

CTED Analytical Brief:

The repatriation of ISIL-associated women



CTED

UNITED NATIONS SECURITY COUNCIL
COUNTER-TERRORISM COMMITTEE
EXECUTIVE DIRECTORATE

BACKGROUND

The present *Analytical Brief* was prepared by CTED in accordance with Security Council resolution 2395 (2017), which directs CTED to conduct analytical work on emerging issues, trends and developments and to make its analytical products available throughout the United Nations system.

CTED *Analytical Briefs* aim to provide the Security Council Counter-Terrorism Committee, United Nations agencies, and policymakers with a concise analysis of specific issues, trends or developments, as identified through CTED's engagement with Member States on their implementation of the relevant Security Council resolutions. The *Analytical Brief* also include relevant data gathered by CTED, including through engagement with its United Nations partners; international, regional and subregional organizations; civil society organizations; and members of the CTED Global Research Network (GRN).¹

INTRODUCTION

The unprecedented number of women who joined the Islamic State in Iraq and the Levant (ISIL, also known as Da'esh) in Iraq and the Syrian Arab Republic has presented policymakers and practitioners with a range of complex, gender-specific challenges. It is estimated that between 6,797 and 6,902 women travelled to the conflict zones of the Middle East.² According to recent research figures, only 609 women, or nine per cent of those who travelled, have been recorded as returned.³ This rate of return remains significantly lower than for men and children.⁴

Following the territorial collapse of ISIL, thousands of women are now detained or held in camps in Iraq and northern Syrian Arab Republic and face a precarious humanitarian, human rights and security situation. **This *Analytical Brief* identifies key trends with regard to the repatriation of women, the related gender-specific challenges encountered by Member States, and the available guidance on gender-sensitive responses.**

A separate *Analytical Brief* addresses the related but distinct challenges associated with the repatriation of children.⁵

THE DATA

There is currently no comprehensive dataset on the number, nationality, gender, and age of individuals associated with ISIL who are detained or held in camps in northern Syrian Arab Republic and Iraq, or on the individuals who have been repatriated from these camps to their

¹ See the [latest GRN newsletter](#) for more information.

² Joana Cook and Gina Vale, *From Daesh to Diaspora II: The Challenges Posed by Women and Minors After the Fall of the Caliphate*, International Centre for the Study of Radicalisation (ICSR), July 2019.

³ *Ibid.*

⁴ For a detailed analysis of the issue of return, see CTED's *Trends Report: Gender Dimensions of the Response to Returning Foreign Terrorist Fighters*, February 2019.

⁵ See [CTED Analytical Brief: The repatriation of ISIL-associated children](#).

country of origin. In the absence of such a dataset, CTED has collated and analysed Member States' responses to this issue, using data collected during its engagement with Member States, its other partners, and through its own open-source research. Although significant data gaps remain - including lack of gender and age disaggregation and the limited amount of data of any kind for certain regions - CTED has used quantitative and qualitative analysis to generate an **indicative picture of Member State policies regarding the repatriation of women from northern Syrian Arab Republic and Iraq over the past 12 months.**

KEY TRENDS

- Overall, the rate of repatriation of women from the camps in northern Syrian Arab Republic is extremely low. The vast majority of women repatriated during the time period analysed are from two States of Central Asia (Kazakhstan and Uzbekistan).
- There are discernible regional patterns: Western European States have been among those most reluctant to repatriate women; States in Eastern Europe and Central Asia have been more willing to repatriate women; several States in South-East Asia have put in place policies that allow for repatriation but there are no verifiable reports of Government-facilitated repatriations having taken place; and the Middle East and North Africa (MENA) region presents the largest data gap (especially given the considerable number of women from that region who are believed to have travelled to the conflict zones).
- A number of States have faced legal challenges to their policies. This trend could increase as rights groups and family members step up their advocacy.
- The lack of gender-disaggregated data has been a consistent challenge since foreign terrorist fighters (FTFs) first began to flow to the Syrian Arab Republic and Iraq. This data gap continues to pose problems for a full appraisal of the scope of female participation in ISIL, the rate of return and repatriation and, consequently, for developing a more tailored response.

RESPONSES

Very few States have put in place policies that allow for the repatriation of all their female nationals from the conflict zones. Several other States have stated their willingness to consider the repatriation of women on a case-by-case basis. Most States, however, have been reluctant to engage in repatriation efforts:

- In many cases, Member States have either expressed no plans to repatriate or require their citizens to present themselves at a consulate or embassy, which amounts to a de facto non-repatriation policy.
- Others have more explicitly stated that they support the prosecution of their citizens locally in Iraq. It is unclear what this means for the thousands of women who are currently held in

camps in northern Syrian Arab Republic, where Kurdish-led authorities, who do not have an internationally recognized Government, are not prosecuting any of the ISIL-associated foreigners in their custody. There have also been calls for an international tribunal.

- A number of Western States have put in place measures to allow for the stripping of citizenship from dual nationals – thereby not only not repatriating women, but also preventing their independent return.
- A number of States (predominantly across Asia and Eastern Europe) state that they are willing to repatriate women. However, either there is no available evidence of repatriations having taken place or the Governments in question remain in negotiations with the Syrian Democratic Forces (SDF).
- One Western European State has issued arrest warrants for its four female nationals remaining in the conflict zone and is reportedly in related negotiations with the SDF.

CHALLENGES

The situation in the camps in northern Syrian Arab Republic and Iraq is increasingly untenable, from a humanitarian, human rights and security standpoint. There is an urgent need to identify and implement solutions, which must acknowledge the distinct profiles of the individuals concerned, comply with international law, including international humanitarian, human rights and refugee law, and be specific to the immediate, medium- and longer-term challenges facing the States and communities involved.

An important difficulty faced by Member States in this regard is that the roles and motivations of women associated with ISIL remain poorly understood. Women joined ISIL for a range of different reasons and performed different types of roles during their time with the group. Some may have been involved in violence, others have played important non-combat roles as enforcers of ISIL's gender norms, recruiters, propagandists and, crucially, as mothers to the next generation of ISIL supporters. In many cases, the distinction between victims and perpetrators is non-binary, and the degree of the women's agency, and thus criminal responsibility, is unclear.

These complexities appear to relate directly to many Member State's concerns about repatriating women from the camps. There is uncertainty about adequate risk assessment and screening processes for women; challenges in investigations and prosecutions linked to the particular difficulties in obtaining sufficient and admissible evidence of a crime; and a limited understanding of best practices and most effective methods for the rehabilitation and reintegration of women.

These factors are compounded by a largely hostile public opinion, which often sees women who break with the gendered stereotype of women's inherent peacefulness as "deviant". Such public attitudes may reinforce perceptions of marginalization and exclusion, which can contribute to (re-)radicalization and recidivism and thus undermine rehabilitation and reintegration efforts, regardless of whether a Government chooses to actively repatriate its citizens or needs to address the situation of those who have already returned.

GUIDANCE AND INITIATIVES

The development of more effective and nuanced gender-sensitive solutions to screening, prosecution, rehabilitation and reintegration is a matter of priority, given the magnitude of the humanitarian, human rights, and security challenges relating to women associated with ISIL. The Security Council has issued resolutions and guidance to Member States on this issue, most notably:

- Security Council resolution 2396 (2017):
 - Recognizes the “many different roles, including as supporters, facilitators, or perpetrators of terrorist acts” that women play, which “require special focus when developing tailored prosecution, rehabilitation and reintegration strategies, and stresses the importance of assisting women and children associated with foreign terrorist fighters who may have been victims of terrorism, and to do so taking into account gender and age sensitivities.”⁶
 - Calls on Member States to develop risk assessment tools for individuals who show signs of radicalization to violence, including with a gender perspective.⁷
 - Encourages Member States, as well as international, regional and subregional entities, to ensure participation and leadership of women in the design, implementation, monitoring and evaluation of strategies for returning and relocating FTFs and their families.⁸
 - Encourages Member States to develop gender-sensitive counternarrative strategies in the prison system.⁹
- The Counter-Terrorism Committee’s *Addendum to the guiding principles on foreign terrorist fighters (2018)*¹⁰ provides detailed guidance on taking a gender-sensitive approach to the issue of returnees. This guidance includes, inter alia:
 - Guiding Principle 30, which calls on Member States, as part of a case-by-case approach, to implement strategies for dealing with specific categories of returnees, in particular minors, women, family members and other potentially vulnerable individuals, providers of medical services and other humanitarian needs and disillusioned returnees who have committed less serious offences;
 - Guiding Principle 40, which addresses gender-sensitive risk assessments and intervention programmes;

⁶ [S/RES/2396 \(2017\)](#), para. 31.

⁷ [S/RES/2396 \(2017\)](#), para. 38.

⁸ [S/RES/2396 \(2017\)](#), para. 39.

⁹ [S/RES/2396 \(2017\)](#), para.40.

¹⁰ [S/2018/177](#).

- Guiding Principle 43, which calls on Member States to put in place, where needed, special investigation and prosecution approaches that are gender-sensitive and, for cases involving children, take into account their rights;
- Guiding Principle 46 (c), which asks Member States to ensure that prosecution, rehabilitation and reintegration strategies are timely, appropriate, comprehensive and tailored, taking into account gender and age sensitivities and related factors.

Other relevant United Nations guidance includes:

- The United Nations Nelson Mandela Rules and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the “Bangkok Rules”), which set out the international standards, in accordance with international human rights law, for the treatment and conditions of women in detention.
- In April 2019, the United Nations system developed *Key principles for the protection, repatriation, prosecution, rehabilitation and reintegration of women and children with links to United Nations-listed terrorist groups*. The Principles aim to enhance the coherence of United Nations activities and assist Member States to design and implement policies and actions in accordance with international law, including international human rights law, international humanitarian law and international refugee law.
- In May 2019, UNODC launched its *Handbook on Gender Dimensions of Criminal Justice Responses to Terrorism*, which provides comprehensive guidance on mainstreaming gender perspectives into criminal-justice responses to terrorism, in full compliance with international human rights law.¹¹
- In September 2019, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) published a *Guidance note on gender mainstreaming principles, dimensions and priorities for PVE*, which contains a section on “former combatants, returnees, foreign terrorist fighters and their families”.
- Research perspectives on this issue are included in CTED’s Trends Report on the *Gender Dimensions of the Response to Returning Foreign Terrorist Fighters*, and in United Nations Development Programme (UNDP)/International Civil Society Action Network (ICAN)’s *Invisible Women – Gender Dimensions of Return Rehabilitation and Reintegration from Violent Extremism*, which also includes good practices and programming guidance.¹²

¹¹ The handbook is available [on the UNODC website](#).

¹² The full reports are available on the [CTED website](#) and [UNDP website](#).