

Introduction

Beyond Material Support: Promoting ISIL Accountability for Atrocity Crimes

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Beginning in 2013 and accelerating throughout 2014, the armed group, the Islamic State in Iraq and the Levant (ISIL or Islamic State, also known by its Arabic acronym, Da'esh),¹ seized large swathes of territory in a relentless campaign across Iraq and Syria.² By August 2014, the Islamic State had declared its caliphate, with an estimated ten million people living under its control.

Between 2013 and its territorial defeat in Syria in March 2019, ISIL committed numerous atrocity crimes, including genocide, murder, enslavement, sexual violence, torture, and forced displacement. Thousands of men, women, and children from more than 80 countries travelled to join ISIL during its reign. Many did so willingly, others were trafficked.³

Since the collapse of the self-declared caliphate, tens of thousands of suspected ISIL members or individuals linked to ISIL remain in custody in eastern Syria. Many are held without charge in makeshift prisons or camps notorious for substandard living conditions and precarious security. The vast majority of the detainees are women and children. Though ISIL is no longer considered capable of large-scale attacks within Iraq and Syria, its influence remains through its approximately 2,500 to 3,500 members and the risk of radicalization and recruitment within the camps is high.⁴

To address this difficult and dangerous situation and to advance accountability for IS crimes, some NGOs, the UN and some countries have urged the rapid repatriation of foreign detainees to their home countries. Many countries remain

reluctant, however, to bring individuals back.⁵ For those countries that have repatriated and, in some cases, prosecuted ISIL-linked individuals, criminal charges have largely focused on terrorism-related offences without addressing the core international crimes—including genocide, crimes against humanity, and war crimes—committed by the group. Thus, such prosecutions fall short of accountability for the full breadth and depth of ISIL’s crimes. Despite significant information relating to ISIL’s commission of crimes, investigators and prosecutors seeking to build criminal cases against individuals face multiple challenges, including linking crimes to specific individuals and understanding the why and how of ISIL operations, and the ideologies and systems that made these atrocities possible. It is only by developing a more comprehensive and nuanced understanding, that prosecutions of ISIL-linked individuals will render into the evidential and historical records the full dimensions of ISIL crimes.

Recognizing this challenge, the Center for Justice and Accountability (CJA) engaged in consultations with UN mechanisms, national prosecution units, and other stakeholders to identify specific knowledge gaps, particularly when it comes to proving elements of core international crimes committed by ISIL. From these conversations, CJA put out a call for papers, ultimately engaging eight experts on ISIL across various research disciplines to produce research addressing some of these evidentiary gaps. Each chapter is self-contained and may be read on its own.

The resulting papers, now presented here as a book, examine many aspects of ISIL structure, ideologies, policies, and operations, ranging from its approach to the treatment of religious minorities, women, and children to an analysis of how its sophisticated and complex propaganda machine was used to incite violence. A resource for investigators and prosecutors, the papers aim to support the building of cases that reflect the full scope of the crimes committed by ISIL, beyond terrorism offences, and in so doing, carve a path to justice for victims, survivors, and their families. This book comprises the eight chapters, a brief summary of each follows.

The first chapter is “The Islamic State and its Treatment of ‘Out-Groups’: A Comparative Analysis.” It explores ISIL ideology and treatment of Shi’a, Christian, and Yazidi communities, including the use of forced conversions and enslavement. Additionally, it aims to identify and address misconceptions around these issues, and address instances of problematic and inauthentic evidence. This chapter is authored by Aymenn Jawad Al-Tamimi, PhD candidate at Swansea University and manager of the ISIS Archives project in collaboration with Jihadology.

The second chapter, “Cubs of the Caliphate” examines ISIL policy and practices around children, including how the organization recruited, indoctrinated, trained, and employed children and teenagers. It then explores the evolution of ISIS’s approach to children and their shifting role as the caliphate gained and then lost territorial control. This chapter is authored by Tore Hamming, Director of Refslund Analytics and Senior Fellow at the International Centre for the Study of Radicalization at Kings College London, and Amarnath Amarasingam, Assistant Professor for the School of Religion at Queens University, Canada.

The third chapter, “The Agency and Roles of Foreign Women in ISIS” considers the complex and varied roles of women, from outside of Iraq and Syria, who joined ISIL, with a focus on Sunni women who were considered the “in-group”. It examines the agency of the women within this system and degrees of complicity with the atrocities of the caliphate. This chapter is authored by Devorah Margolin, Blumenstein-Rosenbloom Senior Fellow at The Washington Institute and an Adjunct Professor at Georgetown University, and Joana Cook, Assistant Professor at the Institute of Security and Global Affairs at Leiden University and Senior Project Manager at the International Centre for Counter-Terrorism.

The fourth chapter, “ISIL Propaganda” investigates ISIL’s organizational approach towards the production and deployment of propaganda and propaganda-adjacent activities in Iraq and Syria. It provides detailed analysis of ISIL’s sophisticated system of managing and controlling the flow of information, the development of messaging, and transmission to the wider world. This chapter is authored by Charlie Winter, Director of Research at ExTrac.

The fifth chapter is “The ‘Mujahid’s Bag’: Digitally Curating the Legacy of Foreign Fighter Training Materials.” This chapter discusses foreign fighter recruitment, intake, training, and deployment through an examination of the “military sciences” folder of the Cloud Caliphate, an online collection of training material and records used to prepare ISIS recruiters and foreign fighters. This chapter is authored by Moustafa Ayad from the Institute for Strategic Dialogue.

Chapter six, “Victory, Violations, and Investment: Inside Islamic States’s System of Slavery” examines ISIL’s system of slavery of the Yazidi community, including aspects of its organization, implementation, and ideology. Drawing from multiple data sources, it maps the evolution of ISIL’s policies and practices of genocide in support of efforts to prosecute ISIL-affiliated persons for crimes that go beyond group membership. This chapter is authored by Gina Vale, Senior Research Fellow at the International Centre for the Study of Radicalization at Kings College London.

HOLDING ISIL ACCOUNTABLE

The final chapter is entitled “The Islamic State’s Pillage Economy: The Policy of Confiscations”. This chapter explores the structure of ISIL’s pillage economy – the large-scale confiscation of the moveable and immovable property of those killed, detained, or forced out by ISIL. It further examines the use of the assets obtained and the role these assets played in the operation of ISIS’s economy. This chapter is authored by Aymenn Jawad Al-Tamimi, PhD candidate at Swansea University and manager of the ISIS Archives project in collaboration with Jihadology.

Ultimately, we hope that this collection helps create a deeper, more nuanced understanding of the Islamic State, for those interested in the subject more generally, and particularly for those involved in the prosecution of ISIL members.

¹ While the term ISIL is the preferred term for this book, each author has chosen their preferred term to reference the group.

² BBC News, “ISIS and the crisis in Iraq and Syria in maps”, 28 March 2018.

<https://www.bbc.com/news/world-middle-east-27838034?bsi-ac-a70e1c0dc9ec8868=2719437500000021cqAPPGfXWMs7IoVz6dUv0TbA7sXVQAAAgAAAPbTPwGEAwAAEwAAAPDbJQA=>

³ Amnesty International, “Aftermath: Injustice, Torture, and Death in Detention in North East Syria, 13 June 2024, pp. 154-168. <https://www.amnestyusa.org/wp-content/uploads/2024/04/Aftermath-Injustice-Torture-and-Death-in-Detention-in-North-East-Syria.pdf>

⁴ K. Robinson, “Defeated and Detained, ISIS Still Poses Extremism Threat” *Council on Foreign Relations*, 31 July 2023.

<https://www.cfr.org/in-brief/defeated-and-detained-islamic-state-still-poses-extremism-threat>

⁵ Ibid.