Building Off-Ramps and Reintegrating Foreign Fighters and Terrorist Offenders: Challenges and Opportunities

Meeting Summary[1]

The [Prevention Project](), in collaboration with the [George Washington University Program on Extremism](), and the [Global Center on Cooperative Security](), brought together a number of government and non-government experts and practitioners from Africa, Europe, and North America to explore the challenges in and opportunities for facilitating and supporting effective "off-ramps" for current armed fighters and facilitating the sustainable reintegration to civilian life for former fighters, whether in the context of 1) rehabilitating and reintegrating foreign fighters and terrorist offenders; 2) providing alternatives to prosecution; or 3) preventing individuals showing signs of radicalization from turning to violence. Workshop participants shared examples of a number of "off-ramp" models in [Somalia](), [Nigeria](), [Kenya](), the [European Union](), the [United States]() and [Canada]().

Key Meeting Takeaways

1. Dealing with the urgent challenge of reintegrating and facilitating the sustainable return of ex-foreign fighters (and those wishing to leave terrorist groups) should be an urgent policy priority for all actors interested in advancing peace and security, reducing violence and violent extremism, and promoting sustainable development. "Building sustainable off-ramps" offers a framework that participants supported.

2. Off-ramp models should be community-led and involve a multidisciplinary approach that could include psychologists, health professionals, social workers, faith leaders, family members, peers and former-extremists.

3. Particularly where law enforcement is involved, the partnership with the community members involved in "off-ramp" programs needs to be based on trust, which can only be built over time – and should not begin only when there is a need for a specific program.

4. Governments should put in place legal and policy frameworks that create the space for the development of "off-ramp" programs and provide participants with a clear understanding of how they work and legal guarantees of fair treatment. They should delineate a role in such programs for civil society and local communities on the one side and, where appropriate, government on the other. In particular, the role, if any, of law enforcement and the security services, should be clearly spelled-out, including, for example, when a social service professional in an "off-ramp" program must report an individual to them (e.g., only in cases of imminent violence). In higher risk environments like Kenya and Nigeria, the frameworks should ensure the necessary security and aftercare to mitigate the chance of retribution from members of the violent group from which the individual is seeking to separate.

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[1] This summary does not necessarily reflect the views of the host organizations or meeting participants.

5. Awareness needs to be raised among criminal justice officials and practitioners, as well as the wider public, to make clear that "off-ramp" programs for those who have come to the attention of law enforcement or have been arrested and even charged with a terrorism offense – or returning foreign fighters deemed not to pose a security risk – is not being "soft" on security but rather a successful outcome of the criminal process and one that, if implemented properly, will lead to a reduction of the threat.

6. A global inventory of the legal and policy impediments to meaningful civil society engagement in "off-ramp" programs and addressing violent extremism more broadly, should be undertaken to reconcile CT, CVE[2], and the Sustainable Development Goals (SDGs) objectives. For example, the current Anti-Money Laundering and Counter -Terrorist Financing (AML/CTF) regime imposes significant legal obstacles to the involvement of NGOs in these efforts. Efforts to remove or reduce these obstacles should be prioritized, recognizing that "zero-tolerance" approaches have had the unintended consequences on closing global civil society space, preventing productive civil society leadership on these topics, and preventing financial flows to the organizations that are best placed to advance programs in this space.

7. Whether the legal and policy impediments are at the global, regional, national, or local level, they should be accounted for. In addition, to help catalyze political support for this effort, a high-level, global convening to highlight and address these contradictions is needed. Such a high-level meeting among governments, non-governmental organizations (NGOs), local civil society, and financial institutions could be framed around the need to "Move Forward to Reduce Political Violence: Reconciling Counterterrorism, Preventing Violent Extremism, and the Sustainable Development Goals."

Meeting Highlights

At the outset, participants recognized how, over the past 15 years, governments have developed strong legal frameworks and strategies, and invested considerable resources on repressive counterterrorism (CT) measures that include investigating, arresting, prosecuting, and incarcerating terrorist offenders.

However, there is recognition that **more attention and resources need to be given to the front (preventing support for violence on the front end and stemming recruitment into terrorist and violent extremist groups) and back (disengaging, de-radicalizing, rehabilitating and/or reintegrating terrorist offenders) ends of the radicalization cycle if we hope to reduce support for violent extremism over the long-term.** These efforts are particularly urgent given the nature of the current terrorist phenomenon (e.g. thousands of returning foreign fighters from Iraq and Syria and the need to prevent others from being recruited or radicalized by ISIS and other terrorist groups in order to reduce violence worldwide and advance peace and security).

It was noted that the objectives of off-ramp programs vary. Some seek to **disengage** an individual from violent behavior, others aim to **de-radicalize** an individual by changing the ideas and worldviews they hold that justify and encourage violence. **Rehabilitation** programs, on the other hand, aim to reduce recidivism rates and reintegrate former terrorist offenders by preparing them and their receiving community for their return. Participants spoke about how **communities lose trust and feel betrayed** for cooperating with authorities if prison is the only option and thus how

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[2] Note: preventing violent extremism (PVE) and countering violent extremism (CVE) are used inter-changeably throughout this summary.

off-ramp programs, if designed with the necessary community involvement, **can help build the trust that might make communities more likely to cooperate.**

The Importance and Challenges Associated with Community Involvement

It was emphasized that off-ramp models **should be community-led and involve a multidisciplinary approach that could include psychologists, health professionals, social workers, faith leaders, family members, peers and former-extremists.** Participants noted that such interventions need to be carefully tailored to address the individual motivational factors that drive youth and adults to consider violent extremism. These factors include, among other things, a sense of injustice, seeking adventure, belonging, meaning and a desire to affect change. These factors should be addressed and channeled in non-violent and productive ways.

Participants recognized that involvement of law enforcement or other security actors will inevitably increase as the object of the program moves from prevention to disengagement, rehabilitation, or reintegration. Particularly where law enforcement is involved, it was emphasized that **the partnership with the community members involved in the off-ramp program needs to be based on trust, which can only be built over time – and can begin only when there is a need for a specific program.** However, too often community-level and government actors, rather than working together on these issues, are operating in isolation from one another. A certain level of coordination needs to be achieved, while also guarding against the instrumentalization of community actors.

The need to strike the appropriate balance between community and government involvement in off-ramp programs was highlighted. Discussion focused, for example, on **when health professionals and social workers should break client confidentiality and report an individual to the relevant authorities.** There are a number of different approaches to this challenge, with most reporting limited to cases where there is an imminent risk of violence. However, such determinations are often difficult to make, particularly by individuals who are not trained to make them. In one instance, the program allows only the director of the program (as opposed to individual case workers) to report an individual to the security services.

Legal and Policy Framework: Ensuring Alignment of CT and CVE Objectives

The point was made that **both local civil society actors and international NGOs have a critical role to play in designing and supporting off-ramp programs, but the current Anti-Money Laundering and Counter-Terrorist Financing (AML/CTF) regime imposes significant legal obstacles to their involvement.** It was noted, for example, that NGOs operating in conflict zones where foreign terrorist organizations operate are often unable to work in the areas where the need is greatest, or partner with the most locally influential organizations, because of the risk of being charged with "material support" for terrorism by the US Department of Justice. To comply with this U.S. statute, many NGOs receiving U.S. government funds are required to adopt "no contact" policies with certain groups/communities and to vet down to the individual level where those funds are landing. It was further highlighted how major financial institutions, including many of the world's largest banks, are also constrained by the "material support" statute, and are backing out of conflict zones, closing accounts of (principally Muslim) charities around the world, and significantly scaling back financing in areas and with communities who need it most.

Participants stressed how this regime has had a significant chilling effect on effective engagement. As a result, actors that are well-positioned to support efforts to prevent individuals from radicalizing to violence and reintegrate them into their communities are increasingly reluctant to do so. Participants thus underscored the need **to clarify the scope of "material support" and other relevant CT legislation to reverse the chilling effect they are having on civil society's**

ability to support off-ramp programs and CVE efforts more generally. Relatedly, participants expressed concern about the inclusion of legitimate civil society organizations that engage on rehabilitation and reintegration issues on domestic terrorism lists and the broader trend to close space for civil society, when it is civil society actors who are particularly well placed to address this aspect of the violent extremist challenge.

In this vein, it was suggested that **a global inventory of the legal and policy impediments to meaningful civil society engagement on CVE be undertaken in order to reconcile CT and CVE goals and objectives.** Whether these impediments are at the global, regional, national, or local level, they should be accounted for. In addition, to help catalyze high-level political support for this effort, it was suggested that **a global conference, e.g. in September 2017 at the UN General Assembly, be convened on this topic.**

Participants highlighted the importance of ensuring the necessary legal and policy frameworks, as well as funding, are in place to support the development and implementation of off-ramp programs. It was noted that despite the provision in UN Security Council Resolution 2178 (2014), which called on countries to develop and implement rehabilitation and reintegration strategies for returning foreign fighters, very little comprehensive strategies have been developed. Participants welcomed ongoing efforts by the Global Counterterrorism Forum (GCTF) to develop good practices and other technical guidance in this area, but noted that the issue can often be political will rather than institutional capacity.

With respect to specific programs, participants should have clear understanding of how it works and be provided with legal guarantees of fair treatment. In amnesty programs, where individuals are being encouraged to turn themselves in, there is a particular need to ensure transparency and that the rule of law is upheld, as well as to provide reintegration support and aftercare. The role for civil society and local communities on the one side and law enforcement/security services/government on the other in such programs should also be clearly delineated.

Participants underscored the importance of ensuring that **protections for those seeking amnesty and those involved in delivering interventions are outlined** in the relevant legal and/or policy frameworks. Participants in such programs should also be provided the necessary security to mitigate the chance of retribution from members of the violent group from which the individual is seeking to separate.

More broadly, participants noted the particular challenges in developing and sustaining off ramp programs in environments where security threats are acute. For example, in Northern Nigeria, Somalia, and in some of its neighboring states such as parts of Kenya, it was noted that it is difficult, but essential, to provide protection for individuals at risk while they are undergoing rehabilitation programs and when they reintegrate. It was therefore recommended that aftercare should include the necessary security and social support from the local community.

The Practical and Policy Case for Off-Ramps – Moving towards a Risk-Based Approach

The fact that many countries cannot prosecute returning foreign fighters (sometimes due to missing legislation, often due to a lack of evidence), may only be able to convict them to short prison sentences, or may not wish to imprison "misguided" youth returning from the conflict zone who run the risk of being radicalized in prison, **underscore the practical need for the development of off-ramp programs that provide alternatives to prosecution and focus on rehabilitating and reintegrating those serving short prison sentences back into society.**

Participants noted that there are few incentives for pursuing off-ramps in a society where there is zero tolerance when it comes to dealing with terrorism. Thus, **awareness needs to be raised among criminal justice officials and practitioners, as well as the wider public, to make clear that rehabilitation and reintegration is not being "soft" on security but rather a successful outcome of the criminal process and one that, if implemented properly, will lead to a reduction of the threat.**

Participants discussed the challenges of moving towards a more risk-based approach to CVE in a politically-charged atmosphere with near weekly terrorist attacks and heightened threat levels around the globe. The point was made that **approaches that call for more attention to therapeutic responses, in an environment where some recidivism is not viewed as part of the natural course of criminality, are difficult to sell to both lawmakers and the public.**

Nevertheless, some of the consequences of not expanding the tool kit in this field were highlighted. These include the potential of radicalization to violent extremism in prison of disillusioned youth; alienating family or broader community members who may have helped the authorities convince the individual to leave a terrorist group or return home with the hope that he could be reintegrated into society, but now feel betrayed; and losing the opportunity to leverage the unique voice and experience of a "former" in the campaign to counter terrorist propaganda.

Thus, participants supported the call for **more investments in the development of civil society-led off-ramp programs**, while noting the administrative challenges that many civil society organizations face in complying with the onerous requirements imposed by government grantees. It was also pointed out that government funding generally is limited to one-to-two years, whereas off ramp programs will need to operate on a much longer-term horizon given how long (e.g. 5-10 years) it can take to design, implement, and monitor interventions aimed at changing one's behavior. This argues for mobilizing more flexible sources of funding to support this work, e.g. from foundations and the private sector.

Demonstrating Success: More Data and More Metrics

Participants recognized that one of the keys to building political support for off-ramps was being able to demonstrate the impact of such programs. To this end they discussed the need for more systematic data gathering across all stages of such programs and metric-based frameworks to define and measure what "success" means. Off-ramp programs must be informed by a sophisticated understanding of each participant's motives, life history, and specific context, so that interventions can be as tailored as possible to the individual's needs. In addition to this information, the relevant data would include the period when a person is first referred to a program, while they are in the program, and follow-up on their case once they have completed the program. Collecting such longitudinal data can help practitioners and policy-makers determine what works and what does not, before any program is scaled up and more resources are spent.

Participants also spoke about how metric-based frameworks can help define and measure what "success" and "disengaged" or "de-radicalized" mean in practical terms, and help measure cognitive and behavioral change after rehabilitation or other off-ramp interventions. It was emphasized that **not only do more social scientists and practitioners need to gather more systematic and longitudinal data to fill the large data gap in many of these programs, but that the data about and evaluations on individual programs needs to be shared among the small but growing number of policymakers, practitioners, and NGOs involved in this domain**.

With this in mind, participants called for the **development of a community-based platform to**

facilitate the sharing of best practices and lessons learned around the world so there is no need to reinvent the wheel every time a new program is initiated. It was suggested that existing platforms such as the GCTF or the Strong Cities Network might be able to serve this function.

Learning from Experiences in the DDR field

Participants emphasized that off-ramp efforts in a CVE context can learn lessons from demobilization, disarmament, and reintegration (DDR) operations in post-conflict settings. Amnesty programs in DDR operations often operate similarly as rehabilitation and reintegration programs for former foreign fighters or defectors from terrorist groups. Fighters in a DDR context are given the chance to defect and enroll in rehabilitation programs that focus on political, social and economic reintegration into wider society. Like rehabilitation programs in a CVE context, DDR efforts are also grappling with whether the objective of the program should be behavioral disengagement from violence or cognitive de-radicalization. Like CVE-related rehabilitation programs, DDR places the community at the center of its efforts, works to build the capacity of civil society, and aims to improve state-society relations.