

Children of the Caliphate

Young IS Returnees and the Reintegration Challenge

This research paper focuses on young or juvenile Islamic State (IS) returnees, assessing what sets juvenile returnees apart from adult returnees or the broader population of young criminals, and scoping the potential venues and challenges in their rehabilitation and reintegration. The authors conclude that rehabilitation and reintegration efforts for juvenile violent extremist offenders (including those returning from IS-territory) need to be based on two underlying assumptions: the importance of age and attitudes. Young children (zero to nine years old) who are born in IS-territory or brought by their parents at a very young age, should first and foremost be viewed as victims. For older children, other factors such as indoctrination, training and potential involvement in violent activities are more likely to play a role, demanding an approach that goes beyond the victim-perspective. Professionals need to determine to what extent these children have been socialised into IS-culture and whether they cope with their experiences more internally or externally. To direct rehabilitative efforts for them, it is even more essential to assess their attitude towards violence and to what extent they have accepted IS' norms and behaviors, compared to adult terrorist returnees. In the end, the authors conclude that it is not necessary to reinvent the wheel, especially where numbers of terrorism convicts in general, and juveniles in particular are low. But rehabilitation is considered to work best when tailored to individual needs, and policymakers need to take into account the very distinctive needs of juvenile offenders as a separate class of offenders while respecting all relevant international law and human rights standards in the fight against terrorism.

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About ICCT

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Introduction

In recent years, the world has been repeatedly shocked by the gruesome images and actions of the so-called “Islamic State” (IS), in particular the footage and stories of children as young as eight executing people. Children play an important role in the organisation: the children of the caliphate are seen as ‘the future of IS’, and therefore education and propaganda are an important form of indoctrination.¹ IS uses minors for suicide attacks, executions and fighting. Research has shown that IS propaganda between 2015-2016 included 89 eulogies of children and youths – a number that steadily increased on a monthly basis, showing that IS has gradually opted for this tactic.² The role of minors and their future causes international concern for a broad range of reasons: growing up and potentially fighting in armed conflict will traumatise a large number of these children.³ Also, what will happen with these children if the Caliphate collapses? Human Rights Watch expressed concerns about the birth registrations that will most likely not be recognised by the international community – potentially leaving children stateless.⁴

This article focuses on young or juvenile IS returnees, assessing what sets juvenile returnees apart from adult returnees or the broader population of young criminals; providing insights from scientific studies that are relevant to this topic; and scoping the potential venues and challenges in their rehabilitation and reintegration.⁵ When its so-called Caliphate was declared, IS called on individuals to travel to the territory under its control together with their families, including children – over the years, thousands of people (attempted to) travel to IS-territory.⁶ Additionally, research shows that these so-called Foreign Terrorist Fighters (FTFs) have become younger over time.⁷ The United Nations (UN)⁸ and the European Union (EU)⁹ have expressed their concern about FTFs, and recently this concern increasingly focused on returning FTFs and the risks they might pose. Not only are these returnees possibly sent home with an assignment to commit an attack or recruit people, but a number of returnees have committed serious crimes abroad or incurred trauma’s during their stay in the conflict.¹⁰

The Dutch General Intelligence and Security Service (AIVD) and National Coordinator for Security and Counterterrorism (NCTV) published a report in April 2017 discussing the role of minors within IS.¹¹ The publication does not focus solely on what to do with young returnees, but largely on what life in the Caliphate looks like for minors, underlining the importance of these experiences when determining the needs of returning children. As a number of these children will be convicted for offences committed abroad, it is important to consider

¹ Pamela Engel, “Sometimes the gun is taller than the kid’: How ISIS uses schools to indoctrinate children,” *Business Insider UK* March 12, 2016, <http://uk.businessinsider.com/how-isis-recruits-and-indoctrinates-children-2015-12?r=US&IR=T>.

² Mia Bloom, John Horgan, and Charlie Winter, “Depictions of Children and Youth in the Islamic State’s Martyrdom Propaganda,” *CTC Sentinel* 9 (2015-2016): p. 2.

³ “Child returnees from conflict zones,” *Radicalisation Awareness Network (RAN)*, RAN Issue Paper (2016), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/radicalisation_awareness_network/ran-papers/docs/issue_paper_child_returnees_from_conflict_zones_112016_en.pdf.

⁴ Nadim Houry, “Children of the Caliphate: What to Do About Kids Born Under ISIS,” *Human Rights Watch* (2016), <https://www.hrw.org/news/2016/11/23/children-caliphate>.

⁵ In this article, the terms child, youth, and juvenile refer to those above the national age of criminal responsibility (differs per country but ranges from 8-15 years) who, by law, are distinguished from adult offenders in the criminal justice system on account of their age.

⁶ Bibi van Ginkel and Eva Entenmann (Eds.), “The Foreign Fighters Phenomenon in the European Union: Profiles, Threats & Policies,” *The International Centre for Counter-Terrorism – The Hague* 7, no. 2 (2016). DOI: 10.19165/2016.1.02.

⁷ “Foreign Fighters: An updated assessment of the Flow of Foreign Fighters into Syria and Iraq,” *The Soufan Group*, (2015): 13.

⁸ “Resolution 2174 (2014),” *UN Security Council*, S/RES/2178 (2014): para. 4, http://www.un.org/en/sc/ctc/docs/2015/SCR%202178_2014_EN.pdf.

⁹ Council of the European Union, “Member States’ approaches to dealing with accompanying family members of Foreign Terrorist Fighter Returnees, in particular children: Results of the questionnaire and follow-up,” *Council of the European Union*, 6900/17, (2017), <http://statewatch.org/news/2017/mar/eu-ctc-report-foreign-fighters-children-6900-17.pdf>.

¹⁰ For example, AIVD, “Terugkeerders in beeld”, AIVD: The Hague (2017).

¹¹ AIVD and NCTV, “Minderjarigen bij ISIS,” AIVD and NCTV: The Hague (2017), <https://www.aivd.nl/publicaties/publicaties/2017/04/06/minderjarigen-bij-isis-van-nctv-en-aivd>.

rehabilitation and reintegration efforts, in order to mitigate risks and minimise the chance of recidivism.

Before looking more closely at approaches to rehabilitate and reintegrate those juvenile IS returnees that committed (violent extremist) criminal offenses, it is important to get an understanding of the scope of the issue. Establishing the number of children living in the Caliphate is difficult: information coming from within IS territory cannot be verified. It is even more difficult to verify the numbers of children born in Syria or Iraq.¹² The AIVD/NCTV report and the EU both acknowledge the ‘mixed’ nature of these children.¹³ The EU distinguishes four types of children: 1) minor refugees; 2) young FTFs;¹⁴ 3) children born and raised by European FTFs in Syria/Iraq; and 4) children remaining in the EU, whilst parents/siblings have travelled to Syria and/or Iraq.¹⁵ The Dutch security services claim that there are at least 80 children with a ‘Dutch link’ in Syria and/or Iraq: half of them travelled with their parents, the other half were was born there. 50% are therefore three years or younger, 30% are between four and eight, and less than 20% are nine years or older.¹⁶

But what risk do these children actually pose? And how can an effective approach be formulated and determined to include reintegration efforts? Firstly, it is important to briefly note that age matters: naturally, there is difference in the security threat posed by a 3-year-old child or a 15-year-old juvenile. To illustrate this, children of the Caliphate are perceived by IS as ‘cubs’ growing into ‘lions’: once they hit puberty, they can join the armed conflict (anywhere between the ages of 9-15).¹⁷ Secondly, as a Note by the EU Counter-Terrorism Coordinator (CTC) states, minors can be both a threat and a victim – with regards to children in armed conflict, posing a threat does not exclude being a victim.¹⁸ This requires a multiagency reintegration approach for these juvenile returnees including law enforcement and security agencies as well as child protection services and other social service providers. Therefore, in practice, that means a focus on both welfare and security.¹⁹ The AIVD/NCTV report also argues that these minors are first and foremost victims of IS, due to the stress and trauma inflicted by the violence experienced. The report emphasises that this does not mean there should be no attention for the threat these minors potentially pose to Dutch society nor for the crimes they potentially committed abroad.²⁰

The combination of the paramilitary training these children might have received, the potential crimes they may have committed, the sheer volume of propaganda and indoctrination they were subjected to, and the potential traumas they might have suffered, means that the potential threat posed by these children cannot be ignored or underestimated. They are potential perpetrators of violent crimes, which warrants an approach that goes beyond the view of victimised individuals. Any attempt to rehabilitate and reintegrate these youths should therefore be based within a clear security/law enforcement framework. As governments are shaping responses to returning FTFs, and the juvenile/youth aspect has shown to become increasingly relevant, it is important to understand *if* and *how* juvenile violent extremist offenders (JVEOs) are different from either regular juvenile criminal offenders or from adult violent extremist offenders.

In this article, we will look at the challenges regarding this specific group of FTF returnees. In part one we ask ourselves: What sets juveniles apart from either adult terrorists or from their

¹² RAN, “Child returnees from conflict zones.”

¹³ Council of the European Union, “Member States approaches to dealing with accompanying family members of Foreign Terrorist Fighter Returnees,” p. 3, 6.

¹⁴ This Note by the Council of the European Union was based upon a questionnaire focusing mainly on children under the age of criminal responsibility, see, Council of the European Union, “Member States approaches to dealing with accompanying family members of Foreign Terrorist Fighter Returnees.”

¹⁵ Ibid, 3.

¹⁶ AIVD, “Minderjarigen bij ISIS,” 6. ‘Dutch link’ refers to one or two parents with Dutch nationality or parents that lived in the Netherlands for a long period of time.

¹⁷ AIVD, “Minderjarigen bij ISIS,” 5.

¹⁸ Council of the European Union, “Member States approaches to dealing with accompanying family members of Foreign Terrorist Fighter Returnees, in particular children,” (2017).

¹⁹ Ibid.

²⁰ AIVD, “Minderjarigen bij ISIS,” 16-17.

'regular' criminal counterparts? In the second part, we zoom in on the question of what do current rehabilitation programmes for terrorists worldwide look like? An understanding of rehabilitation programmes will feed into a discussion of what rehabilitation for juveniles could potentially look like. The following question is what do countries do differently for FTFs as opposed to 'regular' terrorist reintegration and rehabilitation programmes? And, what do countries currently do regarding young children and adolescents who have engaged in (extremist) violence? Finally, we aim to address what the implications of these programmes and the differences between offender types mean for the approach towards returning children of the caliphate and young violent extremist offenders in general.²¹ A number of initial recommendations will be presented based on the analysis, aiming at contributing to a comprehensive approach in dealing with JVEOs.

What Do We Know about Youth Engagement in (Terrorist) Violence?

The main question in determining how to treat juvenile VEOs is *if* and *how* they are different from either 'regular' juvenile criminal offenders or from adult violent extremist offenders. Unfortunately, there is a lack of rigorous research and reliable statistics on juvenile violent extremist offenders or young people who engage in terrorism.²² This could be due to the general difficulties in the field, such as the fact that the population of terrorists is already small in many countries.²³ However, we do know more about youths in conflict zones as many studies have been carried out analysing the recruitment of children to armed groups, the role of child soldiers and the effects of indoctrination within Disarmament, Demobilization and Reintegration (DDR) studies.²⁴

For example, juveniles from conflict zones are, as discussed earlier, not just perceived as perpetrators, but also as victims – meaning that intervention is most likely needed for the trauma these children have experienced.²⁵ When it comes to the issue of the involvement of youths in terrorism, there is a range of theories as to why they are particularly vulnerable to extremist narratives. These include neurological aspects such as the identity formation process and youths' vulnerability during this process, the social context of juveniles, including the impact of families on their receptiveness to extremist narratives or the lack of family ties, as well as the social milieu influencing juveniles. The latter is particularly relevant to the situation of young children and teens who have returned from conflict areas such as Syria and Iraq, where the social environment has provided such a strong and closed-off specific group culture where they are essentially socialised into terrorism. Through being subjected to IS' indoctrination, which is specifically intended to turn them into child soldiers, such children require specific care.²⁶

²¹ A note on terminology: in this article, we follow the definition of violent extremism as proposed by Schmid (2013, 10), namely people who are 'positively in favour of the use of force to obtain and maintain political power'. Terrorism is defined as 'a conspiratorial practice of calculated, demonstrative, direct violent action without legal or moral restraints, targeting mainly civilians and non-combatants, performed for its propagandistic and psychological effects on various audiences and conflict parties' (Schmid, 2011, 86-87). Foreign Terrorist Fighters is defined as 'an agent who (i) has joined, and operates within the confines of an insurgency, (2) lacks citizenship of the conflict state or kinship links to its warring factions, (3) lacks affiliation to an official military organisation; and (4) is unpaid' (Hegghammer, 2010/2011: 56-57).

²² RAN, "Child returnees from conflict zones."

²³ Bart Schuurman and Quirine Eijkman, "Moving Terrorism Research Forward: The Crucial Role of Primary Sources," *ICCT* (2013), <https://www.icct.nl/download/file/Schuurman-and-Eijkman-Moving-Terrorism-Research-Forward-June-2013.pdf>

²⁴ Human Rights Watch, "'We Can Die Too' Recruitment and Use of Child Soldiers in South Sudan," (2015), <https://www.hrw.org/report/2015/12/14/we-can-die-too/recruitment-and-use-child-soldiers-south-sudan>; Theresa Stichick Betancourt and Kashif Tanveer Khan, "The mental health of children affected by armed conflict: Protective processes and pathways to resilience," *International Review of Psychiatry* 20, no. 3 (2008).

²⁵ RAN, "Child returnees from conflict zones."

²⁶ John Horgan, et al., "From Cubs to Lions: A Six Stage Model of Child Socialization into the Islamic State," *Studies in Conflict & Terrorism* (2016), 1-20. <http://dx.doi.org/10.1080/1057610X.2016.1221252>.

At the same time, this is not new, as many youths in conflict areas have been socialised into violent extremist networks, although these are not always necessarily terrorist networks. Examples include juvenile offenders that have been members of the Lord's Resistance Army in Uganda, youths that have been recruited and trained by Boko Haram in Nigeria and young adults that have joined ranks with violent groups such as gangs in the United States.²⁷ Children in particular may commit crimes because of their lack of maturity, susceptibility to peer and adult influence, and social circumstances, all of which are likely to be amenable to change as they mature.²⁸ Also, JVEOs have shown to participate in or attempt to engage in extremist violence for motivations ranging from indoctrination and coercion to criminal opportunism, or religious and political convictions.²⁹

All in all, research into youth engagement in violent and armed conflict combined with insights from youth psychology demonstrate the importance of youth psychological vulnerability to indoctrination and socialisation into terrorist groups. Thus, age and identity formation are a central aspect of relevance when tailoring rehabilitation and reintegration to young VEOs.

Young Terrorists vs Adult Terrorists

As with adult VEOs, the importance of risk assessment and an individual approach are of vital importance to the rehabilitation and reintegration of JVEOs as well. As a result, in regular juvenile detention centers or facilities, a distinction is commonly made between males and females, violent and nonviolent offenders and classification is often made based on a differentiation of levels of temperament and maturity, as well as social and psychological needs.³⁰ First of all, the age of the individual can give an indication of the life and role of the individual whilst in the so-called Caliphate. As discussed before, it is assumed that children join the armed conflict when puberty begins.³¹ This means that young children are likely to have had a different experience, although it may still be a violent experience, from teenagers. Compared to adult terrorist offenders, juveniles are especially vulnerable to mental, emotional, and physical abuse in the prison context, whether perpetrated by prison staff or incarcerated adults.³² These differences in the experiences children may have had in the territory under IS control, sets them apart from adults.

Any attempt to design specific interventions for this group needs to be grounded in a thorough understanding of youth participation in violence and/or criminal behavior. A study focusing on the characteristics of life trajectories of early onset and adult onset offenders, carried out by Zara and Farrington, found that children and adolescents who – at a young age – struggle with problems of internalisation³³ do not only run a greater risk of engaging in a criminal (potentially violent) career as adults, they also face the prospect of 'a level of life failure as serious as that of early onset offenders'.³⁴ As a consequence, the authors conclude that interventions aimed to prevent this risk from materialising should start as early as possible. They point at the essential

²⁷ Michelle Arciaga Young and Victor Gonzalez, "Getting Out of Gangs, Staying Out of Gangs: Gang intervention and Desistance Strategies," *National Gang Center Bulletin* (2013), <https://www.nationalgangcenter.gov/Content/Documents/Getting-Out-Staying-Out.pdf>.

²⁸ Kelly Richards, "What makes juvenile offenders different from adult offenders?," *Australian Institute of Criminology, Canberra* (2011), <http://trove.nla.gov.au/version/51592911>.

²⁹ Global Center and ICCT, "Rehabilitating Juvenile Violent Extremist Offenders in Detention. Advancing a Juvenile Justice Approach," *Policy Brief* (2016), https://icct.nl/wp-content/uploads/2016/12/16Dec6_JVEO_Policy-Brief_FINAL.pdf

³⁰ For example, in the Netherlands, see <https://www.dji.nl/justitiabelen/jongeren-in-detentie/straffen-en-maatregelen/index.aspx>; in the United Kingdom, see <https://www.gov.uk/young-people-in-custody/what-custody-is-like-for-young-people>.

³¹ AIVD, "Minderjarigen bij ISIS," 5.

³² Michael Garcia Bochenek, "Children Behind Bars: The Global Overuse of Detention of Children," *Human Rights Watch* (2016), <https://www.hrw.org/world-report/2016/children-behind-bars>.

³³ Internalising behaviors refer to a wide range of behaviors in which children and adolescents direct feelings and emotional responses inward. This is perceived as the opposite of externalising behavior, which refers to expressing feelings and emotions into behaviors that are directed outward into delinquent or aggressive behavior. See Rolf Loeber, Magda Stouthamer-Loeber & Helene Raskin White, "Developmental Aspects of Delinquency and Internalizing Problems and Their Association With Persistent Juvenile Substance Use Between Ages 7 and 18," *Journal of Clinical Child Psychology* 28, no. 3 (1999), 322-332.

³⁴ Zara and Farrington, 245.

role of personal support from parents and family members, which is deemed ‘a crucial aspect of ameliorating individual development and facilitating pro-social adjustment’.

However, one of the main characteristics of the so-called Caliphate - the specific, controlled, state-like environment provided by IS – is that the role of the social environment of the individual offenders as a positive, protective factor, does not apply here. Where family and friends are often seen as a possible protective factor against radicalisation, or as having a positive influence on deradicalisation and disengagement, this is less so the case in IS-territory as IS members are often desensitised from events in their personal environment, such as friends and families. This is again even more pressing when it comes to youngsters as they are more susceptible to those types of influences compared to adults.³⁵

Another study by Zhang, Loeber and Stouthamer-Loeber analysed the relationship between delinquency on the one hand and attitudes and behavior on the other from a developmental perspective. Their main conclusion points to the importance of children’s attitudes towards the use of violence and violent behaviour.³⁶ According to their analysis, youths who have a tolerant attitude toward violence are more likely to be deviant (in other words: likely to engage in criminal (potentially violent) behaviour) than their counterparts who had actually engaged in violence. This is particularly relevant for the issue of young returnees for two reasons. First, in light of their socialisation into the caliphate of IS, it is much more likely that their attitudes are in fact more tolerant or even positive towards the use of violence which, if true, would provide a strong indicator for vulnerability to later (potentially violent extremist) offending. Second, from a more pragmatic perspective, it is often difficult to determine behaviour in hindsight, which provides all the more reason to focus on attitudes when young children and adolescents return from Syria/Iraq.

All in all, despite the lack of specific studies into characteristics and treatment of juvenile violent extremist offenders, the literature on juvenile delinquency in general and research into children engaged in violent groups, gangs and the role of youths in war and conflict zones specifically, do provide us with relevant insights for the question of how to deal with JVEOs. The main conclusions are first of all that juvenile offenders should be viewed as both victims as well as potential perpetrators. Second, that the process of identity formation makes juveniles more susceptible to indoctrination from violent (extremist) groups but that susceptibility can at the same time provide a starting point for treatment as well. Third, that the role of the social environment plays a bigger role compared to adult offenders and that in the case of IS – this provides a particular challenge as their social environment often does not provide a protective or positive influence. Fourth and finally, treatment should address the level of internalising behaviours and assess the attitude of youths towards violence – as these two factors have shown to be strongly connected to increased vulnerabilities for later criminal (potentially violent) careers.

Rehabilitating and Reintegrating Violent Extremist Offenders: Current Approaches

The next question to be addressed is what countries currently do in their approach to reintegrating and rehabilitating terrorist offenders? In the next paragraphs, we will take stock of the current approaches as well as ask what has been developed specifically for returning FTF. In the past decade, numerous rehabilitation and reintegration programmes for violent extremists have been developed. For example, comprehensive programmes have been established in in Europe (Sweden, Denmark, United Kingdom, Germany), Southeast Asia (Singapore, Indonesia), and the Middle East (Saudi Arabia, Yemen, Egypt). Each of these countries have developed their

³⁵ Liesbeth van der Heide and Robbert Huurman, “Suburban Bliss or Disillusionment - Why Do Terrorists Quit?,” *Journal for Deradicalization*, no. 8, (2016): 18, <http://journals.sfu.ca/jd/index.php/jd/article/view/64/59>.

³⁶ Qianwu Zhang, Rolf Loeber, and Magda Stouthamer-Loeber, “Developmental trends of delinquent attitudes and behaviors: replications and synthesis across domains, time, and samples,” *Journal of Quantitative Criminology* 13, Issue 2 (1997), 181–215, doi: 10.1007/BF02221307.

own approach to promote desistance from terrorism of violent extremism. The desistance process has been labelled differently as well, for instance, what is called rehabilitation in some countries could be labelled as reformation, re-socialisation, de-radicalisation, disengagement, reintegration, diversion or re-insertion in other countries. For the purposes of providing the most comprehensive overview possible, we will from here onwards use the term rehabilitation and reintegration programmes.

Rehabilitation is defined here as ‘a purposeful, planned intervention, which aims to change characteristics of the offender (attitudes, cognitive skills and processes, personality or mental health, and social, educational or vocational skills) that are believed to be the cause of the individual’s criminal behaviour, with the intention to reduce the chance that the individual will re-offend’.³⁷ Reintegration is defined as ‘a safe transition to the community, by which the individual proceeds to live a law-abiding life following his or her release and acquires attitudes and behaviours that generally lead to a productive functioning in society.’³⁸

An initial analysis of rehabilitation and reintegration programmes leads to the conclusion that, while many countries have implemented rehabilitation programmes, they vary widely as to 1) the target audience of the programmes (e.g. right wing extremist, religious extremism, all forms of extremism); 2) in what phase or setting the programmes are implemented (e.g. pre-prison, in-prison, post-prison); 3) on what basis individuals participate in the programme (voluntarily or mandatory); 4) who is responsible for the implementation of the programme; and 5) what components make up the program (e.g. psychological counselling, education, religious counselling).

The majority of rehabilitation and reintegration programmes focus on a broad category of terrorist (or violent extremist) offenders, thus including a focus on foreign terrorist fighters. Where some countries, such as Algeria, solely target those extremists who have committed an offense,³⁹ other programmes have a broader focus and aim not only to counter already radicalised individuals but also to prevent radicalisation either in society at large or for specific groups within society that have been deemed vulnerable to radicalisation. The Canadian city of Montreal initiated a prevention- oriented programme, implemented by the Centre for the Prevention of Radicalization Leading to Violence with the aim to "stop the spreading of extremism, identify individuals that are in a process of radicalization toward violence and contribute to their disengagement".⁴⁰ The programme addresses issues of de-radicalisation and rehabilitation while at the same time being more preventative in nature.

Another element that differs per country, is the phase in which violent extremists are targeted. Most programmes focus on the prison context, but the programmes that are more preventative in nature either focus on vulnerable individuals that have not yet committed a crime (pre-prison) or have an all-encompassing approach including both pre- and post-prison individuals. The reason that most programmes focus on the prison context seems to be that the prison setting provides a delineated, controlled environment within a clear criminal justice framework.⁴¹

The components of which most programmes consist range from religious interventions to sports activities and job skills training. The component that features most frequently is the mandatory participation of detained or suspected violent extremist offenders in religious discussion or religious lessons provided by the state or state-sanctioned religious leaders.⁴² The implementation of these religious interventions is based on the premise that most violent

³⁷ Tinka Veldhuis, “Designing Rehabilitation and Reintegration Programmes for Violent Extremist Offenders: A Realist Approach,” *The International Centre for Counter-Terrorism – The Hague* 3, no. 2 (2012), 2.

³⁸ Ibid.

³⁹ Omar Ashour, *The De-Radicalization of Jihadists: Transforming armed Islamist movements*, New York/London: Routledge (2009).

⁴⁰ Maxime Bérubé, “Implementing Montreal’s Centre for the prevention of radicalization leading to violence: Insights from the 2015 TSAS Summer Academy”, *TSAS* (2015), http://tsas.ca/wp-content/uploads/2015/10/Berube_CPRLV1.pdf.

⁴¹ Global Counterterrorism Forum, “Rome Memorandum on Good Practices for Rehabilitation and Reintegration of Violent Extremist Offenders,” 2012.

⁴² Liesbeth van der Heide, Daan Weggemans and Bart Schuurman (forthcoming), “Deradicalisering, uittreding en re-integratie,” in: Muller, E.R., et al. (eds.) *Terrorisme*, Deventer: Kluwer.

extremists have an ‘incorrect’ interpretation of religious theology and/or have been misled by leaders in terrorist networks into believing violence is necessary to uphold their religion. As a result, sessions are often aimed at discrediting the ideological justification for extremism and stimulating violent extremists to distance themselves from extremism. This approach is, for example, used in Yemen,⁴³ Singapore⁴⁴ and Indonesia.⁴⁵

Rehabilitation programmes also include components focusing on psychological interventions, such as anger management or cognitive behavioural therapy.⁴⁶ Education also plays a big role in the programmes, ranging from high school to university diplomas to specific certificates for individual courses. Related to this is the vocational program element that focuses on job skills training, for example mechanical skills, tailoring or agriculture. A final component of rehabilitation programmes are recreational activities such as participation in sports, theatre, arts and music.⁴⁷

Poverty is often perceived as fertile ground for violent extremism,⁴⁸ therefore, many countries include financial support as a program element in rehabilitative efforts. Specifically, a number of countries incorporate some form of stipends for the violent extremist offender (i.e. Indonesia⁴⁹) or provide loans or financial support to the detainees’ family (i.e. Saudi Arabia and the Philippines⁵⁰). Financial aid that is given to the individual as part of rehabilitation programmes is in place to reduce the incentive of re-joining terrorist networks upon release from prison. On the other hand, financial aid that is provided to the families of convicted radicals is intended to prevent family members from becoming financially dependent on terrorist networks or resorting to mass violence to express their frustration with their financial circumstances. In the Indonesian programme, for example, the costs of family members who travel to prison in order to visit the inmate are reimbursed.⁵¹

Finally, many rehabilitation and reintegration programmes include families and community networks in programmes. Aside from focusing on the individual violent extremist offender in de-radicalisation and disengagement programmes, governments often prepare communities to be more receptive to returning detainees and ex-terrorists.⁵² The idea is to engage communities in the process of reintegrating ex-terrorists and improving social cohesion. An example is the Colombian programme that focuses on the resettlement of families to remove them from the extremist environment.⁵³

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⁴³ Council of Foreign Relations, “Countering Terrorism: An Institution-Building Approach for Yemen,” *Policy Innovation Memorandum* 2014, No. 41.

⁴⁴ *Religious Rehabilitation Group*, “About Us,” (2016), <http://www.rrg.sg/>.

⁴⁵ John Horgan and Kurt Braddock, “Rehabilitating the Terrorists?: Challenges in Assessing the Effectiveness of De-radicalization Programmes,” *Terrorism and Political Violence* 22, no. 2 (2010): 267-291, www.start.umd.edu/start/publications/Derad.pdf.

⁴⁶ Samuel J. Mullins, “Rehabilitation of Islamist terrorists: lessons from criminology,” *Dynamics of Asymmetric Conflict* 3, no. 3 (2010): 162-193, <http://dx.doi.org/10.1080/17467586.2010.528438>.

⁴⁷ Christopher Boucek, “Saudi Arabia’s ‘Soft’ Counterterrorism Strategy: Prevention, Rehabilitation, and Aftercare,” *Carnegie Endowment* (2008): 18.

⁴⁸ David Stermann, “Don’t Dismiss Poverty’s Role in Terrorism Yet,” *Time Magazine* (2015) <http://time.com/3694305/poverty-terrorism/>.

⁴⁹ Peter R. Neumann, “Prisons and Terrorism Radicalization and De-radicalization in 15 Countries,” *International Centre for the Study of Radicalisation and Political Violence* (2010): 53, <http://icsr.info/wp-content/uploads/2012/10/1277699166PrisonsandTerrorismRadicalisationandDeradicalisationin15Countries.pdf>.

⁵⁰ *Ibid.*

⁵¹ Susan Sim and Noor Huda Ismail, “Predicting Terrorist Recidivism in Indonesia’s Prisons,” *Brookings Institute* (2016), <https://www.brookings.edu/opinions/predicting-terrorist-recidivism-in-indonesias-prisons/>.

⁵² Boucek, “Saudi Arabia’s ‘Soft’ Counterterrorism Strategy,” (2008): 4.

⁵³ Horgan and Braddock, “Rehabilitating the Terrorists?,” (2010): 271.

As the above shows, there is a wide variety of rehabilitation and reintegration programmes for violent extremist offenders on a global scale.⁵⁴ Although these programmes differ across countries, depending on contextual factors, their focus on terrorism is very clear. With the increasing concern about returning FTFs, are there any programmes specifically designed for this target group, and if so, what are the main differences between programmes for ‘regular’ terrorists and returned FTFs?

The UN emphasised the importance of designing and implementing rehabilitation and reintegration of returning foreign terrorist fighters in UN Security Council Resolution 2178 (2014).⁵⁵ The EU CTC, through the European Commission, made a similar point, calling for the development of risk assessment tools and rehabilitation and reintegration programmes for these returning FTFs. The question of how to conduct risk assessment lies beyond the scope of this paper, but should nevertheless be an integral part of rehabilitation, as it provides information on individuals’ needs and the risks they pose. The EU CTC emphasises that programmes should be developed both inside and outside of correctional settings, as programmes *outside* prison walls can be helpful in bridging the gap that has resulted from complications in prosecuting returning FTFs due to difficulties in collecting – and lack of – evidence.⁵⁶

There are some programmes that focus specifically on returning FTFs. A Global Counter-Terrorism Forum (GCTF) study, analysing rehabilitation and reintegration initiatives worldwide, concluded that eighteen of the 30 GCTF Member States implemented specific rehabilitation and reintegration programmes for FTF – most of which were not specifically designed for FTF but built on existing programmes, whilst other countries developed new initiatives.⁵⁷ These programmes vary widely: for instance, a Dutch initiative called EXIT, focuses on returnees that can participate on a voluntary basis, whereas the Danish Aarhus programme includes an exit component that focuses solely on returning FTFs who are not being prosecuted for criminal charges.⁵⁸ In France, so-called “Centers for Prevention, Integration and Citizenship” were planned to open in autumn 2015, focusing on de-radicalisation. The aim was to open twelve centers, of which one would focus specifically on individuals who traveled to conflict zones, but of whom it is unknown they joined a jihadist group.⁵⁹ So far, these centers have faced complications: first, the opening of the centers has been delayed repeatedly, and the one center that did open has been widely criticised.⁶⁰

Since 2012, the German al-Hayat programme includes an assessment of returned FTFs who are put through a process of counseling and reintegration if needed. The programme focuses on ideological and pragmatic elements (such as finding employment) as well as addressing the re-establishment of family relations and potentially finding an alternative social network.⁶¹ Although the focus rests on returnees, the programme elements differ little from ‘regular’ VEO programmes. Finally, Jordan designed a programme specifically for returned FTFs. Most returned FTFs are sentenced to high-security prisons, but for the individuals who are seen to pose a lower risk, the Community Peace Centre opened in 2015. The center largely focuses on

⁵⁴ Schuurman and van der Heide, *RAN paper* (2016).

⁵⁵ *UN Security Council*, “Resolution 2174 (2014),” S/RES/2178.

⁵⁶ “Foreign terrorist fighter returnees: Policy options,” *Council of the European Union*, 14799/16 (2016), <http://www.statewatch.org/news/2016/dec/eu-council-ctc-foreign-fighters-returnees-policy-options-14799-16.pdf>.

⁵⁷ Tanya Mehra, “Foreign Terrorist Fighters: Trends, Dynamics and Policy Responses,” *The International Centre for Counter-Terrorism* (2016): 20. <https://icct.nl/publication/foreign-terrorist-fighters-trends-dynamics-and-policy-responses/>.

⁵⁸ *Ibid.*

⁵⁹ Milena Uhlmann, “France Tests ‘Tough Love’ De-radicalisation Approach,” *ICSR* (2016), <http://icsr.info/2016/06/france-tests-tough-love-de-radicalisation-approach/>.

⁶⁰ James McAuley, “France’s deradicalization centers seen as a ‘total fiasco,’” *The Washington Post* (2017), https://www.washingtonpost.com/world/europe/frances-deradicalization-centers-are-a-total-fiasco-lawmakers-say/2017/02/24/218a8072-fa97-11e6-aa1e-5f735ee31334_story.html?utm_term=.760adc54677d.

⁶¹ Charles Lister, “Returning Foreign Fighters: Criminalization or Reintegration?,” *The Brookings Institute* (2015), <https://www.brookings.edu/wp-content/uploads/2016/06/En-Fighters-Web.pdf>.

ideological aspects, as government-sanctioned clerics preach anti-violence messages to the participants.⁶²

Despite these initiatives, and aside from the question whether they should, most rehabilitation and reintegration programmes for VEOs have not been specifically designed to address returnees. Moreover, these initiatives appear to largely focus on individuals outside of the criminal justice sector, such as voluntary participants or individuals who are not being – or cannot be- prosecuted. So far, inside prison walls, rehabilitation and reintegration programmes for VEOs are rarely specifically designed for returning FTFs. Overall, the programme elements appear to barely differ from the elements as seen in the programmes for ‘regular’ VEOs. Regardless of the question whether returning FTF warrant an entirely new approach, at the very least, it is essential to take into consideration the individual experiences of the VEO. This can potentially set the group of FTFs apart from ‘regular’ VEOs based on their experiences fighting in other countries and living in the so-called Caliphate.

Researchers and international organisations alike note the possibilities for implementing rehabilitative efforts in different stages of the criminal proceedings, including the pre-trial stage, the trial stage and the post-trial stage. Over the past years, attention has increasingly been devoted to providing diversion programmes as an alternative to a prison sentence. Diversion programmes refer to ways within the criminal justice sector that an individual is not prosecuted and sentenced, but instead receives treatment or rehabilitation.⁶³ The main lesson to be drawn from all these attempts is the importance of not reinventing the wheel: the sheer amount of experience and knowledge of rehabilitation and reintegration of VEOs can assist in doing the same for a specific target audiences such as returned FTFs or potentially juvenile FTF.⁶⁴

What Do Countries Do Now with Juvenile VEOs?

The aspects that set juvenile violent extremist offenders apart from both adult terrorists as well as from young, non-extremist delinquents can provide insight and opportunities for their treatment and rehabilitation. Research currently conducted by ICCT in cooperation with the Global Center on Cooperative Security⁶⁵ is mapping countries’ approaches to the rehabilitation of JVEOs and has found that governments have attempted to deal with the issue of juvenile violent extremist offenders in three different ways, namely through (1) treating them as adult terrorist offenders, (2) treating them as regular juvenile criminals, or (3) providing them with specialised treatments.

A small number of countries (for example Palestine, Peru and Saudi Arabia)⁶⁶ treat juveniles as adults when it comes to terrorism-related offences: even if dedicated juvenile legislation is applicable, a certain exceptionalism is prevalent when it comes to terrorism. Several countries prosecute juveniles under (adult) terrorism legislation⁶⁷ and can sentence youths to severe punishments, including the death penalty. In other instances, juveniles are held in adult prisons despite the existence of dedicated juvenile facilities. In explicit response to perpetrators becoming younger and younger, several states are also in the process of lowering the age of criminal responsibility, allowing courts to prosecute children as young as 15.⁶⁸

⁶² “Jordan: Extremism & Counter-Extremism,” Counter Extremism Project (2017),

https://www.counterextremism.com/sites/default/files/country_pdf/JO-01242017.pdf.

⁶³ Eva Entenmann et al., “Addendum to The Hague-Marrakech Memorandum on Good Practices for a More Effective Response to the FTF Phenomenon, with a focus on Returning FTFs,” GCTF (2015),

<https://www.thegctf.org/Portals/1/Documents/Toolkit-documents/English-Addendum-to-The-Hague-Marrakech-Memorandum.pdf>; Eva Entenmann et al., “Rehabilitation for Foreign Fighters? Relevance, Challenges and Opportunities for the Criminal Justice Sector,” *The International Centre for Counter-Terrorism – The Hague* 6, no. 5 (2015), <https://icct.nl/publication/rehabilitation-for-foreign-fighters-relevance-challenges-and-opportunities-for-the-criminal-justice-sector/>.

⁶⁴ Eva Entenmann et al., “Rehabilitation for Foreign Fighters?,” (2015), 22.

⁶⁵ Global Center on Cooperative Security, forthcoming (2017).

⁶⁶ Rachel Brett, “Juvenile Justice, counter terrorism and children,” Quaker United Nations Office (2002), 32.

⁶⁷ “Guidance for Legislative Reform On Juvenile Justice,” UNICEF Guidance Paper (2011), 86.

⁶⁸ Global Center on Cooperative Security, forthcoming (2017), 15.

Other countries (such as Austria, the Philippines and Jordan) have taken a different approach and are treating juveniles similar to other young offenders, prosecuting them in youth courts⁶⁹, applying specialised legislation including diversion activities⁷⁰ and handing down more lenient punishments or sentences tailored to juveniles such as imprisonment in youth facilities. Both approaches, treating JVEOs as regular terrorist offenders or as regular juvenile criminals, involve different risks.

On the one hand, housing JVEOs together with other juvenile offenders means that countries risk lacking or not adequately employing specialised staff to deal with the ideological aspect of these radicalised youths. Also, it carries the risk that extremist juveniles attempt to recruit and radicalise their peers. Finally, politically speaking, the punishment of being sentenced to a juvenile institute for committing terrorist offenses might be perceived as being ‘soft on terrorism’.⁷¹ On the other hand, housing JVEOs among adult violent extremist offenders has negative implications as it is generally believed that juveniles require specialised treatment and are particularly amenable to rehabilitative treatment.⁷² Also, according to a UN report on the mental health of youth, incarcerated juveniles are ‘regularly subject of violence, intimidation, exploitation and inhumane conditions’.⁷³

Housing JVEOs together with adult VEOs also runs the risk of exposing potentially vulnerable youths to negative influence from their environment. This presents governments with a dilemma as neither housing JVEO together with their criminal peers nor incarcerating them with adult terrorists provides a solution. Nonetheless, both scenarios can be adapted to address this issue as both within regular youth facilities as well as within regular prisons where adult VEOs are housed, specialized wings or housing can be created to deal with this offender category.

This third option, providing specialised treatment for juvenile VEOs, potentially circumvents the negative implications of the two other policy alternatives. However, as most countries have very few juvenile VEOs⁷⁴ to deal with, setting up designated programmes or even facilities for this group is both resource intensive and requires expertise that might not yet be available. The first question that needs to be answered by individual governments is what the number of juvenile cases is that warrants creating separate facilities, and second: how to best combine the insights from other juvenile offender categories (child soldiers, drug addicts) with the existing knowledge on radicalisation and violent extremism.

Conclusion

Despite the lack of specific approaches to dealing with juvenile terrorist offenders, general approaches to juveniles have undergone considerable changes during the past 20 years. These legal and structural changes often concern the implementation of alternative measures to detention, rehabilitation and post-release efforts or diversion programmes and other restorative techniques in the majority of countries dealing with juvenile VEOs. Despite these positive developments, most approaches are still characterised by a narrow focus on prosecution, detention and punishment, lacking a more long-term vision that includes prospects for rehabilitation and reintegration in and after prison.

⁶⁹ Ibid.

⁷⁰ Ibid, 90.

⁷¹ BBC, “France church attack: Priest killed by two ‘IS militants’,” 26 July 2016, <http://www.bbc.com/news/world-europe-36892785>.

⁷² Anna Louise Simpson, “Rehabilitation as the Justification of a Separate Juvenile Justice System,” *California Law Review* 64, Issue 4 (1976), doi: <http://dx.doi.org/doi:10.15779/Z386X8N>.

⁷³ “Security Council, Unanimously Adopting Resolution 2250 (2015), Urges Member States to Increase Representation of Youth in Decision-Making at All Levels,” *United Nations, SC/12149* (2015), <http://www.un.org/press/en/2015/sc12149.doc.htm>.

⁷⁴ Global Center and ICCT, “Rehabilitating Juvenile Violent Extremist Offenders in Detention. Advancing a Juvenile Justice Approach,” *Policy Brief* (2016), https://icct.nl/wp-content/uploads/2016/12/16Dec6_JVEO_Policy-Brief_FINAL.pdf.

Based on our analysis of rehabilitation and reintegration programmes for violent extremist offenders and specifically for FTF, we can conclude that most programmes are to a large extent similar to programmes and treatment for ‘regular’ criminal offenders. Authorities entrusted with the management and rehabilitation of children and youths in correctional settings may at times lose sight of the potential of regular approaches, partially due to the assumptions that come with the “terrorist” label and the political pressure of national security that may place strains on the rehabilitative approach. These practices often respond to public demands on reacting towards juvenile terrorists by more severe sanctioning.

Thus, rather than exceptionalising violent extremists in general and juvenile violent extremists in particular, this article presents approaches to rehabilitation and reintegration derived from already existing initiatives to and considerations on how they might be tailored to address the needs of juveniles convicted of or involved in violent extremism-related crimes. Approaches to promote disengagement from violence and extremism will be more effective if they build on existing structures for crime prevention and rehabilitation.

Overall, the criminal justice framework within which the treatment of juvenile offenders takes place is anchored on their reformative potential. The judicial system, together with the correctional and probations services and society at large, plays a critical role in the rehabilitation and eventual reintegration of a child in conflict with the law. The effectiveness of rehabilitating and reintegrating juvenile VEOs depends for a large part upon their knowledge of what sets youths involved in terrorism apart from their regular criminal peers or adult offenders, as well as on their collaborative and coordinated efforts throughout the duration of custody, rehabilitation, release, and post-release.

Rehabilitation and reintegration efforts for juvenile VEOs (including those returning from IS-territory) need to be based on two underlying assumptions: the importance of age and the importance of attitudes. Notwithstanding the tailored approach that every individual requires, age should inform decision-making and programming. Young children (zero to nine years old)⁷⁵ who are born in IS-territory or brought by their parents at a very young age, should be first and foremost be viewed as victims. For older children, other factors such as indoctrination, training and potential involvement in violent activities are more likely to play a role, demanding an approach that goes beyond the victim-perspective. Additionally, this older group will include adolescents who might have undertaken the journey to IS by themselves and who have deliberately chosen to join IS. The younger group requires special attention regarding their internalisation process and professionals need to determine to what extent these children have been socialised into IS-culture and whether they cope with their experiences more internally or externally. Older individuals are most likely to have internalised IS violent culture as they have also been involved in violent activities. To direct rehabilitative efforts for them, it is even more essential to assess their attitude towards violence and to what extent they have accepted IS’ norms and behaviors, compared to adult terrorist returnees.

As states increasingly confront younger people caught up in violent extremist activity, it is up to them to devise corresponding measures. It is not necessary to reinvent the wheel, especially where numbers of terrorism convicts in general, and juveniles in particular are low. But rehabilitation is considered to work best when tailored to individual needs and policymakers need to take into account the very distinctive needs of juvenile offenders as a separate class of offenders, while respecting all relevant international law and human rights standards in the fight against terrorism. Decisions on managing and rehabilitating juveniles should be informed by the best interest for the child and by individualised assessments.

⁷⁵ AIVD, “Minderjarigen bij ISIS,” 5.

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Children of the Caliphate: Young IS Returnees and the Reintegration Challenge

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