CTED Analytical Brief: Management of violent extremist prisoners and the prevention of radicalization to violence in prison

> United Nations Security Council Counter-Terrorism Committee Executive Directorate (CTED)

#### BACKGROUND

The present Analytical Brief was prepared by CTED in accordance with Security Council resolution 2617 (2021), in which it directs CTED to conduct analytical work on emerging issues, trends, and developments and to make its analytical products available throughout the United Nations system. This Analytical Brief was prepared in close consultation with the United Nations Office on Drugs and Crime (UNODC), which has led a technical assistance project on this topic in Kazakhstan, Tunisia, and Uganda. The project funded by the European Union, the Netherlands, and the United Nations Office of Counter-Terrorism (UNOCT), has been implemented by UNODC with the support of CTED and the United Nations Counter-Terrorism Centre (UNCCT) of UNOCT.

CTED Analytical Briefs are intended to provide the Security Council's Counter-Terrorism Committee, United Nations agencies, policymakers and other relevant actors with a concise analysis of specific issues, trends, and developments, as identified through CTED's engagement with Member States on their implementation of the relevant Council resolutions. They also include relevant data gathered by CTED through its engagement with United Nations partners; international, regional, and subregional organizations; civil society organizations; and members of the CTED Global Research Network (GRN).

The Security Council has adopted many resolutions since 2001, in which it calls upon Member States to take a range of actions to prevent and suppress terrorism. These include resolution 1373 (2001), which requires States to establish terrorist acts as serious criminal offences, and resolution 2178 (2014), in which it calls upon States to address the threat posed by foreign terrorist fighters (FTFs), including by implementing prosecution, rehabilitation and reintegration (PRR) strategies.

Prosecutions for involvement in acts of terrorist are not the only goal of counter-terrorism efforts. In resolution 2396 (2017), the Security Council acknowledges that "prisons can serve as potential incubators for radicalization to terrorism and terrorist recruitment" and encourages States "to take all appropriate actions to prevent inmates who have been convicted of terrorism-related offences from radicalizing other prisoners to violence, with whom they may come into contact, in compliance with domestic and international law". The detention period represents a unique opportunity to promote disengagement from violence and develop prevention strategies that can reduce the risks of recidivism in the medium- and long-term.

The management of violent extremist prisoners (VEPs) poses major challenges to many Member States for a number of reasons. First, the scale of the issue is often unknown or, at best, only roughly estimated. Second, VEPs do not represent a homogenous category of prisoners, and tailored efforts need to be put in place to address specific needs. Third, for the management of VEPs to be effective, many factors need to be taken into consideration, and adequate resources are required.

This Analytical Brief begins with an overview of data on and trends in VEPs. It then provides an analysis of the main challenges that have been noted regarding the management of VEPs across States, and it identifies key elements that could be of help to States in strengthening overall efforts in the field of terrorism prevention and management of terrorist offenders.

### LIMITED DATA AND KEY TRENDS

The concept "VEPs" generally refers to persons who have been detained or convicted on the basis of alleged (or proven) involvement in terrorism-related offences.<sup>1</sup> However, while there are requirements stemming from relevant Security Council resolutions on countering violent extremism conducive to terrorism, and an ongoing debate on the definition of "violent extremism", different States might adopt diverse classifications, raising concerns over whether a person may reasonably be classified as a VEP or not. This makes it difficult to reach conclusions on overall numbers. Violent extremism conducive to terrorism in prison affects not only prisoners accused or convicted of crimes directly related to terrorist acts but also individuals convicted for non-terrorist offences, who might be vulnerable to radicalization to terrorist violence during detention. Some common "push" and "pull" factors that can increase the risk of being radicalized to violent extremism conducive to terrorism have been identified through research, such as exposure to charismatic leaders or the need to satisfy basic physical and general needs.<sup>2</sup> However, no standard pathway to radicalization exists and the definition of prisoners who can be vulnerable to radicalization to terrorist violence remains vague and highly debatable.

Most States do not make data on the total number of VEPs they have incarcerated publicly available.<sup>3</sup> Where overall numbers within a State are available, more detailed information concerning the VEP population is often still missing. At present, data such as demographic information on VEP populations, types of criminal offences, lengths of sentences, and factors that led to individuals' engagement in violent extremism leading to terrorism remain elusive for many States.<sup>4</sup> The size of VEP populations can also be subject to rapid fluctuations as a result of different factors, including, for example, changes in legislation, as well as increased numbers of people returning to their countries of origin from conflict zones.<sup>5</sup>

Finally, prison administrations often face scarcity of human and financial resources, with an impact on their ability to gather accurate and systematic statistics on VEP populations.

As a result of these challenges and limitations, the precise number of VEPs worldwide is difficult to ascertain. It is clear, however, that there are significant differences in the numbers of VEPs in different States, with some countries having only a few, while others have many hundreds or even thousands in their prison systems.

<sup>&</sup>lt;sup>1</sup> The expression "violent extremist prisoners" as used in this brief refers both to people accused and convicted of terrorism-related offences. Pretrial VEPs can spend many years in detention awaiting trial, including in military or immigration detention facilities. Special consideration should be given to pretrial VEPs, as outlined throughout this Analytical Brief.
<sup>2</sup> UNODC, <u>Handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence in Prisons</u>,

<sup>&</sup>lt;sup>2</sup> UNODC, *Handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence in Prisons*, Criminal Justice Handbook Series (Vienna, 2016), pp. 110-112.

<sup>&</sup>lt;sup>3</sup> Recognition of the lack of available data is not new. It has been noted, for example, in UNODC, *Handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence*, as well as by numerous researchers and think tanks, including Penal Reform International in its Global Prison Trends since at least 2017.

<sup>&</sup>lt;sup>4</sup> The United Kingdom of Great Britain and Northern Ireland has a publicly available overview of all successful prosecutions by the Counter-Terrorism Division of the Crown Prosecution Service. While this does not comprise a full list of VEPs within that country's prison system, it may offer guidance to other States on one approach to publishing details on terrorism-related convictions. The list is available here. See also European Union Agency for Law Enforcement Cooperation (Europol), *European Union Terrorism Situation and Trend Report 2022* (Publications Office of the European Union, Luxembourg, 2022). The *Report* contains data on the number of convictions and acquittals for terrorism offences since 2007. However, even this source contains limited information. For example, in 2018, only 17 of 28 European Union member States provided information on terrorism-related court decisions.

<sup>&</sup>lt;sup>5</sup> Organization for Security and Cooperation in Europe (OSCE), <u>Non-custodial Rehabilitation and Reintegration in Preventing and</u> <u>Countering Violent Extremism and Radicalization that Lead to Terrorism: A Guidebook for Policymakers and Practitioners in South-Eastern Europe</u> (Vienna, 2020).

CTED's engagement with States suggests that the number of VEPs held globally has increased in recent years, especially in certain regions and in a relatively short period of time. This trend can be explained in light of different and non-mutually exclusive factors, including the spread of terrorist groups in some areas; the rise in numbers of returning FTFs in some countries; and enhanced counter-terrorism efforts.

In recent years, terrorist groups have established and expanded their presence in certain regions. This is the case, for example, in Africa: deaths from terrorism in sub-Saharan Africa now account for almost half of global deaths from terrorism<sup>6</sup> and attacks have spread from well-known locations such as the Sahel and the Horn of Africa to southern Africa and coastal West Africa.<sup>7</sup> This, coupled with multisectoral and complementary efforts to tackle terrorism, has led to an increased number of people arrested for and convicted of terrorism-related offences.<sup>8</sup> The number of VEPs housed in Bamako Central Prison (Mali), for example, reportedly more than quadrupled from 2016 to 2020.<sup>9</sup>

VEP populations in some States have also grown due to the increasing number of returns of FTFs from the Syrian Arab Republic and Iraq and other countries to their countries of nationality or former residence. Between 2011 and 2016, it is estimated that more than 42,000 individuals from more than 120 countries joined terrorist organizations overseas, with a peak in departures in 2015.<sup>10</sup> While more than 120,000 people are believed to be currently held in the north-east of the Syrian Arab Republic,<sup>11</sup> many are returning, leading to an increased number of VEPs in many States. Although reliable statistics on the number of returnees are elusive,<sup>12</sup> it is estimated that approximately 30 per cent of the FTFs who travelled from European States to the Syrian Arab Republic and Iraq have returned.<sup>13</sup> The data are consistent with the latest trends reported by Europol, although the flow of returnees appears to have been partially affected by travel restrictions due to the coronavirus disease (COVID-19) pandemic.<sup>14</sup>

<sup>&</sup>lt;sup>6</sup> Institute for Security Studies, "Terrorism and violent extremism expand despite AU efforts", PSC Insights, 27 May 2022. Available here.

In his remarks to the High-Level Meeting on Mali and the Sahel held on the margins of the General Debate of the seventy-fourth session of the General Assembly, the Secretary-General acknowledged the increasing threat posed by the rise of violence in the Sahel and its spread towards the Gulf of Guinea.

<sup>&</sup>lt;sup>8</sup> In the Sahel region, for example, various initiatives have been launched to address the terrorist threat, including the US Trans-Saharan Counter-Terrorism Partnership, the French military operations Serval and Barkhane, the European military coalition Task Force Takuba aimed at supporting the Malian army, and the regional Group of Five for the Sahel joint force, in addition to a vast series of international, regional, and national preventive efforts led by international organizations and local non-governmental organizations.

<sup>&</sup>lt;sup>9</sup> United Nations Interregional Crime and Justice Research Institute (UNICRI), "Violent extremist offenders rehabilitation and reintegration in prison: a focus on the challenges and way forward in Mali", 22 June 2020. <sup>10</sup> Radicalisation Awareness Network (RAN), *Responses to Returnees: Foreign Terrorist Fighters and Their Families* (Belgium, 2017),

p. 6. <sup>11</sup> Security Council, letter dated 15 July 2021 from the Chair of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, addressed to the President of the Security Council (S/2021/655).

<sup>&</sup>lt;sup>12</sup> CTED, "The challenge of returning and relocating foreign terrorist fighters: research perspectives", CTED Trends Report (New York, 2018).

<sup>&</sup>lt;sup>13</sup> Bibi van Ginkel and Eva Entenmann, eds., The Foreign Fighters Phenomenon in the European Union: Profiles, Threats, & Policies, ICCT Research Paper, no. 2 (2016), p. 31; and European Parliamentary Research Service, The return of foreign fighters to EU soil ex-post evaluation (2018). <sup>14</sup> Europeol, <u>European Union Terrorism Situation and Trend Report 2021</u> (Publications Office of the European Union, Luxembourg,

<sup>2021).</sup> 

On top of the geographic spread of terrorist groups, in recent years a rise in different forms of violent extremism conducive to terrorism has also been recorded. In Europe, for example, terrorist attacks that occurred in 2020 (either completed, failed, or foiled) were inspired by a wide range of heterogenous ideological motivations, including on the basis of xenophobia, racism and other forms of intolerance, or in the name of religion or belief (XRIRB).<sup>15</sup> Likewise, CTED has reported an alarming increase in the frequency and lethality of racially and ethnically motivated terrorism.<sup>16</sup>

Finally, some States have broadened the types of conduct considered terrorist offences under their domestic laws,<sup>17</sup> including preparatory offences, in response to resolutions 1373 (2001) and 2178 (2014), and other Security Council resolutions.<sup>18</sup> In addition to criminalizing violent acts themselves, many States have introduced offences such as intending to travel to join a terrorist group, facilitating the travel of another to join a terrorist group, fundraising for terrorist purposes, possession of violent extremist material, incitement and support-related offences, and other ancillary offences classified as support to acts of terrorism.<sup>19</sup> This has led to higher rates of conviction and, thus, incarceration with an impact on the numbers of VEPs.

## **KEY CHALLENGES AND PROMISING PRACTICES**

The management of VEPs and the prevention of radicalization to violence in prisons are now recognized as crucial elements in the terrorism prevention strategies of many States, regardless of levels of development. As the vast majority of VEPs will eventually be released into their communities after serving their sentences, good management of VEPs, including tailored rehabilitation and individualized reintegration plans, remains a priority for prison administrations. It is also important for States to consider addressing aspects relevant to VEPs when introducing and applying national counter-terrorism strategies. Effective management of VEPs can lead to different, positive outcomes in terms of violent extremism prevention and counter-terrorism: it can reduce the levels of recidivism; it contributes to preventing radicalization from happening within the prison setting; and it can hinder recruitment, undermine operational command structures in prison, and impede the plotting of violent and criminal activities from prison.

Although the positive impact of effective and tailored management of VEPs is clear, there are many challenges that Member States need to address in this regard. The following paragraphs outline some of the main and most common issues, as well as some promising practices that could help States to improve their management of violent extremism conducive to terrorism in prison.

<sup>&</sup>lt;sup>15</sup> Europol, *European Union Terrorism Situation and Trend Report 2021*.

<sup>&</sup>lt;sup>16</sup> CTED, "Member States concerned by the growing and increasingly transnational threat of extreme right-wing terrorism", CTED Trends Alert (New York, 2020).

<sup>&</sup>lt;sup>17</sup> OSCE, Non-custodial Rehabilitation and Reintegration in Preventing and Countering Violent Extremism and Radicalization that

<sup>&</sup>lt;u>Lead to Terrorism</u>. <sup>18</sup> Another important resolution in this respect is Security Council resolution 1624 (2005), in which it calls upon States to prohibit by law incitement to commit a terrorist act or acts.

<sup>&</sup>lt;sup>19</sup> By way of example, in 2015, the Council of Europe opened for signature the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism, in which a range of ancillary offences, including participating in a group for the purpose of terrorism, receiving training for terrorism, and funding or facilitating travel abroad for terrorism, are criminalized. Twenty-five States within the Council of Europe have since ratified or acceded to it.

#### Improving understanding of the phenomenon

The lack of systematic data collection and analysis regarding VEPs impedes understanding of how radicalization to violence occurs and spreads within prisons. It also affects understanding of other relevant issues such as levels of recidivism<sup>20</sup> and efficacy of rehabilitation programmes, among other knowledge gaps.<sup>21</sup> Although some studies suggest that the rate of recidivism for VEPs could be between 5 and 8 per cent, compared to rates of 40 to 60 per cent for "regular offenders",<sup>22</sup> the issue of recidivism among terrorist offenders remains difficult to unpack, partly because the quality and quantity of the data are so limited.<sup>23</sup>

The lack of up-to-date and rigorously collected information on VEPs also leaves room for anecdotal interpretations of the phenomenon. For example, cases of some high-profile offenders, such as Richard Reid (known as "the shoe bomber") or Abu Bakr al-Baghdadi, the former leader of Da'esh, who were alleged to have been radicalized in prison, may have led to a perception that radicalization to violence in prisons in more widespread than it really is. Although research has begun to challenge the idea that violent extremist ideologies are a virus that can spread without barriers in prison, the issue of radicalization to violence among prisoners appears to be possibly overestimated and not entirely supported by empirical evidence.<sup>24</sup>

Finally, inter-agency and multilateral cooperation can also be affected by the fact that different actors, including within and among States, use different definitions of "violent extremist prisoners", and the exchange of knowledge, related good practices, and challenges that are encountered may be made more difficult by the lack of a shared frame of reference.

Gathering and analysing information is critical to guide evidence-based, comprehensive, and effective approaches to VEPs management, including rehabilitation and reintegration, as well as to preventing the spread of radicalization to terrorist violence in prisons. In this regard, UNOCT/UNCCT and UNICRI recently launched a joint project, the "Establishment of a system for the generation and collection of data on violent extremist prisoners". The aim is to support the generation and collection of harmonized and comparable data on the extent of the VEP population worldwide.<sup>25</sup> The methodology has been developed in a flexible manner that can be adapted to different legal and operational contexts.<sup>26</sup>

<sup>&</sup>lt;sup>20</sup> By way of example, in 2015, the Council of Europe opened for signature the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism, in which a range of ancillary offences, including participating in a group for the purpose of terrorism, receiving training for terrorism, and funding or facilitating travel abroad for terrorism, are criminalized. Twenty-five States within the Council of Europe have since <sup>20</sup> Examples of studies on recidivism include Thomas Renard, "Overblown: exploring the gap between the fear of terrorism recidivism and the evidence", CTC Sentinel, vol. 13, issue 4 (April 2020); and Mary Beth Altier, Emma Leonard Boyle, and John Horgan, "Returning to the fight: an empirical analysis of terrorist reengagement and recidivism", Terrorism & Political Violence, vol. 33, no. 4 (2021).

<sup>&</sup>lt;sup>21</sup> UNODC, Handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence in Prisons, p. 6. <sup>22</sup> RAN, "Radicalised and terrorist reoffenders", Reoffending Violent Extremist and Terrorist Offenders RAN Conclusions Paper, 24

February 2021.

<sup>&</sup>lt;sup>23</sup> Assessing the level of recidivism for VEPs is challenging due to many factors, including at least in part to the small sample sizes involved that may render the findings unreliable when extrapolated to VEPs as a whole. Also, the issue if recidivism remains a sensitive political issue.

<sup>&</sup>lt;sup>24</sup> UNODC, Handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence in Prisons, p. 108.

<sup>&</sup>lt;sup>25</sup> UNCCT, "Quarterly project highlight report to the UNCCT Advisory Board, 2<sup>nd</sup> quarter, 1 April-30 June 2021".

<sup>&</sup>lt;sup>26</sup> Economic and Social Council, Report of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2022/8).

## Developing tailored risk assessment protocols

Proper risk assessment of prisoners is a fundamental component of good prison management, since it enables prisons to use resources effectively, tailor sentences, protect the public to the maximum extent possible, and uphold the human rights of prisoners. The adoption of risk assessment protocols for radicalization and violent extremism conducive to terrorism in prison is essential for assessing and managing the risks of terrorist acts, as well as detecting vulnerability to recruitment.<sup>27</sup> Furthermore, information collected through risk assessments can guide the management of VEPs in different phases of the detention process, from initial classification decisions to rehabilitation programmes and release plans, enabling prison administrations to use resources more effectively.

Risk assessment can support prison administrations in making deliberate decisions in terms of accommodation and allocation. Prison administrations take different approaches in different States. Violent extremist prisoners may be dispersed across different prisons, either in isolation or in concentration. There is no single "right" model for housing VEPs. On the contrary, different approaches can coexist within the same prison system depending on the assessment carried out by relevant authorities, and allocation models can change over time when appropriate or necessary.

Conducting risk assessments regularly can help prison administrators to know if intervention strategies are having some success, detect changes in prisoner attitudes, and adopt the least restrictive measures necessary for the protection of the public, other prisoners, and staff.<sup>28</sup> Finally, in the case of VEPs who are eligible to be considered for early or conditional release, prison staff can conduct risk assessments and share them with the conditional release authorities (such as parole boards).

Despite the many positive consequences of risk assessments, including reducing the likely level of risk, as well as enhancing understanding of motivations, drivers, and protective factors that may reduce the likelihood of people becoming radicalized or engaging in terrorism, it should be noted that risk assessment is not a "silver bullet", nor should it be used for predictive purposes.



 <sup>&</sup>lt;sup>27</sup> Katrin Höffler, Miriam Meyer, and Veronika Möller, "Risk assessment — the key to more security? Factors, tools, and practices in dealing with extremist individuals", *European Journal on Criminal Policy and Research*, issue 28, (June 2022), p. 270.
 <sup>28</sup> UNODC, <u>United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules</u>), rule 36.

Although risk assessment is not a novelty in the penal context, the development of tailored risk assessment protocols for VEPs is a relatively new practice. Since research suggests that VEPs might present different risk indicators to those of "ordinary" violent offenders, ad hoc tools have been developed over the past decade or so.<sup>29</sup> The most well-known VEP risk assessment tools, such as VERA-2R and ERG22+, utilize structured professional judgment. This approach is empirically guided and aims for consistency, as each assessor is encouraged to consider the same set of risk assessment factors (indicators) for each person they assess. These assessments are reproducible and transparent, as it should be clear why risk factors have been identified as relevant. The factors measured by existing risk assessment tools generally include indicators related to attitudes, beliefs, and ideology; social context and intention; history and capability; motivational and commitment elements; and the presence of protective factors.<sup>30</sup>

Some of the tools that have become widely available have been developed in Europe and North America. They often require fairly extensive training and may be time consuming to implement on a regular basis. Their broader applicability may be limited, as they might not address the indicators most common in non-Western regions and may not be the most suitable for use in jurisdictions with limited resources, in post-conflict situations, or when there are high numbers of VEPs. Less resource-intensive assessment tools could be developed to address the specific needs of some States. However, it is crucial that the development of tailored tools is supported by empirical evidence and solid expertise on the topic to include relevant risk indicators and protective factors and to avoid stigmatization.

### Respect for human rights in effective VEP management

Many prison systems worldwide suffer from an overall lack of resources and funding, overcrowding, poor health conditions, and other fundamental challenges. The management of VEPs may place a strain on already limited prison resources. Furthermore, VEPs may be exposed to mistreatment and stigmatization by prison staff and fellow prisoners, as they are often viewed in a particularly negative light. Notwithstanding this, upholding the human rights of all prisoners, including VEPs, contributes to security and good order since, when treated fairly and humanely, prisoners are less likely to cause disruption and disorder, and more likely to accept the authority of prison staff.

It is important also to bear in mind that rehabilitation should favour disengagement over deradicalization. While preventing the commission of violent acts is a legitimate aim, deradicalization is intended essentially to change the views, values, and attitudes of prisoners. Efforts to change belief systems may have laudable aims, but they can also have an impact on the rights to freedom of thought, conscience, and religion, which are enshrined in international human rights law. It is important to recall that thoughts or beliefs should not themselves be criminalized, but rather, it is the use of violence in support of those beliefs that is at issue. Rehabilitation efforts can be more human rights-compliant if they focus on disengagement, that is, changing the VEP's inclination to use violence to attain his or her goals.<sup>31</sup>

<sup>&</sup>lt;sup>29</sup> Lisbeth Van der Heide, Marieke Van der Zwan, and Maarten Van Leyenhorst, "The practitioner's guide to the galaxy: a comparison of risk assessment tools for violent extremism", *ICCT Research Paper* (2019).

<sup>&</sup>lt;sup>30</sup> Recent research suggests that protective factors in relation to violent extremism include limiting adversity, developing social and psychological mechanisms to deal with adversity that does arise, and insulating prisoners from violent extremist settings. See Sarah Marsden and Ben Lee, <u>"Protective factors for violent extremism and terrorism: rapid evidence assessment"</u> (Centre for Research and Evidence on Security Threats, United Kingdom, 2022).

<sup>&</sup>lt;sup>31</sup> UNODC, Handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence in Prisons.

#### Ensuring approaches to address the distinct needs of women

Although still a minority within the broader category of VEPs, the number of women among VEPs has been increasing for different reasons, including their deeper engagement in terrorist acts and increasing representation among returnees. Women's involvement in violent extremism conducive to terrorism has reportedly tripled in the past decade, and women, together with children, represent the majority of those now seeking repatriation from conflict zones in the Syrian Arab Republic and Iraq.<sup>32</sup>

Relatively few women returned from the Syrian Arab Republic and Iraq in the years just following Da'esh's initial defeats on the battlefield.<sup>33</sup> Initially, repatriation of female citizens from the Syrian Arab Republic and Iraq had been deferred partly because the prosecution of women was hampered by a lack of evidence of criminal activity, resulting in low conviction rates.<sup>34</sup> Today, while many women and children remain in the former conflict zone, representing, for example, more than 80 per cent of the internees in the Al-Hol camp in the Syrian Arab Republic, an increasing number of States have begun repatriating women and children.<sup>35</sup>

In repatriating their female nationals, Member States still have the obligation, pursuant to Security Council resolution 1373 (2001), to bring these women to justice where appropriate. Indeed, though still a minority of VEPs, the number of returned Da'esh-affiliated women accused or convicted in some Member States is close to the number of returned and convicted ISIL-affiliated men.<sup>36</sup>

Female VEPs may have needs that are distinct from those of male VEPs. In the management of violent women prisoners, the agency of women, their potential to have committed serious terrorism offences, and the possibility that they may continue to pose a significant security risk need to be taken into consideration. At the same time, however, female VEPs, and female prisoners more broadly,<sup>37</sup> may also be victims of serious crimes, including sexual and genderbased crimes. Approaches to female VEPs, and to female prisoners in general, require a tailored framework of action, which takes into account their needs and risks as both victims and perpetrators, as applicable.

<sup>&</sup>lt;sup>32</sup> RAN, <u>"Released violent extremist or terrorist offenders: continuity between prison, probation and reintegration</u>", RAN Cross-cutting Thematic Event Conclusions Paper, 6 October 2021.

<sup>&</sup>lt;sup>33</sup> In July 2019, the global return rate for women was approximately 9 per cent, compared with 16 per cent for men. Joana Cook and Gina Vale, International Centre for the Study of Radicalization, <u>"From Da'esh to 'Diaspora' II: The Challenges Posed by Women and Minors After the Fall of the Caliphate</u>", July 2019.

<sup>&</sup>lt;sup>34</sup> CTED, <u>"The prosecution of ISIL-affiliated women"</u>, CTED Analytical Brief (New York, 2021).

<sup>&</sup>lt;sup>35</sup> In 2021, United Nations human rights experts urged more than 50 States to repatriate their nationals in light of the deteriorating security and humanitarian situation at the Al-Hol and Roj camps in the north-east of the Syrian Arab Republic. Office of the United Nations High Commissioner for Human Rights, <u>"Syria: UN experts urge 57 States to repatriate women and children from squalid camps"</u>, press release, 8 February 2021. New York, 2021).
<sup>36</sup> Although it is difficult to access gender- and age-delineated data for FTFs, the press reports a rise in the number of women returnees.

<sup>&</sup>lt;sup>36</sup> Although it is difficult to access gender- and age-delineated data for FTFs, the press reports a rise in the number of women returnees. This is the case, for example, in France, where at the end of September 2022, 129 people, including 51 women, were imprisoned upon their return to national territory. See Khalil Rajehi, <u>"Revenants du jihad"</u>: « 129 personnes, dont 51 femmes, incarcérées à fin septembre », évoque Éric Dupond-Moretti, CNEWS, 6 October 2022.

<sup>&</sup>lt;sup>37</sup> It is estimated that approximately half of female offenders are likely to have histories of physical or sexual abuse. See RAN, "Approaches to countering radicalization and dealing with violent extremist and terrorist offenders in prisons and probation", Prison and Probation Practitioners' Working Paper, 2018.

With the number of female VEPs growing, gender considerations need to be taken into account both in the prosecution process<sup>38</sup> as well as in relation to the detention period.<sup>39</sup> In the case of Da'esh-associated women, for example, it has so far been more difficult to prove their involvement in terrorist acts. This is also a result of the organization's reluctance to publish (online) propaganda material involving women. At the same time, some women have been convicted in some States on the basis of family relationships with (alleged) Da'esh fighters, without further consideration as to whether their association with Da'esh was voluntary or coerced.<sup>40</sup>

In the prison context, women are often more deeply affected by a prison system designed for men, and this is even more true for female VEPs: the limited number of female VEPs often translates into poor specialized resources allocated for the management of this group. Gaps in terms of programmes specifically designed for women have been identified and gender stereotypes detected among prison and probation staff.<sup>41</sup> Women VEPs accused or convicted of terrorist offences may also be caregivers for children: although deprivation of liberty for pregnant women and women with children represents a measure of last resort,<sup>42</sup> there are cases in which children live in prison with their mothers and, in these circumstances, multiple aspects may need to be taken into account, from minimizing the risk of radicalization for children<sup>43</sup> to ensuring mother-child prison programmes.<sup>44</sup> In addition, in those contexts where violent extremist women prisoners represent a minority, separation or placement in high security wings may result in unintentional forms of isolation. Re-entry into the community might also be particularly challenging for female VEPs as they may be seen as carrying the double stigma of being a terrorist offender and a female offender.<sup>45</sup>

Although female VEPs account for a small percentage of broader VEP populations, better results can be achieved if adequate resources are mobilized and tailored approaches are put in place to address them. This includes the provision of specialized training on gender-sensitive approaches to investigations and prosecutions, such as, for example, search and interviewing techniques for relevant counter-terrorism practitioners, including law enforcement and prison and probation staff.<sup>46</sup> In the prison context, gender-sensitive management practices, including enhancing staff capacity to communicate in a less authoritarian manner and improved awareness of emotional dynamics and intersecting forms of discrimination on the basis of sex and ethnicity, race, nationality, sexual orientation, age or other minority status can contribute to an enhanced management of women VEPs.<sup>47</sup> In addition, tailored programmes that are made available to female VEPs can support successful reintegration into society and reduce the risk of recidivism. The recruitment of female staff to work with female VEPs also represents a good practice.<sup>48</sup>

<sup>47</sup> Ibid., p. 94.

<sup>&</sup>lt;sup>38</sup> CTED, "The prosecution of ISIL-affiliated women".

<sup>&</sup>lt;sup>39</sup> UNODC, *Handbook on Gender Dimensions of Criminal Justice Responses to Terrorism*, (Vienna, 2019), chap. 2; and General Assembly, United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), resolution 65/229.

<sup>&</sup>lt;sup>40</sup> CTED, "The prosecution of ISIL-affiliated women".

<sup>&</sup>lt;sup>41</sup> RAN, "Released violent extremist or terrorist offenders".

<sup>&</sup>lt;sup>42</sup> The Bangkok Rules, rule 64.

<sup>&</sup>lt;sup>43</sup> Penal Reform International, "Children and violent extremism: international standards and responses from criminal justice systems", Briefing Paper, March 2017.

<sup>&</sup>lt;sup>44</sup> RAN, *Rehabilitation Manual: Rehabilitation of Radicalised and Terrorist Offenders for First-line Practitioners* (Belgium, 2020). <sup>45</sup> RAN, "Released violent extremist or terrorist offenders".

<sup>&</sup>lt;sup>46</sup> UNODC, Handbook on Gender Dimensions of Criminal Justice Responses to Terrorism, pp. 74-75.

<sup>&</sup>lt;sup>48</sup> Further guidance on the specific characteristics and needs of women offenders and prisoners can be found in the Bangkok Rules, while legal and policy recommendations on some of the key gender issues arising in the criminal justice response to terrorism can be found in the UNODC *Handbook on Gender Dimensions of Criminal Justice Responses to Terrorism*.

## *Children recruited and exploited by terrorist and violent extremist groups*

Juveniles accused or convicted of terrorism-related acts represent a special group of prisoners, in need of tailored approaches and considerations. Although it is difficult to know the exact numbers of children recruited and exploited by terrorist and violent extremist groups, data show that the involvement of youth occurs in many regions, from Iraq and the Syrian Arab Republic to Kenya, Somalia, Nigeria, Mali, and the Philippines, with children also travelling from their States of residence to areas controlled by terrorist and violent extremist groups.<sup>49</sup>

Although juveniles can pose a threat, children engaged in terrorism and violent extremism conducive to terrorism may well be victims. Detention of children linked with terrorist groups should be only used as a measure of last resort and should last the shortest appropriate period of time, while alternatives to detention should be prioritized.<sup>50</sup> Boys and girls under 18 may be particularly vulnerable to mental, emotional, and physical abuse in the prison context. Consequently, housing juveniles, including those recruited and exploited by terrorist and violent extremist groups, with adult offenders can expose them to severe risks.

The journey towards rehabilitation and reintegration can be challenging for young VEPs: a thorough understanding of youth participation in violence and/or criminal behaviour is key to develop tailored interventions. The Convention on the Rights of the Child calls for measures to be based on the best interests of the child. In particular, health and psychosocial recovery and support, the development of educational and vocational opportunities, and return to family and community life represent the most important elements for juveniles' rehabilitation.<sup>51</sup> As for girls, their experiences within terrorist and violent extremist groups may have been notably different from those of boys, and tailored approaches can help to improve the management of this specific prison population.

## Enhancing capacities in the management of VEPs

Ensuring that prison staff who work with VEPs meet high standards of professional and personal conduct contributes to preventing discrimination, manipulation, intimidation, extortion, and human rights abuses. The best results can be achieved when staff deal with all prisoners, including difficult, dangerous, or manipulative ones, in a professional, humane, and just manner. Equal, humane, and just treatment is an important foundation upon which staff can build productive relationships that will facilitate dynamic security. Pressure on prison staff working with VEPs might also come from outside the prison settings, for example with officers exposed to threats or bribes to take revenge. The involvement of prison staff from ethnic, religious, and racial minorities can help to ensure a non-discriminatory attitude and a better understanding of different cultures. However, in certain circumstances the religious or ethnic affiliation of prison staff may also pose some additional challenges in the management of VEPs.

<sup>&</sup>lt;sup>49</sup> UNODC, Handbook on Children Recruited and Exploited by Terrorist and Violent Extremist Groups: The Role of the Justice *System* (Vienna, 2017), p. 1. <sup>50</sup> United Nations, <u>"Key principles for the protection, repatriation, prosecution, rehabilitation and reintegration of women and children</u>

with links to United Nations listed terrorist groups", April 2019. <sup>51</sup> UNODC, Handbook on Children Recruited and Exploited by Terrorist and Violent Extremist Groups, p. 106.

Training of prison staff, both upon appointment as well as throughout their career, is an important element of good management of VEPs. Multiple elements could be addressed, including strategies to recognize and address signs of radicalization to violence and sensitization towards the importance of disengagement and reintegration processes, while avoiding stigmatization and discrimination. Other key areas include analysis of intelligence and other information about VEPs; anti-manipulation training; dealing with individual or group violence in a way that protects staff while using minimum force; adhering to ethical and professional standards; interpersonal skills; intelligence gathering; stress management; religious diversity and respect for freedom of religion or belief; and sensitization and awareness courses focusing on language, behaviour, and cultural and religious issues related to specific groups. Ideally, all prison staff could be involved in training to limit the loss of specific competences in case of rotation and to strengthen the capacities to detect radicalization to violence among the general prison population. In addition to tailored training, appropriate levels of pay and working conditions together periodic rotation of staff represent valuable measures to minimize the risks of corruption and manipulation among prison staff.<sup>52</sup>

Despite the existence of some common features, different forms of violent extremism conducive to terrorism present different, context-specific characteristics. To achieve maximum impact, training of prison staff needs to be tailored to the local environment, promoting considerations on how international strategies and practices can function in all States. In particular, factors to be taken into consideration include the availability of resources for prisons, the number of VEPs within the prison system, the length of the history of dealing with violent extremism conducive to terrorism in the region, and whether VEPs are generally from minority or majority religious, ethnic, or social groups.

In some cases, such as in-conflict and post-conflict countries, resources are insufficient to provide formal training courses for prison staff. In such circumstances, regular briefing sessions on relevant topics can be provided by more experienced staff, and resources developed by relevant organizations and freely available online can be consulted.<sup>53</sup>

In addition to prison staff, capacity-building efforts could also be directed towards other actors, especially to promote inter-agency and multisectoral cooperation in preparation for re-entry into society. Collaboration between different agencies, such as prison, police, and statutory organizations offering post-release support, non-statutory groups and non-governmental organizations can help to minimize potential risks to the community and reduce the likelihood of re-engagement with violent extremism conducive to terrorism. The important potential role of religious actors both inside and outside the prison setting can be a crucial consideration in this respect.

<sup>&</sup>lt;sup>52</sup> UNODC, Handbook on the Management of High-Risk Prisoners, Criminal Justice Handbook Series (Vienna, 2016).

<sup>&</sup>lt;sup>53</sup> Relevant training material has been developed in the past years by the United Nations, including the <u>UNODC Criminal Justice</u> <u>Handbook Series</u> and the curricula available on the <u>UNODC global eLearning platform</u>. The Council of Europe <u>Handbook for Prison</u> <u>and Probation Services Regarding Radicalization and Violent Extremism</u> and <u>RAN publications</u> are also available to practitioners and policymakers.

#### Addressing all forms of violent extremism conducive to terrorism

Violent extremism conducive to terrorism can be inspired by a wide range of ideological motivations, and attacks can be committed on the basis of xenophobia, racism, and other forms of intolerance, or in the name of religion or belief (XRIRB).<sup>54</sup> Due to their prominence and lethality, much attention has been paid in recent years to the threats posed by Da'esh, Al-Qaida and their affiliates, including in the prison context.

However, an increase in other forms of violent extremism conducive to terrorism motivated by XRIRB,<sup>55,56</sup> has recently been documented, potentially leading to an increase in diverse ideologies in the future VEP population. Racial and xenophobic narratives, for example, have become more common in the online world, with social media and gaming platforms used for recruitment, as well as for online bullying, trolling, and hate crimes.<sup>57</sup> The impact of such forms of violent extremism conducive to terrorism, however, is not limited to the online realm: in the United States of America, for example, racially motivated attacks and plots reportedly have accounted for the majority of all terrorist incidents since 1994.<sup>58</sup> In addition, forms of XRIRB terrorism have been detected in other regions, including Europe, as reflected by the yearly reports by Europol.<sup>59</sup>

Despite the growing need to manage diverse types of violent extremism conducive to terrorism both outside and within the prison setting, in many States "the professional handling of extremist prisoners [only] came after the rise of the Islamic State".<sup>60</sup> This trend has gone hand in hand with many efforts focusing mainly (if not exclusively) on improving the management of VEPs allegedly affiliated with Da'esh or Al-Qaida. Risk assessment protocols both within and outside prison settings, for example, are generally applied to prisoners affiliated with Da'esh or Al-Qaida, with some tools, such as the "Islamic Radialization model 46 (IR-46)",61 developed only for Da'esh- or Al-Qaida-inspired ideology.<sup>62</sup> The number of prisoners allegedly affiliated with right- or left-wing violent extremism conducive to terrorism is limited, and only in a few cases has this population been incorporated into risk assessments. Consequently, there is a lack of evidence on whether current indicators included in risk assessment tools are suitable to diverse ideologies. Similarly, training and capacity-building for prison staff often focus on radicalization leading to terrorist violence inspired by Da'esh, Al-Qaida, and affiliated organizations. Finally, stereotyped thinking is sometimes present among correctional officers, with a tendency to equate terrorism with religious and ethnic affiliation and, consequently, possible stigmatization of some religious practices.<sup>63</sup>

<sup>&</sup>lt;sup>54</sup> UNODC, Manual on Prevention of and Responses to Terrorist Attacks on the Basis of Xenophobia, Racism and other Forms of Intolerance, or in the Name of Religion or Belief (Vienna, 2022)

<sup>&</sup>lt;sup>55</sup> CTED, "Member States concerned by the growing and increasingly transnational threat of extreme right-wing terrorism".

<sup>&</sup>lt;sup>56</sup> Europol, European Union Terrorism Situation and Trend Report 2021.

<sup>&</sup>lt;sup>57</sup> Nikki Sterkenburg, "Far-right extremism: a practical introduction", RAN Factbook, December 2019.

<sup>&</sup>lt;sup>58</sup> Seth G. Jones and Catrina Doxsee, <u>"The escalating terrorism problem in the United States"</u>, Center for Strategic and International Studies Briefs, 17 June 2020.

<sup>&</sup>lt;sup>59</sup> Europol, *European Union Terrorism Situation and Trend Report 2022*. The trend differed in 2021, with 11 out of 15 attacks related to so-called jihadism.

<sup>&</sup>lt;sup>60</sup> Behnam Said, "Extremist offender management in Germany", in *Extremist Offender Management in Europe: Country Reports* (London, International Centre for the Study of Radicalization, 2020), pp. 39-49.

<sup>&</sup>lt;sup>61</sup> IR-46 was developed in 2016 in the Netherlands to identify individuals in the community who may be at risk of committing a terrorist attack inspired by Da'esh or Al-Qaida. Similar frameworks applicable to other ideological strands are being developed.
<sup>62</sup> Risk Management Authority, "A review of risk management approaches relevant to terrorism and radicalization", 2021.

<sup>&</sup>lt;sup>63</sup> William J. Schultz, Sandra M. Bucerius, and Kevin D. Haggerty, "The floating signifier of 'radicalization': correctional officers' perceptions of prison radicalization", *Criminal Justice and Behavior*, vol. 48, issue 6, pp. 837-838.

In the design and implementation of capacity-building for prison staff, further efforts could be devoted to raise awareness of the threats posed by all forms of violent extremism conducive to terrorism and of the diverse ideological frameworks that could underpin radicalization to violence. Also, good practices developed for the management of VEPs should apply to all categories of violent extremist prisoners.

## Prevention of radicalization to violence

As UNODC has noted, while there is limited empirical evidence of significant levels of radicalization to violence in prisons, a number of factors and grievances (actual or perceived) unique to the prison context may render prisoners more susceptible to such radicalization.<sup>64</sup> The risks of radicalization to violence and recruitment are of particular concern for inmates in pretrial detention, because of their potential exposure to VEPs exploiting a (perceived) sense of injustice and frustration, combined with socioeconomic and psychological fragilities arising from being in detention.

A key challenge for States is therefore the question of prevention. Prison conditions play an important part in determining the level of susceptibility of prisoners to violence. With respect to management, it is also crucial to develop appropriate systems for becoming aware of individuals who may be especially adept at recruiting vulnerable inmates to their cause, as well as tailored mechanisms to detect signs of radicalization to violence. Well-trained prison staff are at the front line in preventing and detecting radicalization to violence. Prison staff are asked to understand the nature of the threat; be aware of the use of various narratives; appreciate that there is no typical violent extremist or recruit; get to know their prisoners; and raise concerns in case of troubling behavioural patterns.

A range of activities could be adopted by prison managers to prevent, detect, and disrupt radicalization to violence occurring in the prison context. Improved prison intelligence services, together with adequate risk assessment protocols, contribute to pursuing these objectives. At the national prison administration level, an intelligence group can help to monitor, share, analyse and collate information regarding prisoner radicalization to violence from all prisons within the jurisdiction. It is important to highlight that the human rights of all individuals should always be protected and promoted while preventing radicalization to violence.

## COVID-19 in prisons and its impact on VEPs

The COVID-19 pandemic has exacerbated existing challenges within prisons, including by aggravating the impact of overcrowding. Poor prison conditions are likely to increase the rate of spread of COVID-19 among inmates, many of whom may already suffer from poor health.<sup>65</sup>

<sup>&</sup>lt;sup>64</sup> UNODC, <u>"Key principles and recommendations for the management of violent extremist prisoners and the prevention of radicalization to violence in prisons</u>".

<sup>&</sup>lt;sup>65</sup> Julie Coleman, <u>"The impact of coronavirus on terrorism in the Sahel"</u>, ICCT, 16 April 2020.

COVID-19 has impacted VEPs by reducing the ability of disengagement experts to engage with them, especially in the first phases of the pandemic:<sup>66</sup> therapists, religious leaders, educators, and other key actors have largely been restricted from in-person engagement. Similarly, specialized trainings for prison staff have also been delayed or have had to change modalities, such as switching from in-person to online. While States with sufficient resources and technological infrastructure may have been able to contend with these changes, the majority of States have struggled in doing so. This has likely caused delays in the implementation of rehabilitation and reintegration policies for many VEPs.

More broadly, the management of the COVID-19 pandemic has imposed a reallocation of resources, negatively affecting the capacities of civil society organizations to conduct activities to prevent and counter violent extremism conducive to terrorism (P/CVE), including in prison settings and post-release contexts. Finally, COVID-19 has produced a significant economic impact and has exacerbated societal tensions, creating fertile ground for recruiting strategies to flourish both within and outside the prison settings.<sup>67</sup>

## Bridging the gap between prison and social reintegration

The overwhelming majority of VEPs will eventually be released, and the detention period represents a unique opportunity to focus on their rehabilitation and prepare for their reintegration into society.

In order to be effective, rehabilitation and reintegration initiatives must be anchored to empirical results. However, knowledge about VEPs is often limited, superficial, and anecdotal. Further efforts are needed to collect data to better understand how people become engaged in violent extremism conducive to terrorism, in order to address the root causes of the phenomenon. In addition, field research can help to identify realistic solutions within existing limitation in terms of infrastructure and lack of personnel. Rehabilitation and reintegration measures can take various forms, from general education to vocational training, as well as psychological counselling.

Rehabilitation and reintegration do not follow a one-size-fits-all approach; while taking account of national and international legal frameworks, initiatives should be tailored to local conditions and culture.<sup>68</sup> In particular, pre-release programmes could offer VEPs opportunities to learn new skills and coping mechanisms. In this regard, vocational training and capacity-building initiatives can mitigate the drivers that lay behind engagement in terrorism in the first place. Improving the possibility of employment after release will limit the risks of recidivism while enhancing security for society at large.

<sup>67</sup> RAN, <u>"COVID-19 and P/CVE"</u>, RAN Spotlight, November 2020.

<sup>&</sup>lt;sup>66</sup> CTED, "The impact of COVID-19 pandemic on terrorism, counter-terrorism and countering violent extremism", June 2021.

<sup>&</sup>lt;sup>68</sup> UNICRI, Strengthening Efforts to Prevent and Counter Violent Extremism: Good Practices and Lessons Learned for a Comprehensive Approach to Rehabilitation and Reintegration of VEOs, (Turin, 2018), p. 16.

The transition from prison to living in the community is a challenging period, and re-entry can be even more difficult for some categories of VEPs, such as women VEPs, as a result of double stigmatization. Incorporating non-discriminatory, gender- and age-sensitive perspectives can contribute to the development of more efficient reintegration interventions.<sup>69</sup> After assessment, many States bring diverse actors into the process, including family members, religious leaders, psychologists, and community-based organizations. Maintaining or re-establishing contact with their family during their time in custody, and in particular just prior to release, has been recognized as essential, as research suggests that family and friends can act to pull VEPs away from involvement in violent extremism conducive to terrorism.<sup>70</sup> Non-governmental organizations can also play an active role, in collaboration with probation services, where they exist.

A special category of VEPs consists of those awaiting trial. In general, pretrial populations re more transitory in nature. Consequently, planning rehabilitation and reintegration measures can be more difficult. In some countries, pretrial prison populations cannot participate in the same services and programmes offered to convicted prisoners because of legal or policy constraints.<sup>71</sup> Although pretrial prison populations already account for a significant percentage of overall prison populations, pretrial VEPs may represent an even larger group in some regions.<sup>72</sup> In addition, they may spend extended periods in detention awaiting trial, further fuelling frustrations and grievances that could expose them to a greater risk of radicalization. Pretrial detention, including for VEPs, should represent an exceptional measure rather than the norm, with alternatives fully considered, while at the same time ensuring an effective risk management strategy.<sup>73</sup>

#### CONCLUSION

The tailored approach that is recommended by experts for managing VEPs can be costly. It requires resources for training of personnel who engage directly with VEPs, to ensure they are equipped to respond to their specific needs and also are able to assess and address unique risks, such as the risks of manipulation and recruitment. Within the framework of the UNODC/UNOCT/CTED joint project "Supporting the management of violent extremist prisoners and the prevention of radicalization to violence in prisons", priorities in capacitybuilding for prison staff have been identified and training curricula have been implemented, including at the Prison Staff Training Centre on Preventing Violent Extremism in Prisons in Kazakhstan and the Ugandan Prison Academy and Training School, where modules on preventing and countering violent extremism conducive to terrorism have been integrated into the basic training curricula.

<sup>&</sup>lt;sup>69</sup> UNODC, Handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence in Prisons. <sup>70</sup> Ibid., p. 124.

<sup>&</sup>lt;sup>71</sup> UNODC, Handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence in Prisons,

p. 67. <sup>72</sup> On average, prisoners awaiting trial account for 30 per cent of the total prison population worldwide. See, for example, <u>Penal Reform</u> International. However, the ratio can be even greater in the case of VEPs, as terror offences, together with violent and organized criminality, are more likely to result in pretrial detention.

<sup>&</sup>lt;sup>73</sup> Joana Apóstolo and Ana Paula Lucatelli Grolli, "Pre-rights project: assessing impact and performance of preventive measures on EU directives and framework decisions", 28 February 2021.

Experiences gained by States in diverse geographical regions suggest that the following elements can contribute to enhanced management of VEPs: improving the capacity of staff; developing tailored protocols for the management of risks; and designing and implementing individualized rehabilitation and reintegration plans to support VEPs' successful re-entry into society and reduce the risks of recidivism. In addition, more systematic data collection could guide the creation of evidence-based and context-specific measures. The protection and promotion of human rights and the human dignity of prisoners should be ensured throughout the entire process, including through tailored approaches designed for women and juveniles. Although prison administrations are on the front lines in the management of VEPs, they can and should rely on the informed support provided by national experts, as well as by local, regional, and international organizations.

Supporting Member States in assessing and addressing the challenges posed by VEPs, and prisoners at risk of radicalization to violence during detention remains a priority for CTED. Efficient mechanisms and strategies for VEP management can help to mitigate risks in the long term by reducing the recidivism rate, as well as by encouraging former offenders to serve as allies in the fight against terrorism and violent extremism conducive to terrorism.

## FURTHER GUIDANCE AND INITIATIVES

There are several initiatives that can help to raise awareness and strengthen capacities for tailored, evidence-based, and informed VEP management.

#### International

The Security Council has adopted several resolutions with provisions relevant to this area:

- Resolution 1373 (2001) requires States to establish terrorist acts as serious criminal offences in domestic laws and regulations and to ensure that the punishment duly reflects the seriousness of such terrorist acts.
- Resolution 2178 (2014), in which the Council calls upon States to cooperate in efforts to address the threat posed by FTFs, including by implementing prosecution, rehabilitation, and reintegration strategies. In this resolution, the Council further encourages Member States to address the conditions conducive to the spread of violent extremism, which can be conducive to terrorism, and to adopt tailored approaches to countering recruitment to this kind of violent extremism and promoting social inclusion and cohesion.
- Resolution 2396 (2017), in which the Council acknowledges that "prisons can serve as potential incubators for radicalization to terrorism and terrorist recruitment, and that proper assessment and monitoring of imprisoned foreign terrorist fighters is critical to mitigate opportunities for terrorists to attract new recruits". It encourages States "to take all appropriate actions to prevent inmates who have been convicted of terrorism-related offences from radicalizing other prisoners to violence, with whom they may come into contact, in compliance with domestic and international law".
- Resolution 2482 (2019), in which the Council encourages Member States "to take all appropriate actions to maintain a safe and humane environment in prisons, develop tools that can help address radicalization to violence and terrorist recruitment, [...] and explore ways to prevent, within their prison systems, radicalization to violence, and to

promote rehabilitation and reintegration of convicted terrorists, as well as to impede cooperation and transfer of skills and knowledge between terrorists and other criminals, while respecting international human rights law".

Other United Nations entities and bodies have also developed projects and guidelines relevant to this area:

- In 2018, UNODC, UNOCT, and CTED launched the joint initiative "Supporting the management of violent extremist prisoners (VEPs) and the prevention of radicalization to violence in prison". Further information can be found <u>here</u>. The <u>Global Programme</u> <u>on Prosecution, Rehabilitation and Reintegration (PRR)</u> supports the counter-terrorism efforts of Member States by providing guidance, coordination and capacity-building in PRR for terrorism suspects, including returning FTFs and their families.
- The UNODC <u>Handbook on the Management of Violent Extremist Prisoners and the</u> <u>Prevention of Radicalization to Violence in Prison</u> constitutes the first technical United Nations guidance tool to address the manifestation of radicalization to violence and violent extremism conducive to terrorism in prison settings. The UNODC summary of key principles and recommendations of the Handbook contains the main elements that need to be taken into consideration in the management of VEPs and the prevention of radicalization to violence in prison.
- The UNODC <u>Handbook on the Management of High-Risk Prisoners</u> contains information on the challenges that are often very similar to those encountered in the management of VEPs.
- The UNODC <u>Handbook on Dynamic Security and Prison Intelligence</u> focuses on the issue of prison security and, in particular, the contribution made in this regard by dynamic security.
- The UNODC <u>Handbook on the Classification of Prisoners</u> provides information and guidelines to assist national prison or corrections administrations with the development of policies and protocols for the implementation and operation of an effective system of prisoner classification that meets international standards and is based on accepted research evidence.
- The UNODC <u>Handbook on Gender Dimensions of Criminal Justice Responses to</u> <u>Terrorism</u> provides legal and policy recommendations, based on international standards and promising practices of international, regional, and selected national bodies, to assist in addressing some of the key gender issues arising in the criminal justice response to terrorism.
- The CTED Analytical Brief <u>"The prosecution of ISIL-associated women</u>" traces the evolution of prosecutorial practice with regard to women who have returned from the conflict zone to their countries of origin.
- The CTED Analytical Brief <u>"The repatriation of ISIL-affiliated women</u>" contains information on key trends with regard to the repatriation of women, the related gender-specific challenges encountered by Member States, and the available guidance on gender-sensitive responses.
- The Global Counterterrorism Forum's <u>Rome Memorandum on Good Practices for</u> <u>Rehabilitation and Reintegration of Violent Extremist Offenders</u> constitutes the first international "soft law" instrument to address the threat of terrorism radicalization and recruitment in prison settings. Its guiding principles serve as a sound foundation for policies on prison issues worldwide, particularly with respect to the rehabilitation of violent extremists.

# Regional

- <u>RAN Policy Support</u> was launched in January 2021 by the European Commission as a new strand of the Radicalization Awareness Network to support the Commission to facilitate exchanges among policymakers across the European Union.
- The RAN Network (<u>RAN Practitioners</u>) connects front-line practitioners from across Europe with one another, to exchange knowledge, first-hand experiences, and approaches to preventing and countering violent extremism in all its forms.
- The <u>RAN Prisons Working Group</u> brings together practitioners from the prison sector, including prison staff, governors, psychiatrists, chaplains, and more, to support these practitioners who have a role in preventing radicalization. The group exchanges ideas, best practices, contacts, and insights to formulate recommendations for policymaking. The <u>RAN Rehabilitation Working Group</u> aims to bring together practitioners under a rehabilitation road map.
- ICSR's <u>Prisons and Terrorism: Extremist Offender Management in 10 European</u> <u>Countries</u> contains a wide-ranging analysis of the role prisons can play in promoting as well as in stopping violent radicalization.
- Between 2016 and 2021, UNICRI and ICCT developed and implemented various activities in Mali, in close collaboration with the national prison administration, to improve the management of VEPs and prevent violent radicalization at community-level.