



Organization for Security and Co-operation in Europe

PARLIAMENTARY ASSEMBLY

AD HOC COMMITTEE ON COUNTERING TERRORISM

Hearing on: Prosecution, Rehabilitation and Reintegration of Foreign Terrorist Fighters (FTFs) - the Kazakh Experience

Tuesday, 18 May 2021, 11:00 – 13:00 (CET)/15:00-17:00 (GMT+6)
(*online*)

Informal Readout

Executive Summary

The online Hearing on “Prosecution, Rehabilitation and Reintegration of Foreign Terrorist Fighters (FTFs) - the Kazakh Experience” was organized by the OSCE PA Ad Hoc Committee on Countering Terrorism (CCT) on 18 May 2021 via the Zoom conferencing platform with the support of OSCE Programme Office in Nur-Sultan. It explored different challenges stemming from the FTFs phenomenon based on the experience and perspective of the authorities of Kazakhstan. More specifically, the hearing focused on the planning of complex repatriation operations, the effective prosecution and rehabilitation of FTFs and their family members, as well as their smooth reintegration into the Kazakh society. The main issues raised included the questions related to achieving balance between rehabilitation and punishment, length and type of sentence given to FTFs, public reaction and reaction of families towards the idea of repatriation of FTFs, and education provided to women and children (including orphans).

In their opening remarks, **Mr. Reinhold Lopatka**, Chair of the CCT, **Dr. Volker Frobarth**, Head of the Programme Office in Nur-Sultan, and **Mr. Faizolla Kamenov**, Member of the Mazhilis of the Parliament of the Republic of Kazakhstan welcomed this opportunity to share critical experience on the threats posed by the FTF phenomenon. Moreover, Chair Lopatka underlined the need for co-ordinated international support efforts in countries like Syria and Iraq, as well as for targeted prevention and de-radicalization campaigns in Europe.

Subsequently, **Mr. Kairat Sarzhanov**, Director of the International Security Foreign Affairs Ministry of the Republic of Kazakhstan, **Mr. Bauyrzhan Bakirov**, Deputy Chair of the Committee on Religious Affairs of the Ministry of Information and Social Development of the Republic of Kazakhstan, **Ms. Yulia Ovechkina**, Deputy Chairperson of the Committee for the Protection of Children's Rights, Ministry of Education and Science of the Republic of Kazakhstan, and **Ms. Bibigul Munaitpasova**, Head of the Department of the Committee of the Penitentiary System, Ministry of Internal Affairs of the Republic of Kazakhstan provided a detailed overview their most recent efforts in terms of repatriation, prosecution, reintegration and rehabilitation of FTFs and their family members. **Mr. Alum Shaumetov**, Director of Rehabilitation Center “Akniyet” (local NGO), provided additional details from a civil society perspective.

In the ensuing debate, OSCE PA members **Mr. Kamil Aidyn** (Turkey), **Ms. Margareta Cederfelt** (Sweden), **Ms. Pia Kauma** (Finland), **Mr. Reinhold Lopatka** (Austria), **Ms. Sereine Mauborgne** (France), **Ms. María Teresa Jiménez-Becerril Barrio** (Spain) commended the counter-terrorism efforts of Kazakhstan and engaged in a constructive exchange of views with the Kazakh interlocutors, posing several follow-up questions on sentences given to the FTFs, rehabilitation programs for women, the impact of the situation in Afghanistan, social cohesion and public perception of returnees. The Hearing was formally closed by the OSCE PA Secretary General, **Mr. Roberto Montella**.

Main points discussed

Inter-agency Co-ordination and International Co-operation

- In 2017 Kazakhstani membership in the UN SC enabled it to learn more about the situation on the ground for hundreds of its citizens in Daesh-controlled territories, which raised public concern over their fate, in particular of children who had been living under regular violence and in the poor conditions in refugee camps.
- In early 2018, the Cabinet approved a five-year state programme on countering violent extremism and terrorism. Consequently, National counter-terrorism center adopted the inter-agency counter-terrorism action plan based on the UN SC Res. 23/96.
- **Inter-agency co-operation is crucial** – to organize these operations, the MFA of Kazakhstan served as an overall co-ordinator of efforts, including reaching out to the returnees, negotiations with the governments, conducting foreign policy assessments and handling logistical issues. Throughout the operations, **diplomats and intelligence services played an essential role** in assisting with consular services, facilitation of the return through identification of the citizens and issuing necessary documents. Terrorism does not stop with borders; therefore, it is crucial to make concerted efforts to combat it.
- It is of vital importance that **all stages of prosecution, rehabilitation and reintegration of FTFs are being conducted in full compliance with international law and international human rights standards**. Hence, the decision and conduct of special repatriation operations were carried out in compliance relevant UN SC resolutions, the 2015 Madrid Guiding Principles on FTFs, as well as SG key principles for the protection, repatriation, prosecution, rehabilitation and reintegration of women and children linked to the UN-listed terrorist groups.
- **The importance of involving other international organizations on the ground was vital too** - UNICEF also supported the operations through providing information about the children/orphans on the ground. On the other hand, the US provided military logistical support.
- **The role of international organizations, and in particular international parliamentary fora such as OSCE PA in addressing major challenges posed by FTFs is key**, as they raise awareness and help keeping these important issues high on the national and international agendas. **Parliamentary dialogue and mutual understanding** are becoming even more relevant as we face growing geopolitical uncertainty, ongoing conflicts, and far-reaching consequences of the COVID-19 pandemic. In this context, the returning FTFs remain one of the most pressing challenges on the international agenda.
- **Hearings such as this one are of great value** as they provide platform for open discussion and open exchange of best practices and lessons learned, as well challenges faced.

Repatriation

- The repatriation operation “*Zhusan*” (meaning “wormwood” in Kazakh) was carried out in five stages – four were completed in 2019 and the fifth in 2021. As a result, in total 607 individuals were brought back from Syria – including around 400 children and 150 women. Additionally, 14 children were repatriated from Iraq as part of “*Rusafa*” (old district in Baghdad) operation in 2019.
- The humanitarian operations allowed Kazakhstan to find its path in repatriation and rehabilitation as there was no similar international experience to rely on as well as to draw lessons learned that can be replicated and examined by other interested stakeholders.
- Repatriating FTFs is an important, but highly complex issue. Main challenges faced by Kazakhstani authorities include **security threats, difficulties with identification of the status of deceased parents and children, documentation of children born abroad, ambiguous public feedback regarding returnees, as well as non-acceptance of returnees by the relatives**. Security threats related to the withdrawal of troops from Afghanistan has not been assessed yet and might have an impact on the whole region of Central Asia.

Prosecution

- With regards to the prosecution and sentencing, 29 men, 17 women and 1 minor are currently sentenced for participating in extremists and terrorist organizations in Kazakhstan. **The average sentence given to FTFs is between 5 and 10 years.**

- Effective prosecution and rehabilitation of FTFs and their families, as well as follow-up activities in post-rehabilitation period resulted in acknowledgement of the mistaken decisions and no terrorist attack in Kazakhstan committed by any of the returnees.

Rehabilitation of FTFs, women and children

- Ensuring the appropriate treatment of FTFs, including prosecution, deradicalization and reintegration into society, is paramount not only to properly address their individual cases, but also to **protect citizens from future attacks, prevent recidivism and to promote internal reconciliation.**
- To ensure successful and adequate social, legal, economic and psychological support to the returnees, **it is critical to engage experts in the matter, civil society and all relevant counterparts.** To do so, Ministry of Information and Social Development of the Republic of Kazakhstan regularly collaborates with different partners, such as the rehabilitation center “*Akniyet*” (local NGO), International Red Cross and UNODC. Around 80 experts and medical support staff assisted the rehabilitation process.
- It has been a challenge to keep the balance between rehabilitation and punishment. With regards to the FTFs sentenced for terrorism- and extremism-related offences, **a set of individually-tailored rehabilitation and deradicalization activities** have been initiated with a particular focus on theological, psychological, ideological and family support. All of the returned FTFs were kept separately from other prisoners.
- So far, more than 6,000 individual and 2,000 group consultations have been provided to the sentenced FTFs that included lectures, individual talks, demonstration of videos and meetings with close relatives. To support the process, **186 penal officers went through capacity-building programme on working with those convicted for extremism and terrorism.**
- After repatriation from Syria and Iraq, women and children were initially accommodated in one of the centers in Mangistau region, while seriously sick and wounded were transferred to medical facilities. Upon their return, genetic testing has been conducted to establish family ties. 70 women took part in state-organized capacity-building activities aimed at improving their practical skills (e.g. sewing, cooking, accounting etc.) and 45 are currently employed.
- While **social and economic factors have been identified as primary reasons of radicalization**, more than 95 percent of women who left for Syria did so to follow their radicalized husbands. Based on the MFA statistics, more than 90 percent of women and more than 80 percent of men seem to have given up extremist ideologies after rehabilitation.
- It remains paramount that **the support to children and women is individually-tailored and takes into account their special needs** as particularly vulnerable groups. Hence, such support was provided based on the action plan on rehabilitation of repatriated women and children, drafted by the inter-agency working group.

Reintegration

- **It is vital to ensure that repatriated children do not face stigmatization and unequal access to education.** For such reasons, the children were issued birth certificates which indicate birth places of their parents. Each of them received individually-tailored schooling programmes, particularly taking into account that most of them have not received any education before. **To avoid negative psychological effects, throughout the rehabilitation process mothers and children have stayed together.**
- Upon return, most of the children spoke Arabic. Hence, they were supported by Arab-speaking experts throughout the rehabilitation process. As a result, many children started attending regularly school and extracurricular activities and classes. According to the official statistics, 50 percent of the returnees demonstrate excellent performance in schools.
- **Support of the local community during the reintegration process is paramount.** In general, local communities have positively accepted children. 33 orphans have been adopted by close relatives and new families, while some were placed in specialized facilities. In some cases, local communities were not informed about the path the returnees had to go through to make their integration process smooth.