

CONCLUSION PAPER

*RAN VoT WG meeting – Direct interactions between victims of terrorism and detainees
29 September 2020, Online*

Organising direct interactions between victims of terrorism and terrorist detainees: guidelines

Summary

The disengagement, rehabilitation and reintegration (DRR) of terrorists is being prioritised, as growing numbers of foreign terrorist fighters (FTFs) return from the battlefield in the Middle East. This area of work is all the more important because detainees incarcerated or convicted of terrorism will eventually be released, and the potential for recidivism poses an imminent security threat. The extent to which the voices of victims of terrorism can play a role in the process of DRR is a question that naturally arises in this context. The potential risk for victims' instrumentalisation for this policy objective – as opposed to their rehumanisation – is real. But that is not the only risk for victims: other potential setbacks include re-emergence of traumas, failure to get a grip on the mindset of the terrorist, disapprobation from their communities, and inadequate cooperation from prison staff and lawyers.

This guideline reflects the discussion on this subject from the 29 September 2020 online event organised by the RAN Victims of Terrorism (VoT) Working Group. Participants concluded that preparation for such conversations is a key component for success; long-lasting investment in trauma healing is also needed, as is the establishment of an organisation of and for victims representing the interests of this group. In other words, the victim-offender conversation is not a one-off event but must form part of a larger initiative and overall support structure. Likewise, it is equally important to adopt a structured approach to DRR from the prison's perspective.

Introduction

Testimonials of victims of terrorism have become a familiar tool for processing the trauma related to falling victim¹ to such appalling events. Not only can these testimonials contribute to the much-needed rehumanisation of victims, but they can also serve to communicate the tremendous impact of these acts of violence to specific audiences. For example, if well prepared, targeted and organised, such testimonials can prove useful in preventing radicalisation amongst vulnerable youngsters.

Based on the discussion and shared practical experience of such victim testimonials, the RAN VoT Working Group explored the potential added value of a dialogue or conversation between victims of terrorism and terrorist offenders

¹ The term "victim" refers to anybody who has directly or indirectly suffered harm or other negative consequences as a result of terrorist attacks.

in the prison setting. Inspired by the positive experiences of the restorative justice system, where perpetrator and victim meet and the perpetrator is confronted with the effect of his/her deeds, participants considered the conditions under which such conversations could support disengagement, rehabilitation and prevention of recidivism in terrorism cases, without harming the victims.

Although much work is already being done in the field of DRR of terrorists, there is still relatively little experience of involving victims of terrorism in this type of work. Rehabilitation work focuses on offender assessment and the requirements for change in behaviour, with disengagement and prevention of recidivism as the prospective outcome. In many cases, a variety of scholars and experts in behavioural and social sciences are involved. Interaction with direct or indirect victims of an attack is rarely part of the process.

The reasons for sparse engagement with victims in this context are self-evident: the victims' role is sensitive and their involvement should under no condition cause them harm. The RAN VoT Working Group meeting focused on how to prepare, structure, facilitate and monitor such conversations or dialogues between offenders and victims, so as to achieve optimal results for all parties involved.

Context

Can a victim become an agent for positive change?

The number of detainees in prison for terrorism-related offences has increased rapidly in the past decade. Many of these detainees will be released from prison in the near future, a fact which has triggered debate around the need for prevention of recidivism and for methods to disengage, rehabilitate and reintegrate these prisoners. A lot of time and energy is put into the development of effective measures and methods to reduce recidivism in terrorism cases. Best practices and guidelines have been developed by RAN², Hedayah³ and the Global Counterterrorism Forum (GCTF)⁴.

Participants sought to determine how to best organise and prepare an effective and appropriate setting for these conversations, to help advance the agenda of rehabilitation and prevention of recidivism through involvement of victims' voices. To guide the discussion, the following three stages were distinguished.

Guiding questions

- 1) Preparation:
 - a) What should be done in the preparatory phase before the conversation takes place – on the side of the victim (organisation), the prison, the prison staff and the offenders?
 - b) What conditions should be met by facilities or others to guarantee the optimal outcome?
- 2) Implementation:
 - a) How should a session be conducted in terms of conditions, presence and facilitation?
 - b) What are the various roles and who should they be allocated to?
- 3) Follow-up:
 - a) What actions or processes must be carried out after a session?

² See: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/radicalisation_awareness_network/ran-papers/docs/ran_rehab_manual_en.pdf

³ See: <https://www.hedayahcenter.org/expertise/de-radicalization-disengagement-and-reintegration/>

⁴ See: <https://toolkit.thegctf.org/en/Rehabilitation-and-Reintegration/Detail/id/91>

Guideline

Preparation

The preparatory phase is fundamental to the success of victim–offender conversations.

- 1) Check the legal and institutional frameworks when initiating the process that leads to a conversation between victim and offender.
- 2) Check whether the law provides for the possibility of meetings between offender and victim.
- 3) Check whether the detention facility is prepared to facilitate these conversations.
- 4) Involve the staff of the detention facility throughout the whole process.
- 5) Take into account different (political, legal) concerns and interests that might be at play.
- 6) It is advisable and advantageous to work with a prison already committed to the rehabilitation of terrorism-related offenders, where rehabilitation is part of the prison's programme.
- 7) Agree upon the criteria for the selection of detainees to be included in the programme.
- 8) Develop a preparation plan of action for the detainees included in the programme.
- 9) Invest in the organisation, selection and training of the victims to be included in the programme^{5 6}.
- 10) Work with victims who are members of an organisation that advocates the interests of the group in social, economic and other terms.
- 11) Develop structural engagements with independent platforms focused on disengagement and prevention of recidivism.
- 12) Prevent the instrumentalisation of victims by prioritising recognition of the victims' perspectives and interests.
- 13) Select victims who have volunteered to participate in such projects and who have moved on from the initial anger and anxiety.
- 14) Ensure that peer support for victim participants will be available from the victim organisation in the event that the conversation proves traumatic or disappointing.
- 15) Prepare the prison staff through training sessions to ensure that all parties are working with shared principles and objectives.
- 16) Prevent the conversation from being linked to hidden agendas, government intel or counterterrorism actions; ensure that the objectives and motives are clear and transparent for all involved.

The conversation

Even though preparation is the most important part of a successful interaction between detainees and victims, the meeting setting must also be a reassuring and supportive environment.

- 1) Make sure that the physical setting fulfils both security and comfort requirements for all participants.
- 2) Do not impose any time constraints other than those specified by the victim or the offender.
- 3) Make a "timeout" option available, as this may be requested by the victim or offender. Emotions can run high; taking a moment to recuperate can be helpful in regaining control over the process.
- 4) Ensure there is assistance available for the victim during the timeout. Peers with similar experiences are an option for this supportive role.
- 5) Prepare participants for other potential obstacles, such as one party wishing to end the session before it is concluded, or the use of aggressive, abusive or unapologetic language.
- 6) Agree beforehand on the list of participants.
- 7) Keep the gathering small (few participants).
- 8) Make sure that an experienced and trusted facilitator/mediator is present at the conversation/meeting.

⁵ Experience from the Victims' Voices Project can be helpful.

⁶ As described in the UNODC & ICCT publication *From Victims of Terrorism to Messengers for Peace: A Strategic Approach*: https://www.unodc.org/documents/terrorism/Publications/Victims_Publications/From_Victims_of_Terrorism_to_Messengers_for_Peace_-_UNODC-ICCT_.pdf

- 9) It is not recommended to organise a conversation between a victim and offender who are directly linked through the attack the victim has suffered (as is the case in restorative justice practice), especially when it is the victim's first experience of this type of conversation. Meetings between victims and offenders of the same attack may become an option when the victim has already participated in several other conversations.

Follow-up

Following up is an integral part of the full process. All parties involved in the preparation and execution should get a chance to have a say in the debriefing.

- 1) Feed lessons learned and other evaluation results back into the cycle, to improve future planning and sessions.
- 2) Do not restrict the timing of debriefings to the period immediately following the conversation. There may be more medium- or long-term effects on both the detainee and the victim.
- 3) Pay particular attention to potential unplanned follow-up meetings/encounters by one or more of the participants. Clarify to all involved that it is not advisable to have meetings outside the context of the programme; monitoring the effect and impact of such meetings is also difficult.
- 4) Be vigilant and well prepared for potential negative consequences of the conversations. There may be opposition from communities, peers or other detainees. Preparation for and mitigation of this risk is important.

Key lessons

- 1) Long-term investment in preparation, selection and training – at all levels – is key to success.
- 2) The victim-offender conversation must not be an isolated, one-off event. The conversation must be incorporated into a set of activities designed to benefit the victim.
- 3) It is preferable to work with prisons that have had previous experience with rehabilitation and reintegration programmes for terrorism-related offenders.
- 4) Close cooperation from day one with the prison staff in question is vital.
- 5) Unlike the victim-offender interactions in the context of restorative justice, these conversations should not necessarily include offenders and victims connected to the same offence.
- 6) Unsatisfactory outcomes may result in trauma for the victim. This potential negative outcome should be managed. Building resilience is key.
- 7) A trusted mediator/facilitator should be allocated to participate in the conversation.
- 8) Participants may encounter negative reactions from their social environment in the run-up to or aftermath of these conversations. Participants should be prepared for these responses.

Relevant practices

Victims' Voices Initiative

In 2009, Max Boon was a victim of the Marriott Jakarta terrorist bomb attack, where he lost both his legs. Ever since, Max, as co-founder of the **Victims' Voices** initiative, has been working in Indonesia to promote peace and delegitimise justifications for terrorist violence, through direct engagement with local victims and former perpetrators of terrorism. He is co-author of the publication *From Victims of Terrorism to Messengers for Peace: A Strategic Approach*, jointly published in 2020 by the United Nations Office on Drugs and Crime (UNODC) and the International Centre for Counter-Terrorism (ICCT).

National Federation of Victims of Terrorist Attacks and Mass-Casualty Accidents (Fenvac)

The National Federation of Victims of Terrorist Attacks and Mass-Casualty Accidents (Fenvac — Fédération Nationale des Victimes d'Attentats et d'Accidents Collectifs) is a non-governmental organisation (NGO) that comprises exclusively victims of terrorist acts and mass-casualty accidents, and their loved ones. Founded in 1994, **Fenvac**

encompasses more than 80 organisations and brings together victims from over 130 incidents, including a number of terrorist attacks in France and abroad.

Recommendations

- 1) There is room for development of more structured organisational frameworks for victims that not only advocate their interests, but may also serve as stepping stones or platforms for victims to be mobilised as change-makers in prison DRR settings.
- 2) These organisations should have as their point of departure the interests of the victims, in economic, legal, health and other terms. Governments and donors should facilitate the development of such organisations.
- 3) Investment in trauma healing and the potential of victims to play the part of change-makers/peacebuilders must be high on the agenda.
- 4) DRR-focused prison facilities should consider the option of actively reaching out to victim organisations, with the aim of including representatives of these organisations in their programming.

Further reading

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