

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 (CEST)/15:00-17:00 (GMT+6)

(Online)

BACKGROUND & FOCUS

Since its inception in July 2017, the OSCE PA Ad Hoc Committee on Countering Terrorism (CCT) has been aiming to bring in a distinct parliamentary contribution in addressing the issues pertaining to prosecution, rehabilitation and reintegration of Foreign Terrorist Fighters (FTFs) across the OSCE region by advocating for inclusive, effective, and human rights-compliant responses and developing forward-looking policy guidance. Several official CCT visits, conferences and discussions focused on different elements of this complex challenge, including the repatriation and reintegration of family members of FTFs. Consequently, many of these efforts have been duly reflected in a comprehensive *OSCE PA Resolution on the Challenges Related to Returning and Relocating Foreign Terrorist Fighters*¹, adopted at the Annual Session in Luxembourg in 2019.

Given recent developments in the Middle East, many OSCE participating States and Partners for Co-operation are considering the possibility of repatriating their nationals provisionally detained in conflict-affected areas following the territorial defeat of ISIS/ISIL. More specifically, there is a concern that some returnees may commit other violent acts, contribute to recruitment of new members and incite others to take part in terrorist activities. Hence, ensuring their appropriate treatment, including prosecution, deradicalization and reintegration into society, is crucial not only in properly addressing their individual cases in compliance with international standards and obligations, but also in preventing future attacks and promoting internal reconciliation.

In view of the COVID-19 pandemic, which has exacerbated already existing grievances within our societies and provided an opportunity for terrorist and violent extremist groups to more easily spread their destructive ideologies and enhance radicalization efforts, the need to adequately address this pressing issue has become even more apparent. The pandemic-induced international travel restrictions have only temporarily slowed FTFs' movement abroad, which is likely to re-emerge once restrictions are lifted. Thus, it remains crucial to stay attuned and continue assessing the evolving FTFs-related developments.

Countering terrorism and violent extremism, including by addressing the FTF challenge, has been high in the agenda of several Central Asian states for many years. According to the UN SG report, since 2012, approximately 1,500 fighters from Tajikistan and the same estimated number of Uzbek nationals joined

¹ OSCE PA Resolution on the Challenges Related to Returning and Relocating Foreign Terrorist Fighters, Annual Session, Luxembourg, 2019. Available here: <https://www.oscepa.org/documents/ad-hoc-committee-on-migration/3884-resolution-on-the-challenges-related-to-returning-and-relocating-foreign-terrorist-fighters-adopted-at-the-28th-annual-session-luxembourg-4-8-july-2018/file>.

established terrorist groups, with 45 percent believed to still be alive. Based on the data provided by the National Security Committee (KNB) of Kazakhstan, since 2003, around 800 Kazakh citizens have departed for Syria and Iraq, with most of them being children.²

Over the past few years, Kazakhstan has become one of the first Central Asian states to repatriate some of its citizens from Syria and Iraq³. Following this example, Uzbekistan repatriated 220 women and children from Syria and Tajikistan repatriated 84 children from Iraq and Syria in 2019. In addition, Kyrgyzstan brought back 79 children from Iraq in the first quarter of 2021.

The *Rusafa* operation was carried out in November 2019 by Kazakh authorities. As a result of these efforts, 14 children were returned from Iraq. Similarly, the government of Kazakhstan organized another large-scale humanitarian operation *Zhusan*⁴ at the beginning of 2019 to bring back its nationals from Syria. On 6 February 2021, the last stage of this special operation has been completed and, according to the State Committee on National Security of the Republic of Kazakhstan, more than 600 Kazakh citizens, including some 400 children (34 orphans) were repatriated from Syria⁵.

In light of the above, the CCT invited the authorities of Kazakhstan to share their experience and reflect upon lessons they have learned during and after these two operations which could inform future efforts of the OSCE PA in this field. The exchange will focus on better understanding the planning and conduct of such complex repatriation operations, the effective prosecution and rehabilitation of repatriated FTFs and their family members, as well as their smooth reintegration into society. *Inter alia*, the discussion will provide an opportunity for CCT members to learn more about the political and diplomatic ground-work required for such repatriations, the decision-making process related to the identification and choice of persons to be repatriated, the evidence and charges applied to prosecute FTFs once repatriated, any relevant legal provision applied in this context - including in terms of sentencing and human rights safeguards, the existence of deradicalization programmes for convicted terrorists in prisons, the effectiveness of children's reintegration programs, as well as any relevant challenge faced in this context.

TARGET AUDIENCE

- Members of the OSCE PA Ad Hoc Committee on Countering Terrorism
- Other interested OSCE PA members

² Available at <https://rus.azattyq.org/a/kazakhstan-siriya-knb-otvet/29401029.html>.

³ United Nations Office of Counter-Terrorism, „Central Asian Experience with Individuals Returned from Syria and Iraq: Successes, Challenges, and Lessons Learned“ Press Release, 25 September 2020. Available at https://www.un.org/counterterrorism/sites/www.un.org.counterterrorism/files/200925_unoctr_unrcca_press_release_spr_e_vent.pdf

⁴ Meaning “bitter wormwood” in Kazakh language.

⁵ More information available at <https://astanatimes.com/2018/01/kazakhstan-proposes-code-of-conduct-at-un-for-terrorism-free-world/> and <https://www.gov.kz/memleket/entities/knb/press/article/details/42716?lang=ru>.

OBJECTIVES

- To acquire a detailed picture of the current situation in Kazakhstan with regards to the prosecution, reintegration and rehabilitation of FTFs and their families.
- To learn more about the key outcomes of the “*Zhusan*” and “*Rusafa*” operations, including the political and diplomatic ground-work done in preparing such operations and the decision-making process related to the identification and choice of persons to be repatriated.
- To explore the lessons learned with regards to the effective and human rights-compliant prosecution and reintegration of repatriated FTFs and their family members.
- To get an overview of existing deradicalization and reintegration efforts for convicted terrorists and their family members.

MODALITIES

The session will be chaired by the CCT Chair Reinhold Lopaka and facilitated by the OSCE PA International Secretariat.

Date: 18 May 2021, Tuesday

Time: 11:00 - 13:00 (CEST) /15:00-17:00 (GMT+6)

Language: English and Russian

Registration: To register, please fill out the registration form available here <https://forms.gle/GyFQcEzbdYU5RLH98> by Friday, 14 May 2021.

Technology: The event will be held through Zoom video-conferencing platform and it will be recorded for internal purposes.