concerning the unity of the family must be respected.

- The return of children needs to be planned carefully and requires co-ordination among various agencies, including childcare professionals, psychologists, social workers and educators. Many children show psychological distress caused by the effects of violence and multiple losses endured. Some children have been without education for years. Moreover, families often face practical challenges, e.g. concerning official documents or access to specialized health services.

- While the potential criminal culpability of FTFs and their family members must be assessed on a case by case basis, arbitrary deprivation of liberty needs to be avoided as counter-terrorism measures must be human rights-compliant.

- Justice systems are not always best equipped to deal with rehabilitation and reintegration matters, especially regarding children who ended up with terrorist groups. Accordingly, investment in the prevention of child recruitment is needed, showing the complementarity between public safety and children's rights. To further these goals, UNODC developed a roadmap and training package, assisting Central Asian countries in the rehabilitation and reintegration of children⁷.

- For practical guidance on how to meet national security interests as well as obligations under international human rights, humanitarian and refugee law, states can turn to international/regional organizations for assistance. UNOCT's recent handbook on "*Children affected by the foreign-fighter phenomenon: Ensuring a child rights-based approach*" is an example for such guidance⁸.

- To deny children the fundamental right to a nationality is contrary to the non-discrimination principle under Art. 2 of the Convention on the Rights of the Child. It is also an ineffective counter-terrorism measure as it contributes to a child's marginalization and insecurity – a potential push factor towards future violent extremism.

Lessons learned and good practices for effective disengagement and reintegration mechanisms:

- Prosecution rates vary significantly and due to the lack of evidence for other terrorist acts, the prosecution often charges participation in a terrorist organization, carrying an average sentence between three and five years in prison. Many of the returnees were not in prison or have already been previously released. Within EU member states, the majority of the overall estimated 8,000 FTFs are thus outside of the detention system without having previously benefitted from rehabilitation and reintegration

7 <https://indd.adobe.com/view/61793921-8dc6-4fc2-9e46-b27c6390fff2>.

8 https://www.un.org/counterterrorism/ctifl/sites/www.un.org.counterterrorism.ctifl/files/ftf_handbook_web_reduced.pdf.

programmes as those were only established in 2016. Nevertheless, data from select jurisdictions shows positive results with a level of disengagement of 75-80% among returnees following their release from prison.

- There are also significant differences among FTFs dependent on the time of their return from the conflict zone: those who travelled before 2014 and returned early are often disillusioned, in contrast to those who stayed until late into the conflict. Differences between these categories – e.g. participation in violence or the lack thereof – have major implications for the rehabilitation and reintegration work. Similarly, it is crucial to identify the reasons for why people travelled: did they radicalize and travel under the influence of others, or were they themselves leading figures?
- While most rehabilitation programmes are designed around male violent behavior, approximately 20 per cent of those who travelled were women, underlining the need for gender-responsive rehabilitation and reintegration efforts.
- National approaches towards FTFs can be structured into phases: Firstly, arrange for return, processing and criminal prosecution. Secondly, treatment of convicted FTFs in prison through individualized deradicalization and resocialization programmes. Thirdly, reintegration, which involves assisting individuals during the return to their family, local community and society. For the latter to succeed, it is important to avoid stigmatization of returnees and their families.

Linking prison-based rehabilitation programmes to post-prison reintegration efforts:

- From the rehabilitation standpoint, sufficient time to prepare and organize orderly repatriations is important.
- Penal Institutions should become focal points for rehabilitation efforts, as it is paramount to prepare inmates for release in order to prevent recidivism. It is important to have meaningful strategies in place to develop trustful work relationships between the rehabilitation worker and the client. People need to know how to seek help, to avoid an 'after prison gap'. Good practices suggest starting to work with inmates six months prior to release and to remain available to them at least for a year. Techniques developed and trained in prison can be used post-release to help avoid recidivism.
- Efforts in rehabilitation and reintegration require effective multi-agency co-operation among government entities as well as the inclusion of non-governmental actors and experts.
- Good practices in rehabilitation work also suggest preparing communities for the return of FTFs, in order to alleviate suspicion and distrust. These efforts should also ensure that necessary assistance given to returning FTFs (e.g. housing assistance, support in finding a job or returning to school) is not perceived as undue competition or discrimination of other members within the community.
- P/CVE interventions are often planned as short-term activities, while a long-term approach is needed to be successful.

Annexes

- 1 Save-the-date Letter and Concept Note
- 2 Invitation Letter
- 3 Conference Agenda
- 4 Speeches by the Co-organizers
- 5 Summary of the Civil Society Workshop
- 6 Summaries of Side Events



Annex 1: Save-the-date Letter and Concept Note

The OSCE Secretariat bears no responsibility for the content of this document and circulates it without altering its content. The distribution by OSCE Conference Services of this document is without prejudice to OSCE decisions, as set out in documents agreed by OSCE participating States.

PC.INF/37/19
3 December 2019
OSCE+
ENGLISH only



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Permanent Mission of Switzerland to the Organization for Security and Co-operation in Europe (OSCE), the United Nations and other International Organizations in Vienna

Note 88/2019 –OSCE

The Permanent Mission of Switzerland to the Organisation for Security and Co-operation (OSCE), the United Nations and other International Organizations in Vienna presents its compliments to all Permanent Missions/Delegations of participating States to the OSCE and of OSCE Partners for Cooperation in Vienna and has the honour to present the Save the Date for a Joint Regional High-level Conference convened by the OSCE, the United Nations Office of Counter-Terrorism (UNOCT) and Switzerland, in cooperation with the 2020 Albanian OSCE Chairmanship.

The Regional High-level Conference on “*Foreign Terrorist Fighters – Addressing Current Challenges*” will take place on the 11 and 12 of February 2020 in Vienna. The overall aim is to further dialogue on good practices, lessons learned and policy options in addressing the Foreign Terrorist Fighters challenge. A concept paper is attached. An indicative agenda and logistical information will be circulated jointly with the invitation in due course. We encourage participation from all OSCE participating States and OSCE Partners for Cooperation.

The Permanent Mission of Switzerland to the Organisation for Security and Co-operation (OSCE), the United Nations and other International Organizations in Vienna avails itself of this opportunity to renew to all Permanent Mission/Delegations of participating States to the OSCE and of OSCE Partners for Cooperation in Vienna the assurance of its highest consideration.

Vienna, 2 December 2019

To all Permanent Missions/Delegations to the OSCE
To all OSCE Partners for Cooperation
Vienna



BTW

Concept Note

Joint Regional High-level Conference convened by the OSCE, UNOCT and Switzerland, in cooperation with the 2020 Albanian OSCE Chairmanship

on “*Foreign Terrorist Fighters – Addressing Current Challenges*”

(11-12 February 2020, Vienna)

Co-Organizers

The OSCE is a regional arrangement under Chapter VIII of the United Nations Charter and contributes as such to global efforts in preventing and countering terrorism, applying its comprehensive approach to security to this end. A number of OSCE documents adopted in recent years address the evolving threat of Foreign Terrorist Fighters (FTFs), and outline commitments for participating States, as well as tasks for OSCE Executive Structures.¹

The United Nations Office of Counter-Terrorism (UNOCT) was established through the adoption of General Assembly resolution 71/291 in June 2017. It has enhanced the coordination and coherence of United Nations counter-terrorism efforts through the United Nations Global Counter-Terrorism Coordination Compact and has strengthened the delivery of capacity-building assistance and support to Member States on key issues such as FTFs and their families.

To further international discussions on these pertinent issues, the OSCE, UNOCT and Switzerland have agreed to jointly organize a conference on the phenomenon of returning FTFs, in cooperation with the 2020 Albanian OSCE Chairmanship. The event is funded through contributions by Switzerland and shall take place at the premises of the OSCE in Vienna on 11-12 February 2020. On the day preceding the conference, a Civil Society event will be organized by UNOCT and the Global Center on Cooperative Security. It will be coordinated with the conference so that preliminary results of the Civil Society event can be taken into account.

Background

Given recent developments in the Middle East, as well as in other conflict areas, OSCE participating States and Partners for Cooperation² are expecting the return of FTFs with increasing concern, as some of these returnees may be ready to commit violent acts, incite others to engage in terrorist activities, or take part in recruitment and fundraising efforts for terrorist organizations. Ensuring appropriate treatment of these returnees and their families, including appropriate prosecution, rehabilitation and reintegration, will be crucial. On the other hand, the humanitarian and security situation in the Middle East has captured the attention of the international community and requires action, as highlighted in the UN Secretary General’s *Key Principles for the Protection, Repatriation, Prosecution, Rehabilitation and Reintegration of Women and Children with Links to UN-listed Terrorist Groups*, including analysis of pertinent UN Security Council resolutions 2178, 2396 and 2427.³ The issue of repatriation has also come

¹ MC.DOC/1/16 on Strengthening OSCE Efforts to Prevent and Counter Terrorism, MC.DEC/6/16 on Enhancing the Use of Advance Passenger Information, MC.DOC/4/15 on Preventing and Countering VERLT, MC.DOC/5/14 on the OSCE Role in Countering the Phenomenon of Foreign Terrorist Fighters in the Context of the Implementation of UN Security Council Resolutions 2170 (2014) and 2178 (2014).

² Algeria, Afghanistan, Australia, Egypt, Israel, Japan, Jordan, Morocco, Republic of Korea, Thailand, and Tunisia.

³ UN Secretary General’s recent analysis of UN Security Council resolutions 2178, 2396 and 2427, further UN documents, as well as of Member States’ responsibility for their own nationals, in: *Key Principles for the Protection, Repatriation, Prosecution, Rehabilitation and Reintegration of Women and Children with Links to UN-listed Terrorist Groups* (April 2019).

to the forefront of discussions, including how to address this in compliance with international standards and obligations.

In addressing these issues, governments need to be equipped with appropriate tools to monitor and control the travel of FTFs and to respond in a human rights-compliant way to the threat of terrorism. This calls for differentiated approaches, particularly when dealing with minors and women. Moreover, disengaging and reintegrating, as well as prosecuting where necessary, those FTFs and accompanying family members that return, requires the involvement of different government agencies and civil society actors, within and outside the penal system. To foster common and successful approaches to all of these challenges, the sharing of information, evidence and good practices among states remains key.

The Conference is part of a series of high-level conferences organized in follow up to the first-ever High-level Conference of Heads of Counter-Terrorism Agencies of Member States on "*strengthening international cooperation to combat the evolving threat of terrorism*", held under the auspices of United Nations Secretary-General Antonio Guterres on 28-29 June 2018, in New York, and is intended to sustain the momentum for practical exchange of views, experience and expertise, and to strengthen and develop new partnerships in support of Member States collective efforts to prevent and counter terrorism. It is expected that the outcomes and recommendations of this conference will inform the next United Nations High-level Conference of Heads of Counter-Terrorism Agencies of Member States, to be held in New York in June 2020.

Conference Structure

Based on these preparatory efforts, the two-day Conference on the FTF phenomenon will be structured according to the steps within the lifecycle of radicalization to violence developed by the Global Counterterrorism Forum (GCTF), including Prevention, Intervention, and Rehabilitation-Reintegration, and the FTF phenomenon as laid out in the United Nations Capacity-Building Implementation Plan for Countering the flow of FTFs as mandated by Security Council Presidential Statement S/PRST/2015/11 and resolution 2396 (2017).

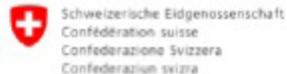
Level of participation

The conference will be held at the level of national counter-terrorism coordinators or equivalent senior experts and practitioners. OSCE participating States and OSCE Partners for Cooperation are invited to include representatives from the private sector, civil society, academia, and other stakeholder organizations in their respective delegations. In order for experts to save the date in their busy schedules, support in disseminating this information among appropriate State institutions and other relevant stakeholders would be appreciated.

Points of contact

Please refer to one of the three points of contact for any further information needed: in the OSCE, Mr. Manuel Eising (Manuel.Eising@osce.org); in UNOCT, Mr. Steven Siqueira (siqueira@un.org), in the Federal Department of Foreign Affairs of Switzerland, Mr. Christian Wägli (Christian.Waegli@eda.admin.ch).

Annex 2: Invitation letter



20 January 2020

Excellency,

We have the honour to invite representatives of your Government to participate in a Joint Regional High-level Conference under the theme, "*Foreign Terrorist Fighters - Addressing Current Challenges*", to be held on 11-12 February 2020, in Vienna, Austria. The conference is jointly organized by the Organization for Security and Co-operation in Europe (OSCE), the United Nations Office of Counter-Terrorism (UNOCT) and Switzerland, in cooperation with the Albanian OSCE Chairmanship.

The Regional Conference will bring together high-level officials and senior experts from OSCE participating States and Partners for Co-operation, along with representatives from the UN system, international and regional organizations and civil society, to discuss the complex and evolving challenges posed by foreign terrorist fighters (FTFs), including:

- I Responses to incitement, recruitment for and facilitation of FTF activities;
- II Preventing FTF travel;
- III Gathering and sharing of evidence;
- IV Prosecution of FTFs; and
- V Repatriation, rehabilitation and reintegration.

The Regional Conference follows the first-ever UN High-level Conference of Heads of Counter-Terrorism Agencies, which was convened by the UN Secretary-General in New York in June 2018. There, the Secretary-General announced that a global series of conferences would be held in 2019-2020 to address regional challenges in countering terrorism and violent extremism conducive to terrorism. The outcomes of these regional conferences will be presented at the Second UN High-level Conference of Heads of Counter-Terrorism Agencies of Member States, to be held in New York on 1-2 July 2020.

Your Government is invited to nominate a high-level head of delegation and two additional senior experts or practitioners to attend the Regional Conference. We would be grateful if your Delegation could confirm its participation by registering online at <https://events.osce.org/joint-regional-high-level-conference/registration> by 25 January 2020. In accordance with UN and OSCE policies, we encourage you to nominate qualified female representatives, as appropriate.

To all invited Member States

A Concept Note, a preliminary draft Agenda, and a draft Logistics Note are attached for your reference. A final programme will follow in due course.

For any questions, regarding the content of the Conference, please contact Mr. Manuel Eising (Manuel.Eising@osce.org) and Ms. Amaka Azikiwe (azikiwe@un.org). For logistics, please contact Ms. Sandra Hochstöger (SandraMaria.Hochstoeger@osce.org) and Ms. Samantha Savarese (savareses@un.org).

Please accept, Excellency, the assurances of our highest consideration.

Thomas Greminger
Secretary General
Organization for Security and
Co-operation in Europe

Vladimir Voronkov
Under-Secretary-General
United Nations Office
of Counter-Terrorism

Krystyna Marty Lang
Acting State Secretary
Swiss Federal Department of
Foreign Affairs

Annex 3: Agenda

Tuesday, 11 February 2020 Hofburg (Neuer Saal, 2nd floor), Vienna	
08:30-09:30	Registration of participants
09:30-10:15	<p>OPENING REMARKS (CO-CHAIRED BY THE CO-ORGANIZERS)</p> <ul style="list-style-type: none"> • Johannes Matyassy, State Secretary, Federal Department of Foreign Affairs, Switzerland • Vladimir Voronkov, Under-Secretary-General, UNOCT • Thomas Greminger, Secretary General, OSCE • Igli Hasani, Permanent Representative of Albania, Chair of the OSCE Permanent Council • Ghada Fathi Waly, Executive Director, UNODC <p>Master of Ceremonies: Fejzo Numanaj, Acting Head, OSCE Action Against Terrorism Unit</p>

	SUMMARIES OF REGIONAL CONFERENCES HELD THROUGHOUT THE OSCE AREA <ul style="list-style-type: none"> • H.E. Péter Szijjártó, Minister of Foreign Affairs, Hungary • Alena Kupchyna, Ambassador, Permanent Representative of the Republic of Belarus to the OSCE • Komron Komilov, representative of the Ministry of Foreign Affairs of Tajikistan • Battungalag Gankhuurai, Ambassador, Permanent Representative of Mongolia to the OSCE
10:45-11:00	Coffee Break and Family Photo of Co-organizers
11:00-12:30	<p>SESSION I: RESPONSES TO INCITEMENT, RECRUITMENT FOR AND FACILITATION OF FTF ACTIVITIES</p> <p><i>With FTF departures to conflict zones having peaked in 2015, OSCE participating States and Partners for Co-operation face an increase in the number of returning or relocating FTFs. There is a concern that these returnees may engage in violent acts at home, incite others to violence, take part in recruitment efforts and/or fundraise for terrorist organizations. Correspondingly, law enforcement and intelligence agencies need to be equipped with appropriate and effective tools to respond in a rule of law-compliant manner to terrorist activity. Equally important, programmes aimed at disengaging returning FTFs and their family members need to be developed/improved, and new recruitments of so-called "home-grown terrorists", often inspired by FTF-narratives, need to be prevented – a comprehensive approach involving both government agencies as well as relevant civil society actors can be regarded as crucial.</i></p> <p>Moderator: Raffi Gregorian, Director and Deputy to the USG, UNOCT</p> <p>Keynote: Gilles de Kerchove, Counter-Terrorism Coordinator, European Union</p> <p>Panelists: Agron Sojati, National Coordinator for Countering Violent Extremism, Albania Chris Harnisch, Deputy Coordinator for Counterterrorism, U.S.A. Mona Rishmawi, Chief Rule of Law, Equality & Non-Discrimination Branch, OHCHR Anton Arefiev, Department Deputy, Anti-Terrorism Center of the Commonwealth of Independent States Jason Ipe, Chief of Operations, Global Center on Cooperative Security</p> <p>Questions addressed in this session:</p> <ul style="list-style-type: none"> • How to counter and prevent the incitement by and recruitment into terrorist groups, both on- and off-line? • What are the lessons learned in countering the recruitment for and facilitation of FTF activity in line with applicable human rights standards? • How to strengthen co-operation between governments, the private sector and civil society organizations in this regard?

12:30-14:00	Lunch
	<p style="color: #005A8B; font-weight: bold; margin-bottom: 0;">SESSION II: PREVENTING AND DISRUPTING FTF TRAVEL</p> <p><i>Returning or relocating FTFs pose significant challenges to border security and management agencies in particular. This session will examine existing efforts in identifying and detecting returning or relocating FTFs, and will explore how the UN, the OSCE and other international and regional actors can further support participating States and Partners for Co-operation in these endeavors. The discussion will address the use of passenger data collection (i.e. through Advance Passenger Information Systems and Passenger Name Records) and the role of capacity-building activities for front-line screeners, such as immigration, customs and border security agencies. While sharing relevant information is a key element of successful internal coordination and international cooperation, the conference will also highlight the need for this to take place in compliance with human rights.</i></p> <p>Moderator: Albina Yakubova, Programme Management Officer, OSCE Border Security and Management Unit</p> <p>Keynote: Reinhold Lopatka, Ad-Hoc Committee on Counterterrorism representative, OSCE Parliamentary Assembly</p> <p>Panelists: Vladimir Tarabrin, Ambassador, Director of Department on New Challenges and Threat, Russian Ministry of Foreign Affairs Hans Das, Head of Counter-Terrorism Unit in DG HOME, EU Commission Johannes Heiler, Adviser on Anti-Terrorism Issues, OSCE/ODIHR Human Rights Department Jelle Postma, Chief of Countering Terrorist Travel Programme, UNOCT</p> <p>Questions addressed in this session:</p> <ul style="list-style-type: none"> • What are lessons-learned in detecting and disrupting FTF travel? • How to exchange travel-related information in an effective and human rights-compliant way? • How to establish effective Advance Passenger Information and Passenger Name Record systems while respecting the right to privacy? How can we achieve better leverage on capacity-building programmes, such as the UN's Countering Terrorist Travel Programme and Border Security and Management?
14:00-15:30	



15:30-16:00	Coffee Break
16:00-17:30	<p>SESSION III: GATHERING AND SHARING OF EVIDENCE</p> <p><i>This session will reflect upon the question of how governments and international organizations could enhance cooperation in the sharing of evidence, including battlefield evidence, in order to enable the successful and rule of law-compliant prosecutions of FTFs, also in their home countries. Apart from evidence gathered by the military and sometimes by NGOs in the conflict zones, the digital space and especially social media content may be searched for investigation purposes, and this session will explore how such evidence can be obtained in compliance with the rule of law. Highlighting the need for making better use of existing mechanisms such as INTERPOL's databases and information systems, discussions will also address the question of how to build trust and enhance capacity for a more effective collaboration among state structures and internationally.</i></p> <p>Moderator: Marina Wyss Ross, Counsellor, Deputy Head of Mission for Security Issues (OSCE), Permanent Mission of Switzerland to the OSCE, UN and other IOs in Vienna</p> <p>Keynote: Michèle Coninsx, Assistant Secretary-General and Executive Director, UN CTED</p> <p>Panelists: Jesús Arias Rodríguez, Policía Nacional of Spain, Intelligence Headquarters Olga Zudova, Senior Expert, UNODC Koray Abbas, Coordinator Terrorist Identification Unit, Interpol Róisín Pillay, Director Europe & Central Asia, International Commission of Jurists</p> <p>Questions addressed in this session:</p> <ul style="list-style-type: none"> • How can governments and international organizations enhance cooperation in the sharing of evidence, including battlefield evidence, for rule of law-compliant prosecutions of FTFs? • How can the Internet and social media be used for counter-terrorism investigations, in compliance with human rights and the rule of law? • In what way could the use of existing mechanisms such as INTERPOL's databases and information systems be enhanced? • How to build trust and enhance capacity as prerequisites for more effective collaboration within state structures and internationally?
18:00-20:00	Reception (Palais Eschenbach, Eschenbachgasse 11, 1010, Vienna)

Wednesday, 12 February 2020 Hofburg (Ratsaal, 5th floor), Vienna	
08:00 -09:00	Registration of participants
09:00-10:15	<p>FIRST GROUP OF SIDE EVENTS</p> <p>Preventing and Countering Online Recruitment and Radicalization to Violence</p> <p>Conveners: Switzerland, the United Kingdom and OSCE TNTD/ATU Venue: Room 533 (English language)</p> <p>Presentation of National Strategy on Prevention of Violent Extremism and Countering Terrorism for 2020-2024</p> <p>Conveners: Turkmenistan, UNRCCA and OSCE Venue: Ratsaal (English/Russian simultaneous interpretation is provided)</p> <p>Rehabilitation and Reintegration of ISIS Family Members</p> <p>Convener: United States of America and Kazakhstan Venue: Bibliotheksaal (English/Russian simultaneous interpretation is provided)</p>
10:15-10:45	Coffee Break
10:45-12:00	<p>SECOND GROUP OF SIDE EVENTS</p> <p>Training Guides on the Investigation and Prosecution of Foreign Terrorist Fighters through sharing Electronic Evidence</p> <p>Conveners: UNODC in cooperation with UNCTED and OSCE TNTD/ATU Venue: Bibliotheksaal (English language)</p> <p>Rehabilitation and Reintegration: Building Capacity inside and outside the Prison Context</p> <p>Conveners: OSCE Presence in Albania and OSCE TNTD/ATU Venue: Room 533 (English language)</p> <p>Joining Efforts to Combat Trafficking in Human Beings and Terrorism</p> <p>Conveners: UNODC, Interpol and OSCE TNTD/SPMU Venue: Ratsaal (English/Russian simultaneous interpretation is provided)</p> <p>Repatriation of Foreign Terrorist Fighters and their Families from Conflict Zones in Syria and Iraq</p> <p>Convener: OSCE-ODIHR Venue: Room 532 (English language)</p>
12:00-13:00	Lunch



SESSION IV: PROSECUTION OF FTFs

This session will explore criminal justice responses related to relocating or returning FTFs and their affiliates, or those inspired or directed by them. It will address challenges in the effective and human rights-compliant prosecution of suspected terrorist offenders, whose alleged criminal conduct mainly happened in remote conflict zones, with related evidence often having been gathered by the military. Moreover, discussions will also include how to ensure that criminal justice processes are gender-responsive, while at the same time adequately contributing criminal responsibility for support activities, where these qualify as a contribution to or participation in terrorism. Last but not least, the strict application of juvenile justice standards in cases where the criminal responsibility of a minor needs to be tested, and the support and protection of those children affiliated with FTFs that - due to their age or other circumstances - can only be considered victims themselves, will also be addressed in this session.

13:00-14:30

Moderator: Letta Tayler, Senior Researcher, Human Rights Watch

Keynote: Emil Ruffer, Ambassador, Permanent Representative of the Czech Republic to the Council of Europe, Focal Point on Fight against Terrorism

Panelists: Dragan Pejanović, National P-CVE Coordinator, State Secretary, Ministry of the Interior of Montenegro

Anne Charbord, Legal Advisor to the mandate of the Special Rapporteur on the Protection of Human Rights while Countering Terrorism, OHCHR

Michael Schmid, Vice-Chair of the Eurojust Counter-Terrorism Team

Aaron Greenberg, Europe and Central Asia Regional Office, UNICEF

Questions addressed in this session:

- What are the lessons learned for effective human rights-compliant prosecutions of suspected FTFs?
- How can the right to a fair trial, due process, and full respect for human rights be ensured in proceedings?
- How can criminal justice processes be gender responsive and ensure children's best interests and welfare?

14:30-15:00	Coffee Break
15:00-17:00	<p>SESSION V: REPATRIATION, REHABILITATION AND REINTEGRATION</p> <p><i>Given the humanitarian and security situation in formerly terrorist-controlled territory, the issue of repatriating FTFs and/or their family members has also come to the forefront of discussions. This was highlighted by the UN Secretary General's "Key Principles for the Protection, Repatriation, Prosecution, Rehabilitation and Reintegration of Women and Children with Links to UN -listed Terrorist Groups", including analysis of pertinent UN Security Council resolutions 2178, 2396 and 2427. Apart from addressing repatriation, this session will explore ways of managing and assisting in particular women, girls and boys associated with FTFs. Discussions will include appropriate gender and age-sensitive assistance and protection, as well as prosecution, rehabilitation and reintegration efforts, in compliance with domestic and international law. Moreover, prison-based and non-custodial programmes to rehabilitate and reintegrate terrorist offenders and the need for linking these efforts to ensure sustainability will be addressed.</i></p> <p>Moderator: Georgia Holmer, Senior Advisor, OSCE Action against Terrorism Unit</p> <p>Keynote: Thomas Renard, Senior Research Fellow, Europe in the World, Egmont – Royal Institute for International Relations</p> <p>Panelists: Rikke Ishoy, Operations Coordinator for Europe and Central Asia, International Committee of the Red Cross (ICRC)</p> <p>Alexandra Martins, Head of Global Programme to End Violence against Children, UNODC and Larissa Adameck, Political Affairs Officer, UNCCT (jointly)</p> <p>Ariane Wolf, Head of International Affairs and Transnational Cooperation, Violence Prevention Network Berlin</p> <p>Khalid Koser, Executive Director, Global Community Engagement and Resilience Fund (GCERF)</p> <p>Alisher Tukhtaev, Representative of the State Security Service of Uzbekistan</p> <p>Questions addressed in this session:</p> <ul style="list-style-type: none"> • What are the challenges, relevant international standards and obligations, and best practices in repatriating FTFs and their family members who wish to return to their countries of origin? • How can the particular needs of women and children with links to UN-listed terrorist groups be addressed in compliance with international law? • What are the lessons learned for effective disengagement and reintegration mechanisms, within and outside criminal justice systems? • How can prison-based rehabilitation programs be linked to post-prison reintegration efforts?

<p style="margin: 0;">17:00-17:30</p>	<p>CLOSING SESSION</p> <ul style="list-style-type: none"> • Vladimir Voronkov, Under-Secretary-General, UNOCT • Thomas Greminger, Secretary General, OSCE • Wolfgang Amadeus Brülhart, Ambassador, Permanent Representative, Permanent Mission of Switzerland to the OSCE, the UN and other IOs in Vienna <p>Master of Ceremonies: Philippe Tremblay, Head, OSCE External Co-operation Section</p>
---------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Annex 4: Speeches by the Co-organizers



Schweizerische Eidgenossenschaft
 Confédération suisse
 Confederazione Svizzera
 Confederaziun svizra

Opening address by State Secretary Johannes Matyassy

Secretary General Greminger and Under-Secretary General Voronkov,
 Executive Director Waly,
 Ambassador Hasani,
 Excellencies,
 Ladies and Gentlemen,

"Was alle angeht, Können nur alle Lösen."

"What concerns all of us can only be solved by all of us."

Let these words by the Swiss writer Friedrich Dürrenmatt serve as a guiding principle as we gather together over the next two days.

What concerns all of us can only be solved by all of us. This certainly applies to the challenge of foreign terrorist fighters. We first need to remind ourselves of the bigger picture.

Terrorism grows particularly well in fragmented societies, in contexts of armed conflict and where large segments of society are excluded from political decision-making processes and economic wellbeing. As a measure for the future, prevention is the best cure. Thus, the first step in preventing individuals from joining terrorist groups or committing terrorist acts is to address the underlying conditions conducive to the spread of terrorism. This requires a comprehensive effort from all of us as a global community. The UN Counter-Terrorism Strategy provides a comprehensive framework for addressing drivers of terrorism, and enhancing international cooperation. It reminds us that all our approaches must be based on the rule of law and human rights and it emphasises the need for us to work together to create inclusive societies.

The need to work together to foster inclusive societies also applies to the situation in Syria. What concerns everyone can only be resolved by everyone: political solutions among all actors must be found to stop the ongoing armed conflict and to restore peace to the region. At the same time, global assistance is needed to lessen the suffering of the civilian population. Along with many other states, Switzerland has committed substantial funds for humanitarian aid to those affected by the Syrian conflict – in Syria directly, and also to support refugees and host communities in neighbouring countries. But more remains to be done by the international community, both politically and financially.

Ladies and Gentlemen,

Terrorism continues to pose a grave threat to international peace and security. The rules-based international order provides a strong basis for preventing and countering terrorism. We do not champion the rule of law, international humanitarian law and human rights law just as a matter of principle. The violation of the rule of law, international humanitarian law and human rights law causes suffering, deepens divisions and creates a breeding ground for terrorist activities. Children associated with armed groups or born to their members are a case in point. These children have often been exposed to multiple and repeated trauma. Addressing their needs and affording them humane, lawful treatment will contribute to reducing security risks in the future.

We must recognise that the issue of foreign terrorist fighters is also one of accountability. Whoever commits a crime must be held accountable. Whoever violates international humanitarian and human rights law must be punished. Switzerland therefore considers adequate criminal justice proceedings and the prosecution of foreign terrorist fighters to be of paramount importance. Investigation, prosecution and adjudication must be based on individual accountability and must comply with international obligations and standards. Collective punishment cannot be a solution. International humanitarian law also applies to people in camps for internally displaced persons. They are civilians and must be treated as such, including by being afforded access to humanitarian assistance and protection without discrimination.

Ladies and Gentlemen,

Switzerland finds itself confronted with challenges today that demand action. Ninety-two individuals have left Switzerland since 2001 to join terrorist groups abroad – most of them travelled to the conflict zones in Syria and Iraq, and some of Somalia, Pakistan and Afghanistan. One of the stated goals of Switzerland's counter-terrorism strategy is to prevent the export of and support for terrorist activities from its territory. Switzerland has taken a range of comprehensive measures to achieve this goal and established the Swiss National Action Plan against Radicalisation and Violent Extremism. Since 2016, we have successfully prevented the departure of further terrorist fighters from our territory.

In the conflict zones of Syria and Iraq, there are approximately 20 Swiss citizens considered to be foreign terrorist fighters or associated with them through family relations. Several of them are minors. On 8 March 2019, the Swiss Federal Council adopted Switzerland's strategy to deal with these cases. There are two priorities under this strategy. First, the security of Switzerland and its citizens takes precedence over individual interests. And, second, Swiss citizens who have travelled abroad to join terrorist groups must be prosecuted – impunity is unacceptable. In order to achieve this goal, Switzerland will in principle not actively repatriate Swiss citizens deemed to be foreign terrorist fighters. Instead, Switzerland strives for criminal prosecution and the execution of sentences in accordance with international standards in the state where crimes were committed. If required, support to establishing corresponding procedures through adequate means could be provided to the affected states, in close cooperation with our partners. If a prosecution is not possible where the crime was committed, Switzerland has a responsibility to prosecute its citizens as soon as they return to Switzerland or to a country with which Switzerland can cooperate by means of mutual legal assistance. Nevertheless, we fully share the view that minors are primarily victims in situations of armed conflict. The active repatriation of minors on a case-by-case basis, with their welfare as the primary objective, remains an option for Switzerland and efforts in this regard are underway.

The return of foreign terrorist fighters, including their family members, must always involve a disengagement and reintegration process, with the aim of reducing risks and protecting minors. In the case of Switzerland, this involves authorities at all levels of the federal system, working with the support of experts from various fields. This topic will be further examined during the latest session of this conference, as it is important that we draw our own conclusions from the experiences of others in order to facilitate effective reintegration.

The Federal Council reached its decision also in recognition of the fact that there is very little political support in Switzerland for the active repatriation of citizens who joined terrorist groups abroad. We face the difficult task of addressing legal and security challenges and at the same time reconciling domestic realities and international developments. Therefore,

it is all the more important that we find convincing approaches together with our partners to resolve this issue.

Ladies and Gentlemen,

I would like to extend our warmest gratitude to our partners in this endeavour: OSCE Secretary General Thomas Greminger and UN Under-Security-General Vladimir Voronkov. I wish to thank you and your respective teams for the excellent partnership we have enjoyed throughout the preparation of this conference. We are confident that our discussions will be valuable for the Second United Nations Counter-Terrorism Week in New York this summer and the various OSCE processes connected to our topic.

Let me also thank Ambassador Igli Hasani and the Albanian OSCE Chairmanship of 2020 for supporting this event and for helping us fit it into the busy OSCE schedule. I would also like to welcome Executive Director Ghada Fathi Waly. Thank you for your presence today and for your support.

Ladies and Gentlemen,

In order to solve what concerns all of us, we have only one choice: we must come together and jointly tackle the issues at hand. I thank all of you present here today for dedicating your time and expertise to this conference. I look forward to your participation and wish us all every success.





UNITED NATIONS
OFFICE OF COUNTER-TERRORISM

**Keynote address by UNOCT Under-Secretary-General
Vladimir Voronkov**

Your Excellency, Mr. Johannes Matyassy, State Secretary for Foreign Affairs of Switzerland;

Your Excellency, Mr. Thomas Greminger, Secretary-General of the Organization for Security and Co-operation in Europe;

Your Excellency Ambassador Igli Hasani, Chairperson of the OSCE Permanent Council;

Your Excellency Ms. Ghada Fathi Waly, Executive Director of UNODC;

Excellencies, Ladies and Gentlemen,

Allow me to start by remembering the victims of terrorism around the world. I respectfully request all of you to stand for a minute of silence in their honour. Thank you.

Let me begin by expressing my sincere gratitude to the Government of Switzerland and the Organization for Security and Co-operation in Europe (OSCE) for partnering with my Office to organize, in close coordination with the Albanian OSCE Chairmanship, this joint High-Level Regional Conference on the evolving threat from foreign terrorist fighters--or FTFs.

I also welcome you all to this Conference which I know will allow practical and informative exchanges among senior representatives of governments, international and regional organizations, and civil society actors.

As a former diplomat to the OSCE, it is a pleasure for me to be back in this room, now for the second time in my capacity as United Nations Under-Secretary-General for Counter-Terrorism.

The United Nations Office of Counter-Terrorism (UNOCT), is proud to have the OSCE as a close regional partner. Building stronger counter-terrorism partnerships has been one of the top priorities of my Office.

Today's Conference is an excellent example of the United Nations and its regional partners joining hands to promote the implementation of the United Nations Global Counter-Terrorism Strategy and relevant Security Council resolutions.

It is also one of the concrete deliverables of the joint biennial Action Plan for 2019-2021 that I was delighted to sign with OSCE Secretary General Greminger last September in New York.

Excellencies, Ladies and Gentlemen,

Following the territorial defeat of ISIL in Iraq and Syria, foreign terrorist fighters have been trying to return home, relocate to safe havens, or to undermine other regions and countries often already destabilized by conflict.

In its most recent report, the Monitoring Team of the United Nations Al-Qaida and ISIL Sanctions Committee warns that ISIL foreign terrorist fighters continue to pose a terrorist threat over the short, medium and long terms on a scale many times greater than it was the case with Al-Qaida.

As the threat from terrorism endures and continues to evolve, we must adapt and learn from what has worked and what has not. Our response needs to be as agile and multifaceted as the threat.

Supporting Member States in building resilient institutions and societies and delivering meaningful and sustainable results to prevent and counter terrorism on the ground is a top priority.

Through high-level regional conferences, such as this one today, we are bringing Member States, international and regional organizations, and civil society together, to help strengthen global, regional and national counter-terrorism efforts under the auspices of the United Nations.

This is the seventh regional conference we have organized to build on and sustain the momentum created by the first United Nations High-level Conference of Heads of CounterTerrorism Agencies of Member States, which was convened by the United Nations Secretary General, Mr. Antonio Guterres, in June 2018.

Excellencies, Ladies and Gentlemen,

Let me outline what I hope we will jointly achieve through this conference over the next two days.

First, I hope this Conference will provide an opportunity to discuss practical ways to assess and mitigate the risks posed by returning or relocating foreign terrorist fighters.

Investigating and trying suspected foreign terrorist fighters in accordance with due process and human rights, and rehabilitating and reintegrating former offenders, is essential to deterring further crimes, reducing the risk of recidivism and allowing societies to heal, without creating new grievances that terrorists could exploit.

The Addendum to the Madrid Guiding Principles, which was adopted by the United Nations Security Council's Counter-Terrorism Committee (CTC) in 2018, is a key tool to assist Member States in addressing the tail-end of the foreign terrorist fighters' phenomenon.

In this context, my Office, in partnership with the United Nations Office on Drugs and Crime (UNODC) and the Counter-Terrorism Committee Executive Directorate (CTED) is implementing a programme to support Member States in developing comprehensive and tailored screening, prosecution, rehabilitation and reintegration strategies for persons with links to United Nations-listed terrorist groups.

Moreover, my Office is also developing a project to support Member States that have repatriated or wish to repatriate their citizens from conflict areas with the protection, prosecution, repatriation, rehabilitation and reintegration of foreign terrorist fighters, their associates and families.

Human rights and gender considerations will be critical components of these initiatives.

Second, I hope this conference will address the particularly complex situation of women and children associated with foreign terrorist fighters.

The United Nations Secretary-General has been deeply concerned with the plight of ISIL-associated women and children who are stranded in Iraq and Syria. He has directed the United Nations System to support requesting Member States on this issue, through an "all of UN" approach.

The international community must reaffirm and be guided by the principles of individual criminal responsibility, presumption of innocence, right to appeal, and the internationally recognized standards of justice.

As I told the Security Council just last week, the best solution is to get the children out of harm's way and back to their home countries, with the rest of their families, as soon as possible.

The United Nations has developed a set of "Key Principles for the Protection, Repatriation, Prosecution, Rehabilitation and Reintegration of Women and Children with Links to United Nations Listed Terrorist Groups." These principles have been disseminated across the United Nations System, including in the field, have been shared with Member States, and are accessible in our UNOCT website.

Third, I hope this conference will take stock of existing efforts to identify and detect returning or relocating FTFs, and discuss how the United Nations, the OSCE and other international and regional actors can further support Member States in addressing this significant challenge to law enforcement and security agencies, including border security and management authorities.

UNOCT is helping Member States in developing state of the art aviation and border security programmes, fully compliant with human rights standards, which can only succeed in an environment of international and regional cooperation.

We are implementing, in 33 countries, the flagship, multi-agency United Nations Countering Terrorist Travel Programme, thanks to the generous support of the Netherlands, the State of Qatar, the European Union and the United States among other donors, to assist requesting Member States in meeting their obligations under relevant Security Council and General Assembly resolutions.

Security Council Resolution 2396 calls on Member States to notify other countries of the travel, arrival, deportation or detention of individuals they believe to be terrorists, and urges Member States to use Passenger Name Record data (PNR), and Advance Passenger Information (API), to detect and interdict the transit of terrorists.

We must prioritize the implementation of this resolution, ensuring that the countries most affected by terrorism have the capacities and resources to do so. I would like to recognize here the long-standing work of the OSCE in the area of travel document security, as well as in promoting the use by participating States of API/PNR.

Fourth, this conference will provide an opportunity to discuss principled criminal justice responses related to relocating or returning FTFs and their affiliates, or those inspired or directed by them.

National criminal justice systems have been challenged to collect and share admissible evidence, including from the battlefield, cyberspace and financial investigations, to effectively prosecute foreign terrorist fighters.

They have also been challenged to ensure gender- and age-sensitive criminal justice, to account for the fact that perpetrators could also be victims, and to observe due process and fair trial standards.

I would like to recognize the role of the United Nations Office on Drugs and Crime in this regard, and also express my appreciation for the work of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD), which is supporting domestic efforts in Iraq to hold ISIL accountable by collecting, preserving and

storing evidence of war crimes, crimes against humanity and possible genocide committed by Da'esh/ISIL in Iraq.

Jointly with INTERPOL, my Office has also launched a project to enhance informationsharing among Member States on foreign terrorist fighters. Together, we also developed a joint handbook on Using the Internet and Social Media for Counter-Terrorism Investigations, which we are using for capacity-building.

Fifth, I hope this conference will help promote the important role of civil society in addressing current challenges posed by foreign terrorist fighters, including those related to human rights, gender and youth considerations Civil society organizations, in their diversity, have unique insights and understanding of their communities and local circumstances. They play a critical role in building social cohesion and understanding and laying the groundwork to prevent terrorist recruitment and support their communities in the event of a terrorist attack.

This conference was preceded by a civil society workshop, that my Office organized with the Global Center on Cooperative Security and the OSCE yesterday. We heard many excellent examples of effective and successful partnerships between civil society organizations and competent national authorities.

Civil society representatives have proposed valuable recommendations and innovative ideas. We look forward to make the best use of these recommendations.

This brings me to my final point, which is to update you on the preparations for the second United Nations Counter-Terrorism Week, which will be held from 29 June to 2 July 2020 in New York.

"Building Institutional and Social Resilience to Terrorism" will be the overarching theme of this year's Counter-Terrorism Week, which will also contribute to the commemoration of the 75th anniversary of the United Nations by reflecting on the role of the Organization, and that of multilateralism, in addressing the global scourge of terrorism, one of the most pressing challenges of the 21st century.

The programme of the Counter-Terrorism Week will consist of three main elements. **First**, the conclusion of the seventh biennial review of the United Nations Global Counter-Terrorism Strategy, with the adoption—I hope—of a consensus resolution by the General Assembly.

Second, the first-ever Global Congress of Victims of Terrorism, on 30 June. This event will be a historic global gathering of Member States, civil society organizations and other key stakeholders to lift up the voices of victims and strengthen our collective commitment to address their needs and uphold their rights.

Third, the Second United Nations High-level Conference of Heads of Counter-Terrorism Agencies of Member States on 1 and 2 July which will benefit from the outcomes of all the regional conferences we have held. This High-Level Conference will address a broad range of counter-terrorism priorities under the four pillars of the United Nations Global CounterTerrorism Strategy.

I look forward to the active and high-level participation of all Member States and that of our international and regional partners.

Excellencies, Ladies and Gentlemen,

Let me conclude with a simple but strong call for a continued sense of vigilance, urgency and solidarity to address the evolving threat of terrorism.

The United Nations Secretary-General António Guterres has acknowledged that geopolitical tensions are at their highest since the turn of the century.

Divisions and the unpredictability of the political situation risks jeopardizing the global fight against terrorism.

We cannot afford to give ISIL, Al-Qaida, their affiliates, or any other terrorist group, opportunities to gain strength, create divisions, and spread terror.

Terrorists are playing a long game; they adapt quickly and have strategic patience as they look how to exploit our vulnerabilities. Similarly, our efforts need to be multifaceted, long-term oriented and express unity.

I urge Member States to be steadfast in assuming all their obligations and responsibilities under international, human rights and humanitarian law and to help those regions, countries and communities most affected by terrorism.

I thank you all for your attention and wish you fruitful discussions during the next two days.

Thank you.



Organization for Security and
Co-operation in Europe

Welcome Address by OSCE Secretary General Thomas Greminger

Ministers,
Excellencies,
Ladies and Gentlemen,

I am pleased to welcome you on behalf of the OSCE to today's conference. I would like to thank our partners – the UN Office of Counter-Terrorism and the Government of Switzerland – as well as the Albanian OSCE Chairmanship for their co-operation.

The focus of today's event – the return of foreign terrorist fighters and their families to their homelands – is an urgent concern for many OSCE participating States and Partners for Co-operation.

The humanitarian and security situation in formerly terrorist-controlled territories has captured the attention of the international community and requires action. Repatriation has come to the forefront of discussions, and in particular, how to address repatriation in compliance with international standards and obligations.

This is reflected in the UN Secretary-General's *Key Principles for the Protection, Repatriation, Prosecution, Rehabilitation and Reintegration of Women and Children with Links to UN-listed Terrorist Groups*.

If repatriation is appropriately managed, many returnees will pose little or no threat to security. Yet the possibility remains that some may be ready to commit violent acts, incite others to engage in terrorist activities, or take part in recruitment and fundraising efforts for terrorist organizations.

Ladies and Gentlemen,

Our agenda for the coming two days is ambitious. Discussions will cover legitimate security concerns and the tools needed to mitigate them, as well as urgent humanitarian and human rights-related questions.

Session I will focus on how to prevent recruitment into terrorist groups both on- and off-line. Some of the questions to be considered include: How can we counter recruitment effectively while adhering to applicable human rights standards? And how can we strengthen co-operation among governments, the private sector and civil society organizations to prevent recruitment?

I would argue that we need a comprehensive approach that makes use of the respective strengths of all these partners to effectively prevent and counter recruitment for, and facilitation of, terrorist activity. Yesterday UNOCT and the Global Center on Cooperative Security organized a workshop to highlight the efforts and potential of civil society. We will hear about the workshop's preliminary conclusions in both Session I and Session V.

Session II will focus on preventing and disrupting cross-border travel by foreign terrorist fighters. The collection of passenger data – for example, through Advance Passenger Information Systems and Passenger Name Records – will be an important topic. The discussion will highlight ongoing work by both the OSCE's Border Security and Management Unit and UNOCT's Programme to Counter Terrorist Travel.

Session II will also address capacity building for immigration, customs and border security agencies. While sharing relevant information is a key element of successful internal co-ordination as well as international co-operation, this session will highlight the need for compliance with applicable human rights parameters.

Session III will also center on efforts to enhance sharing, in this case sharing evidence – including evidence gathered on the battlefield by the military or sometimes even by NGOs. This is critical to the successful prosecution of foreign terrorist fighters in compliance with the rule of law.

Evidence can also be found in cyberspace, so this session will also explore how digital evidence can be investigated and obtained in compliance with the rule of law.

Session III will also highlight the need to make better use of existing mechanisms, such as INTERPOL's databases and information systems. It will explore how to build trust and enhance capacity for more effective collaboration among state structures as well as internationally.

Session IV will focus on criminal justice responses to relocating or returning foreign terrorist fighters and their family members. In particular, it will address challenges to effective and human rights-compliant prosecution of terrorist suspects whose alleged criminal conduct mainly happened in remote conflict zones.

It will also focus on how to ensure gender-responsive criminal justice processes as well as respect for juvenile justice standards in cases where minors end up before the courts.

Finally, **Session V** will address repatriation, rehabilitation and reintegration of former foreign terrorist fighters and their family members.

The UN Secretary-General's *Key Principles* (mentioned earlier) provide a solid basis for discussions since they analyze relevant UN Security Council resolutions and UN conventions, including the Convention on the Rights of the Child.

Apart from discussing how, when and which individuals should return to their homeland – which are politically charged issues in some OSCE participating States – this session will discuss lessons learned from disengagement and reintegration programmes in a number of OSCE participating States and Partners for Co-operation. More specifically, the session will look at how to link prison-based rehabilitation programmes with post-prison reintegration efforts. The importance of including non-government actors in order to achieve sustainability will be highlighted.

Ladies and Gentlemen,

Today's conference is part of a series of regional gatherings organized in preparation of the next High-level Conference of Heads of Counter-Terrorism Agencies, which UNOCT will convene in New York in July.

We will hear from representatives of participating States that hosted prior regional conferences, which will give us a comprehensive overview of efforts across the OSCE area. The most recent of these conferences was held in Budapest in November, and the Foreign Minister of Hungary has joined us today to share a summary of its conclusions.

The outcomes of today's conference will also feed into this year's OSCE-wide Counter-Terrorism Conference, planned for May in Tirana.

In conclusion, I would like to thank once again UNOCT for its partnership in this endeavour and the Swiss Government for its initiative and generosity, making it possible to convene this impressive group of experts here in Vienna.

I wish you fruitful discussions over the coming two days.

Thank you.



Conclusion Summary by UNOCT Under-Secretary-General Vladimir Voronkov

Your Excellency, Mr. Thomas Greminger, Secretary-General of the OSCE

Your Excellency, Mr. Wolfgang Amadeus Brühlhart, Ambassador of Switzerland to the OSCE,

Excellencies, ladies and gentlemen,

First and foremost, allow me to reiterate my deep gratitude to the Government of Switzerland and the Organization for Security and Co-operation in Europe (OSCE) for having co-organized this important Conference with the United Nations, in cooperation with the Albanian OSCE Chairmanship.

I would also like to thank those who have contributed to the success of this landmark conference through their leadership, participation and financial contributions.

I am pleased to acknowledge participation of more than four hundred and thirty-eight (438) representatives from 40 Member States, and a number of UN entities, international and regional organisations, as well as 38 civil society organizations in the Conference.

It is important to note that we had seven remarkable side-events during the Conference focusing on the global terrorist threat and challenges related to returning and relocating foreign terrorist fighters and their family members. These side events were a complement to the main programme of the Conference, amplifying its core agenda.

Excellencies, ladies and gentlemen,

Over the past few years, foreign terrorist fighters of ISIL and Al-Qaida have posed an unprecedented threat to international peace and security. Last week, I presented together with Assistant Secretary-General Coninsx of CTED the tenth report of the Secretary-General on the threat posed by ISIL (Da'esh) to the Security Council that was drafted with concrete inputs from the Al-Qaida/ISIL Monitoring Team.

ISIL is resurgent as a covert network in Iraq and Syria. Thousands of foreign terrorist fighters remain at large, posing a threat to Iraq, Syria, and the countries they might return or relocate to. Our discussions during the two days of the Conference have confirmed this concern.

Allow me to share with you key conclusions of these discussions:

First – International and Regional Cooperation

All sessions of the conference underlined the need to further strengthen international, regional and bilateral counter-terrorism cooperation.

This year, we commemorate the 75th anniversary of the United Nations, which serves as a platform for national, regional and international peace and security efforts, including the fight against terrorism.

The United Nations and my Office will continue to advocate and facilitate international counter-terrorism cooperation within its given mandate, together with our international and regional partners such as the OSCE, the European Union, the Shanghai Cooperation Organization, INTERPOL, Global Counterterrorism Forum, and others.

During these discussions, many participants highlighted centrality of the UN Global Counter-Terrorism Strategy and emphasized on the balance implementation of all its pillars.

Allow me to highlight as a vivid example of these collective efforts the Joint Plan of Action (JPOA) for the Implementation of the United Nations Global Counter-Terrorism Strategy in Central Asia, implemented by United Nations Regional Centre for Preventive Diplomacy in Central Asia and my Office, which could serve as a model for collaboration in other regions.

We are also working closely with the Arab Interior Ministers Council to strengthen Arab countries' measures to effectively counter terrorism using the Joint Plan of Action as a model.

Second - Addressing needs of children linked to Terrorist Groups

Participants stressed the urgent need for Member States to address the needs of children linked with terrorist groups through gender- and age- sensitive programmes.

Thousands of children remain trapped in Syria and Iraq. They face a multitude of challenges, including rejection and life-long stigmatization.

Member States have the primary responsibility to address the plight of their nationals, including children trapped in conflict zones.

Children should always be seen as victims and efforts to address their plight should be based on the best interest of the child.

At the direction of the Secretary-General, UNOCT together with other United Nations entities developed a set of Key Principles for the UN system, for the protection, repatriation, prosecution, rehabilitation and reintegration of women and children with links to United Nations listed terrorist groups.

Member States can find additional guidance in the Handbook published last September by my Office on "Children affected by the foreign fighter phenomenon: Ensuring a child rightsbased approach".

Third - Enhancing Member States Capacities

Participants underscored the need to further enhance Member States' capacities to prevent, detect and disrupt the travel of foreign terrorist fighters, in accordance with international law.

Both the OSCE and the UN are helping countries adopt and use Advance Passenger Information and Passenger Name Record data systems.

The UN Countering Terrorist Travel Programme is a flagship demonstration of how the UN system, jointly with INTERPOL and with the support of our donors, such as the State of Qatar, the Netherlands, and the European Union, is working as one to mobilize resources and expertise to provide tailored, impactful assistance to Member States.

The Conference underscored the need to train border and law enforcement officials, and highlighted the OSCE Mobile Training Team on foreign terrorist fighters as an innovative approach which could be applied outside the OSCE area and in other fields.

Participants recalled that the use of tools and processes to collect, store and share information should comply with international human rights standards, including the right to privacy and non-discrimination.

In 2018, through the UN Global Counter-Terrorism Compact, my Office published a handbook on human rights compliance for border security, screening and management. Together with the Counter-Terrorism Committee Executive Directorate, and under the Global Compact, the Office produced also a compendium of recommended practices for the responsible use and sharing of biometrics.

Similarly, last month the United Nations and the United States launched the GCTF Watchlisting Initiative to assist the implementation of UNSCR 2396 (2017) and the

associated Global Counter-Terrorism Forum “*New York Memorandum on Good Practices for Interdicting Terrorist Travel*”.

Fourth - Bringing Terrorists to Justice

Our discussions highlighted the complex challenges faced by Member States to bring ISIL members and their affiliates, including returning foreign terrorist fighters to justice.

Participants underlined the evidentiary and jurisdictional challenges Member States are facing to prosecute returnees. While the collection, handling, sharing and use of so-called “battlefield evidence” is increasingly relevant in such cases, these tasks should be performed carefully and conducted in full compliance with international human rights law and international humanitarian law, where applicable.

CTED recently also published Guidelines to prosecute terrorist offences.

UNCCT and INTERPOL have published a handbook on Using the Internet and Social Media for Counter-Terrorism Investigations. CTED and UNODC are supporting national practitioners on the use of a Practical Guide for Requesting Electronic Evidence Across Borders.

Security Council resolution 2396 (2017) calls upon States to adopt comprehensive prosecution, rehabilitation and reintegration strategies.

My Office, together with CTED and UNODC has started a new global programme on Screening, Prosecution, Rehabilitation and Reintegration in furtherance of the Madrid Guiding Principles.

Fifth - Addressing terrorist radicalisation and recruitment

Participants underscored the need to address the risks of terrorist radicalization and recruitment in prisons and to reduce the risk of recidivism of former foreign terrorist fighters through measures to rehabilitate and reintegrate them into society.

Participants highlighted the need for more evidence of what constitutes good practices in safely managing detainees convicted for terrorism offences or considered “at risk” of radicalization to terrorism.

UNODC has published a handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence in Prisons and is implementing a joint pilot project in this regard with UNCCT and CTED to provide tailored assistance to Kazakhstan, Tunisia and Uganda.

Sixth - Gender sensitive approach to the FTF Phenomenon

Participants acknowledged that women sometimes have a combination of roles related to terrorist acts, including as facilitators, supporters and perpetrators, but also as victims of violence and other human rights abuses. This calls for a gender-sensitive approach throughout the lifecycle of terrorist radicalization.

The UNODC Handbook on gender dimensions of criminal justice responses to terrorism provides important guidance.

The United Nations Global Counter-Terrorism Coordination Compact has embarked on the development of guidelines for gender-sensitive screening, prosecution, rehabilitation and reintegration of women with links to UN listed terrorist groups.

In this regard, I would also like to acknowledge the growing research and body of evidence available to policy-makers, such as the report recently published by UNDP and the International Civil Society Action Network on “Invisible Women – the Gendered Dimension of Return, Rehabilitation and Reintegration from Violent Extremism”.

Seventh - Misuse of new technologies

The misuse of information and communication technologies for terrorism purposes was highlighted as a complex challenge requiring a sophisticated response combining precise criminalization and law enforcement, technological awareness and innovation as well as publicprivate partnerships.

Eight - Youth Engagement

The need to engage and partner with youth was emphasized in particular, including by pursuing innovative ideas, such as the use of video games and partnership with the entertainment industry.

My Office runs a range of global programmes in partnership with other United Nations entities with regard to youth engagement and preventing violent extremism, including communications strategies, and leveraging sports for prevention.

Ninth - Proactive engagement with civil society

The conference emphasized the need to engage proactively with civil society in the development and implementation of strategies to address the challenges associated with foreign terrorist fighters and their families.

I welcome the active engagement of 38 civil society organizations in the work of this Conference. Civil society actors are seen as credible and trusted members of their communities and are therefore particularly well-placed to engage with them.

My Office is not only proactively working with CSOs around these regional conferences but is also developing a CSO engagement strategy.

Excellencies, ladies and gentlemen,

The phenomenon of foreign terrorist fighters is one of the most serious dimensions of the terrorist threat.

I urge Member States to continue working together, through the United Nations and other fora, not only to protect people on their own territory, but extend solidarity and assistance beyond their borders.

The outcomes and recommendations of this Conference will inform the second United Nations High-Level Conference of Heads of Counter-Terrorism Agencies of Member States on "Building Social and Institutional Resilience to Terrorism" to be held in New York on 1-2 July.

During the counter-terrorism week, prior to the conference, we will also hold the first-ever Global Congress of Victims of Terrorism on 30 June. I invite you to actively contribute to the success of the victim's congress.

I am thankful to you all for your participation in the Conference and for the richness of our discussions over the past two days.

I will be satisfied if our discussions and interactions here in Vienna will help make our responses to the threat of terrorism better and more effective.

Thank you.

Annex 5: Summary of the Civil Society Workshop

The United Nations Office of Counter Terrorism (UNOCT), with support from the Global Center on Cooperative Security (Global Center), hosted a dedicated forum for civil society participants in advance of the Joint Regional High-level Conference convened by the OSCE, UNOCT, and Switzerland, in cooperation with the Albanian OSCE Chairmanship on "Foreign Terrorist Fighters – Addressing Current Challenges" at the Hofburg Congress Centre in Vienna. Participants included 53 individuals representing over 40 different civil society organizations (CSO) with diverse experiences working on prevention, intervention, rehabilitation and reintegration and related issues across the OSCE region.

The one-day workshop for civil society representatives preceded the larger regional conference and provided a dedicated opportunity for participating representatives from civil society to reflect on their experiences in addressing current challenges posed by foreign terrorist fighters. The meeting also allowed for perspectives from civil society to be incorporated into the regional conferences and to help inform a set of findings and recommendations on civil society engagement that will be presented during the High-Level Counter-Terrorism week on 1-2 July 2020 at the United Nations in New York.

As highlighted by Under-Secretary-General Voronkov in his closing remarks, civil society, in all its diversity, is an indispensable partner in addressing the root causes of violent extremism conducive to terrorism. The discussion during the workshop highlighted the myriad contributions that civil society can and has made to preventing and countering violent extremism, including in the areas of prevention, intervention, and rehabilitation and reintegration.

In the area of prevention, the participants highlighted the efforts of civil society to build resilience to the spread of violent extremism, including efforts of CSOs to raise awareness of the threat of violent extremism, promote religious education and interfaith and intra-faith dialogues, support vulnerable youth, develop and disseminate counter narrative campaigns, and build community trust with government institutions.

In the intervention space, participants observed that civil society actors – including psychologists, risk assessment experts, intervention providers, religious representatives, victims, and former terrorism offenders – are playing critical roles in risk assessment and intervention approaches around the world.

Participants stressed that the most pressing challenges for governments and civil society with regard to foreign terrorist fighters are currently in the areas of repatriation, rehabilitation, and reintegration. They highlighted, in particular, challenges around how to handle the large numbers of foreign terrorist fighters and ISIS-associated family members in camps and detention in Syria and Iraq, managing individuals who have and will return

from conflict, dealing with violent extremists in custody, and ultimately managing the release of violent extremist offenders in ways that facilitate their successful reintegration and minimizes risks to communities.

They stressed that governments cannot confront those challenges alone and should work with civil society and other local actors who enjoy credibility in their communities and bring to bear specific expertise and skills across a wide range of psychosocial, vocational, financial, educational, legal, religious, familial, and communication needs. Civil society actors often have the trust of and access to the affected individuals and communities in ways that government officials do not. On the difficult issue of repatriation, participants highlighted the role that civil society actors can play, along with the media, in supporting responsible public engagement on the rationale for often unpopular repatriation, rehabilitation, and reintegration policies and approaches, and communicating the dangers if these challenges are left unaddressed. In this regard, we heard about the experience of women-led civil society actors in Central Asia working with communities and media to help facilitate community acceptance of female returnees.

Across all of these areas – prevention, intervention, and rehabilitation and reintegration – participants highlighted the importance of accounting for gendered aspects of violent extremism and the need to support women civil society actors.

The participants welcomed the dedicated opportunity for civil society to reflect on these issues and hoped that the opening would lead to more sustained engagement. Some key recommendations that emerged for improving civil society engagement included

Build trust and create sustained and meaningful partnerships with civil society. Meaningful engagement means giving civil society a role in shaping the design, implementation, and evaluation of efforts to prevent and counter violent extremism, including through engagement in national policy and planning and in intergovernmental discussions on these issues. Participants noted that a trust deficit exists between many governments, civil society, and communities, especially among populations who feel they have experienced injustice at the hands of the state. This is a significant barrier that requires “do no harm” responses at the community and institutional governance levels that address the lack of trust between communities and governments.

Engage civil society in national action planning processes for preventing violent extremism, including in the area of rehabilitation and reintegration. Participants stressed the need to engage civil society as part of national action planning processes from the outset and to ensure their views are meaningfully reflected in the resulting policies and programs. All stakeholders involved should work together to determine their own roles and the communications mechanisms for ensuring accountability. Participants shared a number of good practice examples where civil society was proactively engaged in national

action planning processes at the outset, including examples from Central Asia where civil society has been integrated into the development, design, and implementation of multi-agency approaches to rehabilitation and reintegration. These examples were contrasted with less participatory and ultimately less successful national action planning processes.

Support the role of women civil society actors in prevention, intervention, and rehabilitation and reintegration. It was noted that women are still underrepresented in peace and reconciliation processes and that gendered aspects of violent extremism under-accounted for in efforts to prevent and counter violent extremism. Participants shared that experience to date has shown that having gender expertise in the development of national action planning processes for preventing violent extremism, including in the area of rehabilitation and reintegration, improves the ability to reintegrate returnees more effectively. Participants stressed the need to engage and support women civil society actors in efforts to prevent and counter violent extremism.

Create an enabling environment for civil society. The capacity of civil society actors to usefully engage in preventing violent extremism is dependent on their freedom to operate generally and their legal ability to engage on violent extremism-related issues specifically. Participants called on states to create an enabling environment for civil society, to avoid undue restrictions on the work of CSOs, and to create, where necessary, specific legal frameworks to enable their engagement on violent extremism-related issues, such as rehabilitation and reintegration. Participants also called on intergovernmental bodies, for their part, to speak out forcefully against restrictions, often in the name of countering terrorism, being placed on the financing, operations, and freedom of assembly of the civil society actors.

Build the capacity of civil society to work on preventing and countering violent extremism. Civil society and community-based groups need resources, both financial and in terms of organization capacity, to engage effectively in efforts to prevent and counter violent extremism, in particular in areas related to rehabilitation and reintegration. This includes both funding but also training and core organizational support in program design, implementation, and monitoring and evaluation. It is important that civil society actors receive consistent funding to continue their work. Investing in operational capacity for civil society organizations can aide in ensuring that they are self-sufficient in continuing to seek funding moving forward to sustain and expand their programs.

Annex 6: Summaries of Side Events

Preventing and Countering Online-Recruitment and Radicalization to Violence (convened by Switzerland, the U.K. and the OSCE)

On 12 February, the United Kingdom, Switzerland, and the OSCE Secretariat Transnational Threats Department Anti-terrorism Issues jointly organized a side event on the issue of "Preventing and Countering Online-Recruitment and Radicalization to Violence" at the margins of the Joint Regional High-Level Conference on FTFs. The event was attended by 63 participants (21 women; 42 men).

The side event was opened by Ambassador Wolfgang Amadeus Brülhart, Permanent Representative, Permanent Mission of Switzerland to the OSCE, the UN and other IOs in Vienna, who set the scene by highlighting the most recent challenges associated by the misuse of the Internet for violent extremist and terrorist purposes, and emphasized the need for building long-term resilience to terrorist narratives.



Wolfgang Amadeus Brülhart, Swiss Permanent Representative to the OSCE and UN, delivered closing remarks.

Sakeena Alam, Deputy Head, Counter Terrorism and Extremism Network Europe, Foreign and Commonwealth Office, spoke about the significance of a multi-stakeholder approach in addressing the threats posed by terrorists and violent extremists online. She also elaborated on the GCTF's Zurich-London Recommendations on preventing and countering violent extremism and terrorism online and its corresponding toolkit, the development of which was supported by the United Kingdom together with the Switzerland and Australia. Jacob Berntsson of the Tech Against Terrorism spoke about the latest trends and developments in how different platforms are being used for recruitment and radicalization to violent extremism and terrorism and what his organization is doing to facilitate public-private partnerships and to support the tech industry in tackling the problem whilst respecting human rights and taking measures.

Jacob Berntsson of the Tech Against Terrorism spoke about the latest trends and developments in how different platforms are being used for recruitment and radicalization to violent extremism and terrorism and what his organization is doing to facilitate public-private partnerships and to support the tech industry in tackling the problem whilst respecting human rights and taking measures.

Elena Cherniavska, Senior Adviser to the OSCE Representative on Freedom of the Media, elaborated on the challenges related to the issues of freedom of expression and other fundamental human rights in the context of preventing and countering violent extremism and terrorism online.

Otabek Rashidov of the TNTD/ATU, spoke about the practical work being implemented by the OSCE to support participating States in addressing the challenges outlined by the previous speakers to improve the efficiency of national efforts in human rights-complaint manner.

The side event discussions focused on responses and best practices for preventing and countering violent extremists and terrorist exploitation of the Internet while respecting human rights and fundamental freedoms including promoting "whole-of-government" and "whole-of-society" approaches.

Presentation of the National Strategy of Turkmenistan on the Prevention of Violent Extremism and Countering Terrorism for 2020-2024

(convened by Turkmenistan jointly with UNRCCA and the OSCE)

Welcoming remarks, introduction and moderation:

Silapberdi Nurberdiev, Permanent Representative of Turkmenistan to International Organisations in Vienna

Speakers:

- Vladimir Voronkov, Under-Secretary-General and Head of UNOCT
- Natalia Gherman, Special Representative of the Secretary-General and Head of UNRCCA
- Thomas Greminger, Secretary General of OSCE
- Natalya Drozd, Head of the OSCE Centre in Ashgabat

Turkmenistan was and remains an active participant in international efforts to combat modern challenges and threats and it has indicated its firm position in countering terrorism, combating drug trafficking and human trafficking.

On December 6, 2019, at the meeting of the Cabinet of Ministers of Turkmenistan, the President of Turkmenistan approved the adoption of the National Strategy on the Prevention of Violent Extremism and Countering Terrorism for 2020-2024, which was developed with the support of the UN Regional Center for Preventive Diplomacy for Central Asia and the UN Office of Counter-Terrorism.

The development of the Strategy was initiated by Turkmenistan, taking into account international best practices in countering violent extremism and terrorism, including the basic principles outlined in the United Nations Global Counter-Terrorism Strategy and the recommendations of the Executive Directorate of the UN Counter-Terrorism Committee. The experience of other countries in the region and neutral states was also taken into consideration. The strategy reflects relevant areas such as migration, border control, the Internet, terrorist financing, socio-economic and political aspects, as well as human rights and the rule of law.

While developing the National Strategy of Turkmenistan, special attention was paid to the principle of a comprehensive approach. For these purposes, a working group was established which included representatives of twenty-four government structures and public associations. UNRCCA and UNOCT assist Turkmenistan in coordinating an action plan to implement the provisions of the National Strategy.

The Side Event was organized by the Delegation of Turkmenistan to the OSCE together with the OSCE and UNRCCA within the framework of Joint Regional High-level Conference convened by the OSCE, UNOCT and Switzerland, in co-operation with the Albanian OSCE Chairmanship on "Foreign Terrorist Fighters – Addressing Current Challenges". It provided an opportunity to take a closer look at the Strategy of Turkmenistan and the seriousness of its intention to counter violent extremism and terrorism in accordance with the principles of national and international law.

Rehabilitation and Reintegration of ISIS Family Members

(convened by the U.S. and Kazakhstan)

The United States and Kazakhstan co-organized a side event focused on the rehabilitation and reintegration of ISIS family members repatriated from Syria and Iraq. U.S. State Department Deputy Coordinator for Countering Violent Extremism Chris Harnisch delivered opening remarks and Deputy Foreign Minister of Foreign Affairs from Kazakhstan Yerzhan Ashikbayev delivered keynote remarks on Kazakhstan's ongoing efforts. Panelists Dr Edit Schlaffer (Women without Borders), Dr Khalid Koser (Global Community Engagement and Resilience Fund), and Milo Comerford (Institute for Strategic Dialogue) explored their organizations' efforts to support disengagement from violent extremist groups and ideologies, psychosocial support, community capacity building, community resiliency building, and community acceptance to reintegration.

DC Harnisch's opening remarks highlighted the United States' assistance to countries such as Kazakhstan and Kosovo by deploying a small group of mental health professionals and social workers who have relevant work experience. He described his visit to Boys Town headquarters in Nebraska. This organization has over a century of experience working with at-risk youth including gang violence or domestic abuse. Boys Town achieves success by taking a research-based, data-driven approach to rehabilitation that incorporates doctors, social workers, teachers, and parents. He explained the United States is working to share best practices from Boys Town and other institutions with countries that are repatriating. In addition to facilitating engagements by these experts, the United States partners bilaterally and multilaterally ensure we are building off each other's work. Part of this coordination includes working with the Global Community Engagement and Resilience Fund to launch

an Accelerated Funding Mechanism to pool donor resources to support community reintegration of FTFs and family members in countries that have repatriated.

DFM Ashikbayev introduced Kazakhstan's Rehabilitation and Reintegration efforts and showed a video with some of the family members from Kazakhstan who returned from the conflict zone. He then turned over the floor to Sabinella Ayazbayeva, who had traveled to Syria in 2014 with her husband and their five children to support ISIS. Ms Ayazbayeva's husband was killed in battle, and she was repatriated to Kazakhstan in 2019. She spoke of her current efforts to counter ISIS propaganda and assist other FTF family members reintegrate and become productive members of her society.

Dr Schlaffer spoke about the challenges of working with existing communities that may not be willing to accept returned FTFs or family members who are trying to reintegrate. Governments and NGOs need to be aware this struggle will be long term. Everyone needs to share information to dispel fears, suspicion, and lack of trust before anyone returns to the community and maintain that communication. Ostracism can be very difficult to overcome and it takes a concerted effort. Dr Khoser reiterated the need to prepare communities before returnees get there and monitor the situation for years and that continued engagement is key.

The unambiguous conclusion of the side event is that effective FTF and family member reintegration requires a whole-of-society approach. Governments need to work closely with affected communities and NGOs for this effort to be successful.

**Training Guides on the investigation and prosecution of Foreign Terrorist Fighters through sharing electronic evidence
(convened by UNODC in collaboration with UNCTED and the OSCE)**

On 12 February, UNODC/TPB in co-operation with the UN Security Council Counter-Terrorism Committee Executive Directorate (UNCTED), and OSCE organized a side event "Training Guides on the investigation and prosecution of Foreign Terrorist Fighters (FTF) through sharing electronic evidence" at the margins of the Joint Regional High-Level Conference on FTFs. The event gathered around 30 participants from 10 Member States, 8 International and Regional Organizations and two Civil Society Organizations.

The event was opened by Michele Coninsx, Executive Director of the UNCTED and Masood Karimipour, Chief of the UNODC Terrorism Prevention Branch, who emphasized the need for stronger public-private partnerships, the Practical Guide for Requesting Electronic Evidence Across Borders and Foreign Terrorist Fighters being a great example of it, and determined

that these tools give the UN its relevance and credibility. Further, they expressed their hope for stronger partnership at the regional level.

Solongo Dolgor and Arianna Lepore, Programme Officers of UNODC Terrorism Prevention Branch elaborated on the publications recently produced by UNODC, the Practical Guide and Manual for Judicial Training Institutes. South-Eastern Europe; Updated Edition 2019. They mentioned that the two publications were developed in collaboration with Member States, the UNCTED, the International Association of Prosecutors, and other communications service providers such as Facebook, Google, Microsoft and Uber.

Maximilian Schubert, General Secretary, Austrian Association of Internet Service Providers elaborated on practical aspects related to use of information sharing mechanisms and the role of his organization in the development of the publications.

Tomas Penna, Project Outreach Agent of the EUROPOL said that the Practical Guide provides practitioners with best practice from experts in the field, legal procedures from over 20 States, and contact points to assist practitioners on how to request and produce electronic evidence needed for trial.

Natasha Gaber Damjanovska, Director of Pavel Shatev Academy for Judges and Public Prosecutors of North Macedonia spoke about the updated edition of the Foreign Terrorist Fighters Manual for Judicial Training Institutes in South-Eastern Europe and mentioned that it responds to requests from criminal justice practitioners and provides updated information on FTFs, especially on the returnee situation and experiences related to prosecution, rehabilitation and reintegration of the returnees and their families.

Arben Murtezic, Director of the Centre for Judicial and Prosecutorial Training of Bosnia and Herzegovina added that the Updated Manual was developed to equip practitioners with tools and techniques essential for online investigations and provides guidance on online investigations and open source intelligence (OSINT) gathering.

Directors from judicial training academies and participants from South Eastern Europe appreciated the value of the updated manual and especially the translation into all local languages overcoming the language barrier and requested the UNODC to develop more tailor-made publications for the region and to ship more hard copies from the HQ to the region.

The event was moderated by Otabek Rashidov of the TNTD/ATU who also briefed the participants on the future plans of the OSCE and UNODC to jointly develop a Train-the-Trainers Module on Requesting Electronic Evidence Across Borders based on the Practical Guide.

Publications featured at the event were distributed in the course of the Conference: Foreign Terrorist Fighters, Manual for Judicial Training Institutes. South-Eastern Europe. Updated Edition 2019 (English, Albanian, Bosnian, Macedonian) and Practical Guide for Requesting Electronic Evidence Across Borders (English).

Rehabilitation and Reintegration: Building capacity inside and outside the prison context (convened by the OSCE Secretariat and the OSCE Presence in Albania)

The side event “Rehabilitation and Reintegration: Building capacity inside and outside the prison context”, co-hosted by the OSCE Secretariat Transnational Threats Department Anti-terrorism Issues Unit and the OSCE Presence in Albania, was held to highlight rehabilitation efforts across the OSCE area, and some of the emerging lessons learned.

Agron Sojati, Executive Director, National Centre on CVE in Albania spoke about the significant role played by civil society in effective rehabilitation and reintegration programs, and the Albanian policy framework. Georgia Holmer of the TNTD/ATU presented the key policy-level guidance outlined in the recent OSCE publication Non-custodial Rehabilitation and Reintegration in Preventing and Countering Violent Extremism and Radicalization that Lead to Terrorism: A Guidebook for Policymakers and Practitioners in South-Eastern Europe.

Richard Barrett of the Global Strategy Network, UK advocated for understanding the context in which radicalization takes place in designing rehabilitation programs, and emphasized the need to incentivize and focus on the receiving communities. Erinda Ndraqi who directs the Institute for Activism and Social Change in Albania, spoke of the work her organization is doing in support of prison-based rehabilitation efforts.

Dr John McCoy, who runs the Organization for the Prevention of Violence in Edmonton, Canada, spoke about the relevant community-level work done to prepare for returning families of FTFs in Alberta. Ariane Wolf of the Violence Prevention Network in Germany spoke about the cooperative working relationship between the justice system and NGO actors in this line of work in Germany.

Key themes raised throughout the discussion were the acute and special needs of children of returning FTFs, the important role that media can play in aiding reintegration if properly advised, and the significance of preparing and enabling community receptivity to reintegration efforts.

Joining Efforts to Combat Trafficking in Human Beings and Terrorism (convened by the OSCE, UNODC and INTERPOL)

The side event “Joining Efforts to Combat Trafficking in Human Beings and Terrorism” at the margins of the Conference “Foreign Terrorist Fighters - Addressing Current Challenges” focused on the significant threats posed by these criminal phenomena to peace and security on a global scale. In an effort to prevent and efficiently deal with conflicts and instability, the international community is putting an increased focus on funding of terrorism through organized crime activities, including trafficking in human beings (THB). The relationship between THB, terrorism, other transnational organized criminal activities has been identified to not only be a destabilizing force but also an essential component of terrorist groups’ tactics, particularly with regard to recruitment and financial flows. In accordance with UN Security Council resolutions (i.e. 2331 (2016)) recognizing the importance of countering this threat linked to financial flows, OSCE participating States are uniquely positioned to facilitate the dismantling and disruption of THB networks through multisectoral co-operation among international organizations, law enforcement agencies, academia and civil society organizations.

The side event aimed to explore operational and strategic responses to combat trafficking in human beings and terrorism-related crimes in line with recommendations provided by the international community. Experts from the Russian Federation, the EU Trust Fund, INTERPOL and UNODC shared practical contributions, presented best practices and lessons learned, and outlined the key challenges. The discussion highlighted the diversity of the ongoing debate and focused on three main issues:

- The need for action by participating States and international organizations to THB and terrorism-related offences as well as the need to advance the efforts to prevent THB and terrorism through intelligence-led policing efforts.
- The support of national efforts to adopt anti-money-laundering, anti-corruption, anti-bribery and counter-terrorism legislation and criminalization is crucial to dismantling transnational networks involved in THB and terrorism.
- The importance of international law enforcement co-operation with respect to investigation, documentation and prosecution of trafficking and terrorism cases.

The speakers provided diverse perspectives to the phenomenon. The Russian Federation presented a State’s approach to the reintegration of trafficking victims, more specifically children, into their communities and the challenges associated with it. INTERPOL highlighted the topic from a law enforcement perspective, whose mandate to investigate and

apprehend criminals is a crucial element in effectively combating THB and terrorism-related offences. With regard to criminal justice, UNODC promoted best practices and lessons learned concerning a victim-centred approach, gender- and child-sensitive investigations and holding terrorist groups accountable for sexual and gender-based violence. Finally, the significance of improving investigation methods used to combat cross-border criminal organizations that profit from human trafficking and other types of organized crime by increasing the regional capacity, awareness and co-ordination of financial investigations, was emphasized by the Project Director of an EU Trust Fund project focused on Anti-Money Laundering and THB.

The discussions concluded that in order to effectively address both THB and terrorism on a long-term basis, proactive and innovative multistakeholders' approach to the prevention, investigation and prosecution efforts by States and international organizations needs to be pursued.

Repatriation of FTFs and their Families from Conflict Zones in Syria and Iraq (convened by the OSCE/ODIHR)

The Side Event of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) focused on the human rights perspectives concerning ongoing discussions about the repatriation of so-called “foreign terrorist fighters” (FTFs) and their families from Iraq and Syria. While other side events and panel sessions also covered the issue of repatriations, the ODIHR event was unique in highlighting the calls for repatriation by international human rights institutions and non-governmental organizations⁹.

The side event was part of the follow-up to ODIHR's 2018 Guidelines for Addressing the Threats and Challenges of “Foreign Terrorist Fighters” within a Human Rights Framework¹⁰. Panel speakers included experts representing the mandate of the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, the Office of the Council of Europe Commissioner for Human Rights, Human Rights Watch, Reprieve, and a lawyer from Belgium who is working on the case of a women detained in a displacement camp in Northeast Syria with her three-year-old

⁹ See for example Repatriation of ‘foreign terrorist fighters’ and their families urgently needed to safeguard human rights and security, OSCE human rights head says, 11 February 2020, <https://www.osce.org/odihr/445909>; Position of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, 25 September 2019, <https://www.ohchr.org/Documents/Issues/Terrorism/PositionSRreturnsFFsOct2019.pdf>; Council of Europe member states should urgently repatriate their under-age nationals stranded in Northern Syria, 28 May 2019, <https://www.coe.int/en/web/commissioner/-/council-of-europe-member-states-should-urgently-repatriate-their-under-age-nationals-stranded-in-northern-syria>.

¹⁰ See www.osce.org/odihr/393503.

child. The side event combined panel presentations and an exchange of views on the current trends and challenges concerning the repatriation of FTFs and associated family members.

In their presentations, panellists expressed concerns about the dire humanitarian situation in the overcrowded camps in Syria and Iraq, which had reached a crisis point. For example, Al-Hol Camp in North East Syria housed an estimated 74.000 people at the beginning of the year, the majority being women and children, while it was originally designed for 10.000 inhabitants. There is a lack of proper medical facilities and adequate nutritional supplies, leading to children in particular dying from preventable causes.

Speakers also referred to the different national approaches to repatriation in the OSCE region. Whereas some states have already brought citizens back from the conflict zone, others have shown reluctance to do so or even taken steps to obstruct return, such as by depriving potential returnees of their citizenship. Furthermore, panellists highlighted that there is generally more willingness to repatriate young children, in contrast to adolescents, adult women and in particular men, which could result in family separation.

While acknowledging that states have legitimate security concerns and repatriation raises a number of practical challenges, speakers underlined the urgency for states to repatriate their nationals, and those with meaningful links to the state, from the camps and provide the necessary support for reintegration and rehabilitation. Repatriation would also help to ensure prosecution of returnees, where appropriate, and holding those responsible for serious crimes to account in accordance with international standards. Multiple speakers also highlighted the rights and special protection needs of children who remain in the camps, and the importance of their repatriation, together with their caregivers where possible, to safeguard the best interests of the child.

Speakers recalled the positive obligation of states to take steps if there are reasonable grounds to believe that their nationals are facing flagrant human rights violations, such as torture and other ill-treatment, or the death penalty. In this regard, speakers referred not only to the risk to lives and inhumane conditions in the camps in Syria, but also to serious human rights violations individuals may face when transferred from Syria to detention in Iraq. These violations include allegedly widespread use of torture and the imposition of the death penalty, including on child offenders and after grossly unfair trials. In accordance with the ODIHR Guidelines on FTFs, which take a very critical stance on deprivation of citizenship¹¹, one panellist highlighted concerns about policies of some states to deprive adults detained in the camps of their citizenship because such measures expose the individuals concerned, and their children, to increased risks of serious human rights violations. Furthermore, several speakers stressed that many in the intelligence and

¹¹ See section on *Limits on Permissible Deprivation of Nationality (and Exclusion)* in ODIHR Guidelines for Addressing the Threats and Challenges of "Foreign Terrorist Fighters" within a Human Rights Framework, pp. 47-51.

security community also support repatriation, to better exercise any necessary control or implement disengagement or rehabilitation measures.

In conclusion, speakers agreed that a human rights-based approach to addressing the ongoing challenges requires urgent repatriation, especially of children, from the displacement and detention camps in Northeast Syria. A number of factors – the deplorable situation in the camps; the need to provide tailored reintegration and rehabilitation support especially to children and young people who are traumatized and continue to face abuse in the camps; and the absence in the conflict zones of appropriate mechanisms to bring those responsible for international and national crimes to justice in accordance with international law – point to repatriation as a human rights imperative. But it is also essential to effectively address related security challenges. Ignoring shared responsibilities will not create security, but exacerbate the long-term risks of camps providing fertile ground for recruitment by terrorist and criminal organizations alike.

Although states' approaches to the repatriation of their citizens vary, calls for repatriation featured prominently in the discussion following the panel presentations at the side event and in subsequent plenary sessions of the conference, as reflected in interventions by several participating States, experts and speakers from intergovernmental organizations and NGOs.



From left: Wolfgang Amadeus Brühart, Swiss Permanent Representative to the OSCE and UN; Vladimir Voronkov, Under-Secretary-General of the UN Office of Counter-Terrorism; Thomas Greminger, OSCE Secretary-General.

www.osce.org
www.un.org/counterterrorism
www.admin.ch/gov/en/start.html

FOR A FUTURE WITHOUT TERRORISM

