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### Gender-Sensitive and Gender-Effective Strategies in Preventing and Countering Violent Extremism

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# **Gender-Sensitive and Gender-Effective Strategies in Preventing and Countering Violent Extremism**

*Advancing Women's  
Participation,  
Leadership and  
Equality in PCVE in  
Tunisia, Kenya and the  
United States*



Global Human Rights Clinic

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## EXECUTIVE SUMMARY

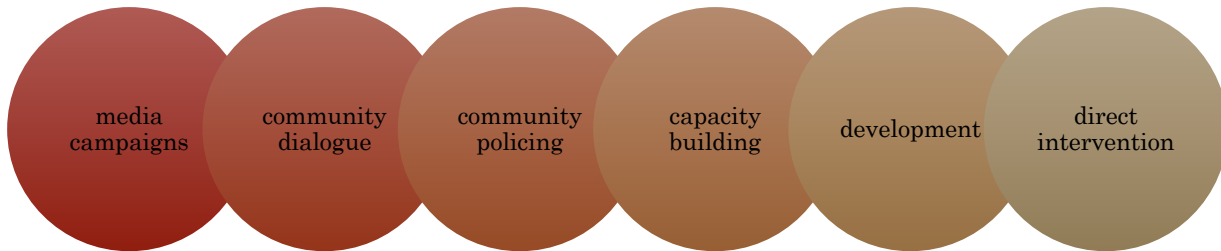
For over two decades, the global community has endeavored to prevent and combat violent extremism. In that time, states and civil society partners have increasingly recognized women's role in this effort as critical to its success. The effective engagement of women, representing half of the world's population, is now understood as necessary to a "localized, credible, inclusive, and resonant strateg[y] to build resilience to extremism."<sup>1</sup>

However, gender-sensitive and gender-effective approaches to preventing and countering violent extremism (PCVE) have remained elusive. Women's involvement in PCVE strategies continue to be largely marginal, often reinforcing harmful stereotypes, and sometimes resulting in negative consequences for gender equality. This is particularly true for women in minority ethnic and religious communities. The failure to effectively address the discriminatory impact of PCVE strategies on women not only hampers the efficacy of PCVE efforts but also impedes state party implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),<sup>2</sup> which requires elimination of discriminatory laws, policies and programming. The failure to maximally engage women in PCVE efforts as leaders, designers, targets and partners also represents a lost opportunity to implement CEDAW Article 4 measures to accelerate women's equality.

The International Human Rights Clinic at the University of Chicago Law School conducted this study with support from United Nations Office of the High Commissioner for Human Rights. The goal of the study is to contribute to a better understanding of how PCVE strategies and programming can effectively protect and promote women's human rights and principles of gender equality. The study involved in-country engagements with stakeholders in Tunisia, Kenya and the United States. Through these interviews and an extensive literature review, the report assesses how such initiatives have engaged and impacted women and offers recommendations for improving strategies and interventions going forward.

## PROGRAM CATEGORIES

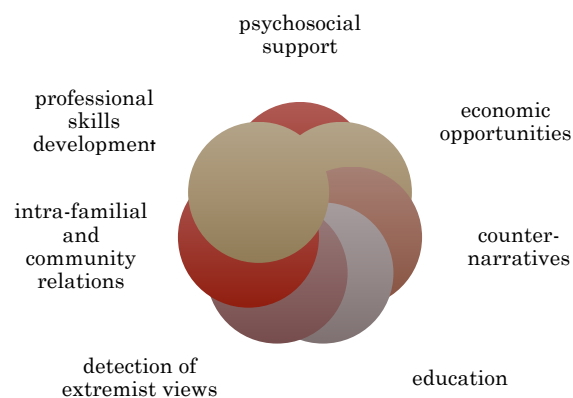
In each country, six categories of PCVE programs were reviewed:



- ❖ **Media campaigns** present counter narratives that facilitate social disapproval of violent extremism.
- ❖ **Development programs** are aimed at discouraging violent extremism by addressing economic motivations to join extremist groups, such as the provision of economic opportunities or professional skills development.
- ❖ **Direct interventions** target populations considered to be “at-risk” of adopting violent extremist ideologies.
- ❖ **Community policing** programs seek to improve the efficacy of the state security apparatus by improving relationships between communities and state security.
- ❖ **Community dialogue programs** are aimed at improving the relationships between community members by creating forums for dialogue.
- ❖ **Capacity building** focuses on improvement of individuals’ abilities to respond to violent extremism.
- ❖ **Assistance to returnee programs** seek to reduce repeated participation of recruits by making it feasible to leave an extremist organization and reintegrate in community life.

## STRATEGIC INTERVENTIONS

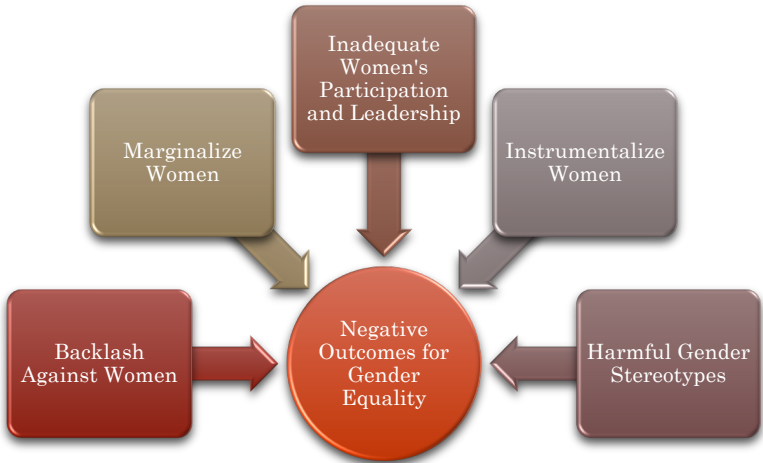
Programs assessed sought to make the following strategic interventions:



- ❖ **Psychosocial support** is provided to individuals and communities impacted by extremism.
- ❖ **Economic opportunities** are created and developed for individuals impacted by extremism and at-risk of joining extremist movements.
- ❖ **Moderate and human rights-focused counter-narratives** are presented to at-risk populations and societies more generally.
- ❖ **Moderate or alternative education** is provided to make counter-narratives more accessible.
- ❖ Training or capacity building is delivered on **detection of extremist views**.
- ❖ **Intra-community and intra-familial relations** are improved through dialogue, relationship-building and leadership opportunities.
- ❖ **Professional skills** are bolstered for at-risk and impacted populations to facilitate economic opportunities

**NEGATIVE OUTCOMES**

To determine the engagement of these programs with women and the impact on women, programs were reviewed for the following potential negative outcomes:



**RECOMMENDATIONS**

Review of these programs and the resulting negative outcomes yielded a set of recommendations for how countries and civil society partners can promote women’s actual equality in the context of PCVE. When designed with human rights and women’s equality in mind, PCVE programming can provide opportunities for women’s leadership and equality, as well as build a foundation for long-term and effective partnerships with impacted communities in preventing violent extremism:





1. **Ensure a human rights approach in design, implementation and review of PCVE efforts that separates prevention from law enforcement.** Employing a human rights orientation at the outset in designing a PCVE program sets the stage for non-discrimination and equality. Such an orientation is likely to be much more effective when prevention programming is separated from security oriented programming. When programs combine law enforcement with prevention goals, initiatives are less

effective and undermine community participation and relationships. If communities are only engaged within a security framework, they are less likely to see themselves as partners, and more as targets of the state.

2. **Prioritize engendering and reforming the security sector prior to or in concert with any community policing programming.** Community policing programs are likely to be much more effective when implemented in a framework that seeks to engender and institute necessary human rights oriented reforms in the security sector. Women are nearly uniformly under-represented and relegated to the lower ranks of the security sector. Gender-mainstreaming in the security sector should be a top priority in establishing gender-effective PCVE strategies. This includes incorporating women in strategic security planning, as well as having female members of security forces. Similarly, practices in the security sector that do not comply with human rights standards, such as excessive use of force, should be addressed alongside community policing programs so as not to undermine community trust and engagement.
3. **Focus on building resilient communities that are inclusive, promote equality and engage in dialogue to ensure interventions are sustainable and effective.** Violent extremism inevitably impacts the economic, social, cultural and political well-being of an entire community. Program elements should encourage strong communities that protect community values and encourage recognition of women and girls as critical and equal voices by men and boys. This kind of programming can lay the groundwork for other more targeted prevention interventions and ensure communities can be equal partners in PCVE efforts in the long-term.
4. **Avoid counter-productive reliance on harmful stereotypes and traditional gender roles.** Some PCVE programs rely on harmful stereotypes, such as equating women with motherhood or conceiving of them solely as victims. This kind of stereotyping provides “short-cuts” to determine appropriate stakeholders and anticipated roles. However, overreliance on such stereotyping can result in the promotion of counterproductive and limiting traditional conceptions of women’s proper roles and identity. While PCVE efforts may need to engage with the social and cultural roles women tend to play in many communities and families, they should do so in a thoughtful and reflective manner, aware of the costs and consequences to women’s equality, and, where possible, inclusive of program components that seek to challenge or question counterproductive stereotypes and traditional roles.
5. **Emphasize and promote women’s role as change agents and creative leaders.** To fully engage women as change agents, it is imperative that women play leadership roles in program design and conceptualization. Doing so ensures programming benefits from women’s experience, knowledge and perspective about cultural, political, and social dynamics and conditions in their societies, communities and families. Engaging

with existing formal and informal women's groups takes advantage of existing leadership within communities.

6. **Emphasize capacity building and education elements of programs.** Effective capacity building and education provides tangible value to program targets and will promote effective programming. This programming is especially valuable to women who are often in vulnerable economic positions, underserved educational populations and disempowered politically. These sorts of investments will have long-term returns and ensure women are able to contribute to PCVE efforts over time more and more effectively.
7. **Avoid instrumentalizing and marginalizing women's rights.** Instrumentalizing women can undermine their engagement and commitment and serve as a lost opportunity to promote equality. PCVE programs that incorporate women's rights and interests are also more likely to succeed in engaging women and women's organizations. Where PCVE programming engages women solely in order to utilize them as a means of collecting information, for example, they are less likely to successfully develop partnerships with women's organizations if these organizations perceive women's rights as subsidiary to security concerns.
8. **Emphasize transparency and ongoing evaluations of unintended discriminatory impacts of PCVE programming.** Greater transparency regarding funding sources, recipients of funding, and the evaluation of how the funds are being used, and whether the programs were deemed effective, should be included in ongoing program evaluations. The efficacy of PCVE efforts is enhanced when women and girls are included in monitoring and evaluation mechanisms. Transparency and oversight also increases the efficient and effective use of funds.
9. **Address laws and policies that undermine a human rights approach to, and limit and compromise, community participation.** Programs that promote women's rights and maximize women's leadership will face challenges in legal and political environments that limit women's autonomy and/or fail to promote equality. Similarly, laws that undermine human rights will limit or even render ineffective PCVE programming. PCVE efforts should support the passage and implementation of laws and policies that promote women's equality, allowing women to act as change agents.
10. **Consider new approaches for returning participants in violent extremism, including rehabilitation and reintegration as an alternative to prosecution and incarceration.** Programming should be developed to more effectively address the complex issues around returnees generally, and female returnees specifically. As more and more women are successfully recruited and return to their communities, there is an important opportunity to engage with difficult questions and conduct an analysis of

community and social conditions that may have encouraged women to join extremist organizations and may now make it difficult or impossible for them to rejoin their peers.

**Overall, researchers found that PCVE programs that incorporate a human rights and gender sensitive and gender-effective perspective tend to do so primarily by promoting resilient communities based on principles of inclusion and equality as well as specifically recognizing women as rights-bearing core members of the community.**

## INTRODUCTION AND METHODOLOGY<sup>3</sup>

This study was conducted by the International Human Rights Clinic at the University of Chicago Law School (“IHRC”) with assistance from the United Nations Office of the High Commissioner for Human Rights (“OHCHR”). The purpose of the study is to conduct a targeted assessment of best practices and strategies for protecting and advancing women and minority human rights in government and civil society efforts to Prevent and Counter Violent Extremism (“PCVE”).<sup>4</sup> The study reviews PCVE programs and initiatives in three countries—Tunisia, Kenya and the United States—to assess how these efforts have engaged and impacted women and, in the United States, minority groups more generally.<sup>5</sup>

Researchers selected Tunisia, Kenya and the United States as countries of interest in consultation with OHCHR based on existing OHCHR and national level programs as well as accessibility of program information. The study reviews PCVE programs in Kenya and Tunisia for their engagement of and impact on women. The United States was selected for a broader analysis that includes assessment of PCVE programs and their impact on and engagement of women and minority communities. This was done primarily because of the nature of programs in the United States that implicitly and explicitly target communities based on ethnicity, race and religion. This practice has significant human rights implications.

Through this study, researchers explore whether PCVE programs in Kenya and Tunisia advance or detract from the achievement of gender equality and whether women’s participation and leadership are maximized. Program reviews are qualitative but focus on the potential for six negative outcomes: (1) prompting backlash against targeted groups; (2) marginalizing targeted groups; (3) inadequately ensuring the participation of marginalized groups; (4) instrumentalizing the participation of marginalized groups; (5) relying on stereotypes; and (6) encouraging violent extremism among targeted groups. For the United States, researchers explore parallel issues in relation to the Muslim American community.

This study utilizes both primary and secondary sources while applying qualitative research methodology for its analysis and findings. A comprehensive review of existing print and online sources, including newspaper articles, academic journals, country reports and other international human rights law sources was supplemented by primary data acquired through field research and interviews. On-site visits were conducted in Kenya and Tunisia from March 13–18, 2017, and primary research in the United States was conducted on an ongoing basis primarily through phone interviews with stakeholders.

A structured qualitative interview approach was used in all three countries. A uniform questionnaire was designed to guide interviews and standardize information gathered. The questionnaire addressed the following topics: violent extremism and responses from relevant sectors; established PCVE programs, their goals and mechanisms; perceived effectiveness of programs, with a focus on the impact on and involvement of women and (in the United States) minority communities; concerns about these programs from a human rights and gender

equality perspective; current or planned efforts to evaluate effectiveness and impact of programs on women and gender quality; and recommendations for improved approaches and strategies.

For Kenya and Tunisia, interviewees were identified and contacted with the assistance of OHCHR country offices and their local partner organizations. IHRC conducted in-person interviews with individuals victimized by violent extremism and with individuals affiliated with civil society organizations that were either directly developing or monitoring PCVE programs. For the United States, interviewees were identified through the United States' formal PCVE strategy, *Empowering Local Partners to Prevent Violent Extremism in the United States*, as well as through an online survey of Countering Violent Extremism ("CVE") programs and through programs funded by the Department of Homeland Security and the National Institute of Justice. Interviewees were contacted by email and phone. To preserve confidentiality of participating interviewees, only the date, location and organizational affiliations are identified in this report. Interview notes are on file with authors.

## WOMEN'S HUMAN RIGHTS AND PCVE STRATEGIES

Human rights protections have long been accepted as critical elements of PCVE strategies. Under the United Nations Global Terrorism Strategy developed at the 2005 World Summit, four primary pillars were identified as necessary to implement the strategy.<sup>6</sup> Pillar IV requires "measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism".<sup>7</sup> The global commitment to engaging in PCVE strategies in a human rights-compliant manner has been reaffirmed repeatedly, most recently, by the U.N. High Commissioner of Human Rights in his 2016 annual report to the General Assembly.<sup>8</sup>

This global commitment is compelled by core human rights treaties. Articles 18 of the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) protect freedom of thought and religion<sup>9</sup> and Articles 19 affirm the right to freedom of opinion and expression.<sup>10</sup> Under these sources of international human rights law, all policies and programs to prevent and counter violent extremism, especially those that involve the use of force, must adhere to fundamental human rights principles that protect individual thoughts, opinions and speech, as well as a myriad of other human rights protections that protect the right to life, fair process and non-discrimination, among others.<sup>11</sup>

More recently, a more specific focus on women's human rights and the promotion of gender equality in the context of PCVE strategies has emerged, though effective and treaty-compliant mechanisms remain unsettled. In late 2015, the U.N. Secretary-General released the *Plan of Action to Prevent Violent Extremism*<sup>12</sup> ("*Plan of Action*") to ensure a comprehensive approach to violent extremism that "encompass[es] not only ongoing, essential[,] security-based counter-terrorism measures, but also systematic preventive measures."<sup>13</sup> The *Plan of Action* recommends that Member States "consider developing a national plan of action to prevent violent extremism"<sup>14</sup> that includes governmental and non-

governmental actors.<sup>15</sup> In reference to gender equality and women's rights<sup>16</sup>, the *Plan of Action* notes that "women's empowerment is a critical force for sustainable peace"; that "women do sometimes play an active role in violent extremist organizations"; and that "societies for which gender equality indicators are higher are less vulnerable to violent extremism".<sup>17</sup> With these considerations as background, the *Plan of Action* recommends that member states:

- ❖ ensure that the protection and empowerment of women is a central consideration of strategies devised to counter terrorism and violent extremism;
- ❖ ensure that efforts to counter terrorism and violent extremism do not adversely impact women's rights;<sup>18</sup>
- ❖ mainstream gender perspectives<sup>19</sup> across efforts to prevent violent extremism;
- ❖ invest in gender-sensitive research and data collection on women's roles in violent extremism, including identifying the drivers that lead women to join violent extremist groups, and isolating the impacts of counterterrorism strategies on their lives, in order to develop targeted and evidence-based policy and programming responses;
- ❖ include women and other underrepresented groups in national law enforcement and security agencies, including as part of counterterrorism prevention and response frameworks;
- ❖ build the capacity of women and their civil society groups to engage in prevention and response efforts related to violent extremism; and
- ❖ ensure that a portion of all funds dedicated to addressing violent extremism are committed to projects that address women's specific needs or empower women, as recommended in the Secretary-General's recent report to the Security Council on women, peace and security.<sup>20</sup>

Despite these commitments, concerns remain that PCVE programming and strategies have failed to effectively implement measures that ensure women's participation, promote women's leadership and advance gender equality. In the 2015 *UN Women Global Study on the Implementation of United Nations Security Council Resolution 1325* ("UN Women Study"), authors express concerns on the global approach to PCVE from a women's rights perspective.<sup>21</sup> The *UN Women Study* notes that while "[t]he UN human rights system has increasingly addressed the issue of gender and terrorism,"<sup>22</sup> there has been a "deeply problematic" shift in the frequency with which the Security Council has referred to women's empowerment as "a mitigating factor to the spread of violent extremism".<sup>23</sup> *The UN Women Study* explains that "[t]o enmesh such programmes in [top-down] counterterrorism strategies, sanctioned by the Security Council, is to deeply compromise the role of women's organizations and women leaders associated with the programmes".<sup>24</sup>

These concerns are also detailed in a 2016 report on *Human Rights in the Context of Preventing and Countering Violent Extremism* of the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism ("*Special Rapporteur Report*").<sup>25</sup> The *Special Rapporteur Report* explores the "[i]mpact of

measures that target specific groups or individuals” and considers the link between violent extremism and gender.<sup>26</sup> It details concerns about existing methods of involving women in PCVE programming, noting that:

[c]ritics have observed that efforts to include women have tended to emphasize their engagement only at the informal or local level and often in ways that use and reinforce gender stereotypes (women as victims of terrorism; women as mothers). They also run the risk of instrumentalising women’s engagement, where women are empowered, educated or encouraged to participate only in furtherance of an agenda to counter or prevent violent extremism. If women’s rights become secondary to and identified with a broader agenda, the risks of backlash against gender equality, women’s rights defenders and girls’ education increases, as does the possibility of the bartering of women’s rights and gender equality when it is seen to further national security interests. Further, more attention needs to be paid to identifying if, and when, categorizing or documenting certain activities by women as countering or preventing violent extremism will be unsafe, unprincipled, or counterproductive.<sup>27</sup>

OHCHR has expressed similar reservations in its *Report on Best Practices and Lessons Learned on How Protecting and Promoting Human Rights Contribute to Preventing and Countering Violent Extremism* (“*Report on Best Practices*”) in July of 2016. The *Report on Best Practices* calls for continuing “gender-sensitive research and data collection on the drivers of radicalization for women and on their role in violent extremism.”<sup>28</sup> It also notes that the efficacy of PCVE programs will be compromised without the “comprehensive engagement of women at all levels,”<sup>29</sup> and that discriminatory PCVE programs may be counterproductive.<sup>30</sup> Finally, PCVE efforts that “emphasize women’s engagement in ways that have reinforced gender stereotypes,” may improperly instrumentalize women as “tools of national security,” or “[lead] to allocating . . . resources in a way that risks further marginalizing women.”<sup>31</sup> The *Report on Best Practices* also notes a lack of assessments of PCVE measures for human rights violations, particularly those which may result in disparate impact along gender lines.<sup>32</sup>

Amid these concerns, this study seeks to contribute to a better understanding of how PCVE strategies and programming can effectively protect and promote women’s human rights and principles of gender equality. No effective strategy to prevent or counter violent extremism can do so without the involvement of roughly half of the world’s population. The inclusion of women not only leads to a more comprehensive understanding of violent extremism but also leads to more “localized, credible, inclusive, and resonant strategies to build resilience to extremism.”<sup>33</sup> Moreover, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)<sup>34</sup> mandates effective and reflective implementation of PCVE efforts that are gender-sensitive and gender-effective. Under CEDAW, state parties have committed to eliminating gender discrimination, including by “abolish[ing] all discriminatory laws,” and by “ensur[ing] [the] elimination of all acts of discrimination by persons,



organizations or enterprises.”<sup>35</sup> Towards this end, parties to CEDAW must take affirmative measures to ensure and promote women’s equality.<sup>36</sup> These commitments apply to all social, cultural, legal and economic PCVE strategies and initiatives, whether directly implemented by the government or with partners in civil society.

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<sup>1</sup> Hum. Rts. Council, Rep. of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, ¶ 11, UN Doc. A/HRC/31/65 (Feb. 22, 2016). Neither the United Nations nor the European Union have defined violent extremism, for example. Andrew Glazzard and Martine Zeuthen, *Violent Extremism*, GSRDC (2016) available at <http://www.gsdr.org/professional-dev/violent-extremism/> [accessed 5 August 2017].

<sup>2</sup> UN General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women, 18 Dec. 1979, United Nations, Treaty Series, vol. 1249, p. 13, available at <http://www.refworld.org/docid/3ae6b3970.html> [accessed 2 August 2017].

<sup>3</sup> This Report was authored by a faculty and student team at the International Human Rights Clinic (IHRC) of the University of Chicago Law School. The faculty author was IHRC director Claudia Flores and student authors were Kaitlin Beck, Vera Iwankiw, Hafsa Lak and Nabihah Maqbool. IHRC acting associate director Brian Citro and students Brittany McKinley, Joseph Nunn, and Allison Hugi provided substantial research and editing assistance. Researchers are grateful for the assistance they received in identifying case studies and engaging relevant programs from UN OHCHR offices in New York, Geneva, Tunisia and Kenya. Report cover design is by Salome Guruli.

<sup>4</sup> Initiatives that address violent extremism are generally categorized as “preventing” or “countering” violent extremism. Because there is significant overlap between categories, this report will refer to programs collectively as “PCVE programs” or “programs addressing violent extremism.”

<sup>5</sup> As noted in the U.S. country profile, programs in the U.S. are focused on Muslim communities rather than how women in these communities can participate or even play a leadership role in such programs. Thus, most examples used in the report are from Tunisia and Kenya.

<sup>6</sup> *2005 World Summit Outcome* ¶ 82–83, UN General Assembly (2005), UN Doc. A/RES/60/1 (October 24, 2005), available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N05/487/60/PDF/N0548760.pdf?OpenElement> [accessed 5 August 2017].

<sup>7</sup> See *Annex: Plan of Action*, UN General Assembly (2006), available at <https://www.un.org/counterterrorism/ctitf/en/un-global-counter-terrorism-strategy#plan> [accessed 5 August 2017].

<sup>8</sup> Hum. Rts. Council, Rep. on best practices and lessons learned on how protecting and promoting human rights contribute to preventing and countering violent extremism, ¶ 6, UN Doc. A/HRC/33/29 (July 21, 2016).

<sup>9</sup> *Id.* at ¶ 6.

<sup>10</sup> *Id.* at ¶ 7.

<sup>11</sup> The ICCPR guarantees many other relevant human rights, such as: the right to life and human dignity; equality before the law; freedom of speech, assembly, and association; religious freedom and privacy; freedom from torture, ill-treatment, and arbitrary detention; gender equality; the right to a fair trial, and [ ] minority rights[;] [and] compels governments to take administrative, judicial, and

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legislative measures in order to protect the rights enshrined in the treaty and to provide an effective remedy. UN General Assembly, *International Covenant on Civil and Political Rights*, 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171, *available at* <http://www.refworld.org/docid/3ae6b3aa0.html> [accessed 2 August 2017].

<sup>12</sup> *Plan of Action to Prevent Violent Extremism* ¶ 2, Office of the Secretary-General, UN Doc. A/70/674 (Dec 24, 2015), *available at* [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/70/674](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/70/674) [accessed 5 August 2017] (noting that the plan “considers and addresses violent extremism as, and when, conducive to terrorism”).

<sup>13</sup> *Id.* at ¶ 6.

<sup>14</sup> *Id.* at ¶ 44.

<sup>15</sup> *Id.* at ¶ 44(a).

<sup>16</sup> *See id.* at ¶ 44 (e) (noting that “[o]ne means of addressing many of the drivers of violent extremism will be to align national development policies with the Sustainable Development Goals,” including “achieving gender equality and empowering all women and girls”); ¶ 45(e) (noting that mechanisms for ensuring accountability for gross violations of international human rights law “should have relevant gender expertise”); ¶ 51(d) (noting the importance of “medical, psychosocial and legal service support . . . [for] victims of sexual and gender-based crimes” to community outreach).

<sup>17</sup> *Id.* at ¶ 53.

<sup>18</sup> *Id.*

<sup>19</sup> “Gender [m]ainstreaming is a globally accepted strategy for promoting gender equality. . . . Mainstreaming involves ensuring that gender perspectives and attention to the goal of gender equality are central to all activities – policy development, research, advocacy/dialogue, legislation, resource allocation, and planning, implementation and monitoring of programmes and projects.” *Gender Mainstreaming*, UN Women, *available at* <https://goo.gl/3n8gMz> [accessed 5 August 2017].

<sup>20</sup> *Plan of Action to Prevent Violent Extremism*, *supra* note 10 at ¶ 53.

<sup>21</sup> Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution 1325 (UN Women, 2015), *available at* <https://goo.gl/Em8PhO> [accessed 5 August 2017].

<sup>22</sup> *Id.* at 228.

<sup>23</sup> *Id.* at 229.

<sup>24</sup> *Id.* at 229.

<sup>25</sup> Hum. Rts. Council, Rep. of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, ¶ 20, U.N. Doc. A/HRC/31/65 (Feb. 22, 2016).

<sup>26</sup> *Id.*

<sup>27</sup> *Id.* at ¶ 53.

<sup>28</sup> A/HRC/33/29, *supra* note 6 at ¶ 13.

<sup>29</sup> *Id.* at ¶ 30.

<sup>30</sup> *Id.* at ¶ 31.

<sup>31</sup> *Id.* at ¶ 35 (citing numerous reports by Jayne Huckerby, and one by the United Nations Entity for Gender Equality and the Empowerment of Women).

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<sup>32</sup> Id. at ¶ 23.

<sup>33</sup> A/HRC/31/65, *supra* note 23 at ¶ 52.

<sup>34</sup> UN General Assembly, *Convention on the Elimination of All Forms of Discrimination Against Women*, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13, *available at* <http://www.refworld.org/docid/3ae6b3970.html> [accessed 2 August 2017].

<sup>35</sup> Id.

<sup>36</sup> Id. at Arts. 3 and 4.

## GENERAL FRAMEWORK: THEORIES AND DEFINITIONS

### DEFINING BASIC TERMS

Violent extremism is a term widely used but its meaning is unsettled in the global community.<sup>1</sup> The United States Agency for International Development (“USAID”), for example, defines violent extremism broadly as “advocating, engaging in, preparing, or otherwise supporting ideologically motivated or justified violence to further social, economic or political objectives.”<sup>2</sup> The African Union Commission provides this description of how violent extremism operates:

Terrorist groups exploit and capitalize on social grievances, unresolved conflicts, personal or community identity claims, religion, history, marginalization, exclusion and a host of other factors, to produce an ideological narrative that creates an enabling environment for recruitment and radicalization, where the commission of terrorist acts becomes appealing as an instrument of political activism.<sup>3</sup>

The U.N. Human Rights Council (the “Council”) notes that violent extremism is often understood by the goals of violence, as it is “generally conceived of as aimed at achieving political, ideological or religious goals, or as the means employed by groups that reject democracy, human rights and the rule of law.”<sup>4</sup>

Domestic legal definitions of “violent extremism” and related terms such as “terrorism” and “religious extremism” tend to vary by state. Some states focus on the behavior while others emphasize the political and/or religious motivation, such as whether the violence is motivated by opposition to “democracy.”<sup>5</sup> In many states, the consequences of labeling an act as “violent extremism” and/or “terrorism” are often significant as this designation converts a domestic crime into a national security concern, often carrying heightened criminal penalties along with lessened constitutional and human rights protections for the alleged perpetrator.<sup>6</sup> Labeling an act “violent extremism” or “terrorism” can also expand the types of behavior subject to criminal penalties. For example, where an act is “terrorist,” the violent act may not only be criminal but “incitement” to that act may as well.<sup>7</sup> As the Council has observed, a “legal or policy framework that fails to clearly define the phenomenon it seeks to address not only risks leading to inefficient measures, but may also become harmful.”

### IDENTIFYING THE DRIVERS OF VIOLENT EXTREMISM

There is significant debate as to why people resort to violent extremism and there is no definitive profile for susceptible individuals.<sup>8</sup> The Report of the Special Rapporteur on the promotion and protection of human rights while countering terrorism stresses that “the path to radicalization is individualized and non-linear, with a number of common ‘push’ and ‘pull’ factors, but no single determining feature.”<sup>9</sup> Push factors are characterized as those that

attract men and women to join groups; pull factors are the means by which groups recruit.<sup>10</sup> The U.N. Secretary-General has stressed that social, political and environmental factors foster violent extremism, including “poor governance, democracy deficits, corruption and a culture of impunity”<sup>11</sup> and that violent extremist narratives become attractive where “human rights are being violated, good governance is being ignored and aspirations are being crushed.”<sup>12</sup>

Academic studies on terrorism and violence identify both structural factors and social and psychological dynamics as potentially encouraging extremism; newer models emphasize ideology, globalization and religion as relevant as well.<sup>13</sup> Below are five often discussed models that attempt to explain drivers of violent extremism: the material factors model, the rational choice model, the community norms model, the individual motivations model and the intragroup model. These models provide a useful backdrop for assessing the efficacy of PCVE program implementation and programming and its engagement with gender-related goals.

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## MATERIAL FACTORS MODEL

The material factors model associates material deprivation—such as lack of economic opportunity, social marginalization and discrimination—with the risk of participating in violent extremism.<sup>14</sup> The theory hypothesizes that lack of access to economic means and resources leads people to alternative methods of securing material goods, which may include participating in violent extremist groups that promise material gain. From a gender perspective, this model can provide some explanation for why women in particular, who often have more limited economic opportunities than men, could be drawn to extremist ideologies and group infrastructures, where such groups provide greater economic independence and opportunities for female leadership and autonomy.

According to this model, violent extremism may be prevented by implementing programs that address structural economic inequalities.<sup>15</sup> Programming aimed at eliminating recruitment of women would have to address economic inequalities resulting from gender discrimination. Successful programs could disrupt recruitment pathways for women by offering alternatives to their social and economic deprivation.

Though this model has found support in various sectors, some sociological studies suggest that individuals who turn to violence are not necessarily more likely to have histories of deprivation, poverty or unemployment than the general population.<sup>16</sup> Moreover, numerous instances of violent extremism have been perpetrated by individuals with higher than average levels of education attainment.<sup>17</sup> While this finding may not undermine the material factors model, it does indicate that the push and pull mechanisms are more complex than the model alone is able to capture.

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## RATIONAL CHOICE MODEL

The rational choice model emphasizes the autonomy of the individuals who chose to engage in extremism. According to this model, extremists are among a minority who reject nonviolence in liberal democracies because civic engagement and legal mechanisms are ineffective, distrusted or time consuming.<sup>18</sup> Thus, rather than committing violent acts in objection to material deprivation, violent groups act against a perceived injustice.<sup>19</sup> Under the rational choice model, terrorist campaigns are meant to advance ideological ends by garnering attention, discrediting the government and demoralizing officials.<sup>20</sup> Under this model, women may choose to participate in violent extremism in opposition to various perceived social injustices as a way of disrupting the existing social, political or economic order.

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## COMMUNITY NORMS MODEL

The community norms model posits that extremist beliefs are impacted and regulated by communities. There is no reliable evidence linking communities that express ideologies consistent with violent extremism to actual participation in violence.<sup>21</sup> However, theories do indicate that the community may facilitate the continuation of violence, either through community approval or through material aid.<sup>22</sup> Alternatively, if the community determines that violence is disproportionate or that violence creates suffering within the community itself, community opposition can also decrease incidents of violent extremism.<sup>23</sup> Support for violent extremism in communities can fluctuate over time and depends on circumstances. At the start of conflicts, communities tend to have low levels of support for violence. This support may increase over time as narratives supporting violence are disseminated in the community.<sup>24</sup>

Under this model, women's engagement in PCVE efforts will likely be determined by the role they play in the community, such as whether they serve in leadership positions, have forums for expressing their views and are in dialogue with other community members.

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## INDIVIDUAL MOTIVATION MODEL

Some theorists view violent extremism as a decision made by the individual alone.<sup>25</sup> However, as individual decisions are often influenced by others, vulnerability to violent extremism may still be linked to social isolation and marginalization.<sup>26</sup> Under this theory, policies that promote social trust and political engagement are important in counteracting these factors. For example, while religious ideology is often assumed to be a reason for participating in violent extremism, studies indicate that Muslims with high attendance at religious centers are *less* likely to participate in violent extremism.<sup>27</sup> Thus, the theory holds that ties and relationships to a religious community reduce the pull towards violent extremism, rather than encourage it. As under the community model, women's participation

in PCVE will be linked to their participation and involvement in the public and religious life of a community as voices that influence others as well as to reduce their own isolation.

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## INTRAGROUP MODEL

The fifth model evaluating the factors that contribute to violent extremism focuses on intragroup dynamics. Violent extremist groups have a shared commitment and risk level, which creates solidarity in their articulated mission.<sup>28</sup> The development of insular groups of people dedicated to using violence generally leads to isolation and amplification of their shared beliefs and ends. This can be further reinforced by an intolerance of internal dissent.<sup>29</sup> As a result, particular groups will remain committed to violent ends, regardless of whether violence is achieving their goals. In such situations, violent extremism may continue to exist until the group itself is dismantled.<sup>30</sup> Here, PCVE programs that assist women returnees in reintegrating into their communities are critical. For women considering leaving violent extremist groups, the difficulties of returning are likely important factors to consider.

## PCVE PROGRAM TYPES

PCVE programming is often characterized as violence prevention in which future acts are countered by protective measures.<sup>31</sup> The tension inherent in PCVE programming, then, is that targeted communities and individuals are seen both as vulnerable and as potentially violent.<sup>32</sup> Thus, strategies tend to focus on building resilience in individuals and communities as well as addressing the tangible conditions that may drive violent extremism, as summarized above.

PCVE strategies encountered by researchers generally took the following forms:

**Media campaigns** sought to present counter narratives that facilitate social disapproval of violent extremism.<sup>33</sup> Those interviewed generally agreed that media campaigns could effectively deliver moderate messaging and education on social, religious or politico-legal topics which provide counter narratives to extremist ideology.<sup>34</sup> However, some interviewees expressed some skepticism about the efficacy of media campaigns,<sup>35</sup> noting that some, primarily web-based efforts, had only been modestly successful as measured by clicks and other interactions.<sup>36</sup>

**Development programs** aimed to discourage violent extremism by addressing economic motivations to join extremist groups, such provision of economic opportunities or professional skills development. When implemented in a gender sensitive manner, development programs have also sought to reduce power differentials and gender inequalities in a community, strengthening women's ability to contribute to community PCVE efforts.

**Direct interventions** targeted populations considered to be "at-risk" of adopting violent extremist ideologies. Some direct intervention programs also intervened where populations have already encountered, participated in or been affected by violent extremism. These

programs usually operated by providing psychosocial support, such as counseling or mentoring, and social and cultural opportunities, particularly for youth.<sup>37</sup> Some provided economic opportunities such as vocational skills training.

**Community dialogue programs** aimed to improve the relationships between community members by creating forums for dialogue. The goal was to encourage examination of extremist narratives by providing opportunities for community self-education. These programs sought to offer a platform for participants to express their opinions and ideas, which is thought to improve the psychosocial well-being of community members.

**Community policing** programs sought to improve the efficacy of the state security apparatus by improving relationships between communities and state security. When police and policed communities have cultivated a relationship based on mutual knowledge and respect, the legitimacy of the former and the human rights of the latter are strengthened. A concern is that community policing programs are sometimes security-oriented, rather than community-oriented; in such a situation, interventions are actually crafted to provide police with access to a community, rather than to foster community-police relationships.

**Capacity building** focused on improvement of individuals' abilities to respond to violent extremism. Some programs focused on providing economic opportunities necessary for local actors to effectively execute their programs. Other programs focused on developing professional skills.

**Assistance to returnee programs** sought to reduce repeated participation of recruits by making it feasible to leave an extremist organization and reintegrate into community life. Programs that provided assistance to returnees included those providing psychosocial support, presenting counter-narratives, offering moderate education, or delivering economic opportunities to address the multitude of pull factors that might be exerting their influence on returnees.

## PCVE PROGRAMS GOALS

The PCVE program interventions described above generally seek to accomplish seven primary goals, which can work in concert: *providing psychosocial support, providing economic opportunities, presenting counter-narratives, providing moderate education, detecting extremism, improving community relations, and developing professional skills*. Keeping these goals in mind is useful in assessing gender equality and impact on women's participation, experience and empowerment in PCVE programming.

**Psychosocial support** aims to create buffers for at-risk populations to discourage them from engaging in extremism by providing social connections and needed resources. For instance, at-risk youth may be assigned mentors, and women affected by extremist activities may be provided a social circle of other women with similar experiences.



**Counter-narratives** provide alternative descriptions that reinterpret social, religious and philosophical ideologies in a way that discourages rather than encourages extremism. For instance, representing religious text in such a way that emphasizes peaceful resolutions of conflict or condemns the use of violence can offer an alternative to extremist religious interpretations.

**Moderate education** discourages extremism by providing knowledge about civic matters such as good governance and an analytical and informed approach to religion. Education seeks to put in place and operationalize other goals as well, such as presenting counter narratives.

**Detecting extremism** serves law enforcement and deterrence purposes. This is most frequently done through law enforcement, intelligence gathering and profiling characteristics that can lead to participation in violent extremism.

**Professional skills development** provides or facilitates professional opportunities and capacity of those who are at-risk of adopting violent extremist ideologies, as well as communities impacted by extremism, in order to reduce their vulnerability to extremism. While capacity building usually seeks to improve access to political structures and community organizations, skills development cultivates individual skills, including those relevant to the labor market and to politics. Some programs may provide economic opportunities more directly by providing material support.

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<sup>1</sup> Hum. Rts. Council, Rep. of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, ¶ 11, UN Doc. A/HRC/31/65 (Feb. 22, 2016). Neither the United Nations nor the European Union have defined violent extremism, for example. Andrew Glazzard and Martine Zeuthen, *Violent Extremism, GSRDC* (2016) available at <http://www.gsdr.org/professional-dev/violent-extremism/> [accessed 5 August 2017].

<sup>2</sup> A/HRC/31/65, *supra* note 1 at ¶ 11.

<sup>3</sup> African Union Commission [AUC], Rep. of the chairperson of the commission on terrorism and violent extremism in Africa, ¶ 18, PSC/AHG/2(CDLV) (Sep. 2, 2014).

<sup>4</sup> Hum. Rts. Council, Rep. on best practices and lessons learned on how protecting and promoting human rights contribute to preventing and countering violent extremism, ¶ 17, UN Doc. A/HRC/33/29 (July 21, 2016).

<sup>5</sup> The United Kingdom, for example, defines extremism as “the vocal or active opposition to [UK] fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs,” as well as “calls for the death of members of [UK] armed forces.” Secretary of State for the Home Department, Counter-Extremism Strategy, October 2015, Cm. 9148, at 9 (UK), available at [http://www.preventforfeandtraining.org.uk/sites/default/files/51859\\_Cm9148\\_PRINT.PDF](http://www.preventforfeandtraining.org.uk/sites/default/files/51859_Cm9148_PRINT.PDF) [accessed 5 August 2017]; Sweden uses the word extremism to describe

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“movements, ideologies or people who do not accept a democratic social system,” and defines a violent person as one who “is deemed repeatedly to have displayed behaviour that not just accepts the use of violence but also supports or exercises ideologically motivated violence to promote something.” Government Communication 2011/12:44 Action Plan to Safeguard Democracy Against Violence Promoting Extremism, (Swed.) *available at* <http://www.government.se/contentassets/b94f163a3c5941aebaeb78174ea27a29/action-plan-to-safeguard-democracy-against-violence-promoting-extremism-skr.-20111244> [accessed 5 August 2017].

<sup>6</sup> A/HRC/33/29 *supra* note 4 at ¶ 8.

<sup>7</sup> *Id.*

<sup>8</sup> Paul Thomas, *Failed and Friendless: The UK's 'Preventing Violent Extremism' Programme*, 450, THE BRITISH JOURNAL OF POLITICS AND INTERNATIONAL RELATIONS Vol 12 (2010).

<sup>9</sup> A/HRC/31/65 *supra* note 1 at ¶ 15.

<sup>10</sup> Jeanette Gaudry Haynie, *Women, Gender and Terrorism: Gendered Aspects of Radicalization and Recruitment*, WOMEN IN INTERNATIONAL SECURITY, (Sept. 15, 2016).

<sup>11</sup> A/HRC/33/29 *supra* note 4 at ¶ 14.

<sup>12</sup> *Id.* at ¶ 13.

<sup>13</sup> Charlotte Heath-Kelly, *Counter-Terrorism and the Counterfactual: Producing the 'Radicalisation' Discourse and the UK PREVENT Strategy*, 399, THE BRITISH JOURNAL OF POLITICAL AND INTERNATIONAL RELATIONS, Vol 15 (2013).

<sup>14</sup> Jonathan Challgren et. al, *Countering Violent Extremism Applying the Public Health Model*, 8, GEORGETOWN UNIVERSITY CENTER FOR SECURITY STUDIES (Oct, 2016).

<sup>15</sup> Glazzard and Zeuthen, *supra* note 1.

<sup>16</sup> Kamaldeep S. Bhui et al, A Public Health Approach to Understanding and Preventing Violent Radicalization, 10, BMC MEDICINE Vol 10 Issue 16 (2016).

<sup>17</sup> *Id.*

<sup>18</sup> Martha Crenshaw, *The Causes of Terrorism*, 383, COMPARATIVE POLITICS, Vol 13(4) (1981).

<sup>19</sup> *Id.*

<sup>20</sup> *Id.* at 386.

<sup>21</sup> Bhui et al, *supra* note 15 at 7.

<sup>22</sup> *Id.*

<sup>23</sup> Crenshaw, *supra* note 17 at 379.

<sup>24</sup> *Id.*

<sup>25</sup> *Id.* at 389-390.

<sup>26</sup> *Id.* at 379.

<sup>27</sup> *Id.*

<sup>28</sup> *Id.* at 393.

<sup>29</sup> *Id.*

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<sup>30</sup> Id. at 397.

<sup>31</sup> Basia Spalek, *Community Engagement for Counterterrorism in Britain: An Exploration of the Role of “Connectors” in Countering Takfiri Jhiadist Terrorism*, 828, STUDIES IN CONFLICT AND TERRORISM (2014).

<sup>32</sup> Id. at 404.

<sup>33</sup> Interview with IIHD (International Institute of Human Development), in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors) (discussing IIHD’s short film campaign); Interview with UTIL (Union des Tunisiens Indépendants pour la Liberté), in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors) (discussing the rap songs written by youth in UTIL programs).

<sup>34</sup> Interview with UTIL, in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors) (discussing UTIL’s video “debates” and lessons).

<sup>35</sup> Interview with UNODC, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors).

<sup>36</sup> Interview with Middle East and North Africa Division, Human Rights Watch, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors).

<sup>37</sup> See also interview Union National de la Femme Tunisienne, in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors) (discussing how important cultural development is to remedy the problem of violent extremism, and attributing at least some of the rise in violent extremism to the elimination of cultural programs in schools); Interview with UNICEF, in Tunis, Tunisia (March 17, 2017) (interview notes on file with authors) (discussing the deterioration of Tunisian schools and educational outcomes in general in recent years).

## THE IMPACT OF VIOLENT EXTREMISM ON WOMEN

Violent extremism has significant negative and broad-ranging consequences for affected communities. It can increase social insecurity; compel governments to redirect resources needed from social services to law enforcement; erode public and government will to prioritize human rights; and stigmatize and marginalize affected communities.<sup>1</sup> Violent extremism can also restrict individual enjoyment of a number of basic human rights, including the rights to life, liberty, physical integrity, participation in public life and freedom of movement, as well as the rights from all forms of violence, including sexual violence, enslavement and forced pregnancy.<sup>2</sup> It can also have a marked socio-economic impact on communities by preventing children from attending school, placing additional burdens on a country's health system and undermining social and economic development efforts.<sup>3</sup>

The economic impacts, alone, of violent extremism are great: the direct and indirect cost of violent extremism to the world was estimated to be about \$53 billion in 2014.<sup>4</sup> Some countries are more impacted than others. For example, foreign direct investment in Nigeria dropped by \$6.1 billion in 2010 in response to increased incidences of terrorism in the country.<sup>5</sup>

Negative psychological effects related to violent extremism have also been documented, including post-traumatic stress disorder, difficulty concentrating, trouble sleeping and feelings of irritability and anger.<sup>6</sup> After the attacks on September 11, 2001 in the United States, studies found an increased use of alcohol, tobacco products and illicit drugs in the United States population.<sup>7</sup> Even more generally, after acts of violent extremism, people tend to alter their routines and normal activities because they may fear another attack.<sup>8</sup> In this way as well, violent extremism undermines a community's sense of well-being, cohesion and security.<sup>9</sup>

Violent extremism can also have a devastating effect on minority groups and vulnerable individuals.<sup>10</sup> For example, youth often experience a sense of disenfranchisement and marginalization which leaves them vulnerable to violent extremism as both perpetrators and victims.<sup>11</sup> As this report explores, in the United States, Muslim communities have been subjected to discrimination and increased surveillance following acts of violent extremism in the country.

Similarly, women are impacted by violent extremism in unique and problematic ways. Violent extremism can exacerbate the negative consequences of gender-based discrimination by, for example, placing even greater responsibilities on women for reproduction and maintenance of families when male family members are recruited by extremist organizations. Extremist ideologies and practices, themselves, often promote patriarchal structures and traditional conceptions of women's proper roles, which undermine women's equality.<sup>12</sup> Some studies have suggested that gender inequality and "violent" conceptions of masculinities are at the core of violent extremism<sup>13</sup> and that women's subjugation is used as a tool by extremist

groups to reinforce traditional stereotypes of masculinity.<sup>14</sup> Along these lines, numerous instances of gender-based violence by extremists have been reported.<sup>15</sup> For example, extremist groups have lured young girls into leaving their homes to become the wives of extremist leaders; Nigerian schoolgirls have been kidnapped, brainwashed and coerced into becoming suicide bombers; and Yezidi women and girls have been enslaved, sexually abused and traded like chattel.<sup>16</sup> Women have been raped and assaulted by extremist groups in retaliation for their family members not joining extremist groups.<sup>17</sup>

These conceptions and practices, in combination with other extremist practices of forced illiteracy and restrictions on freedom of movement,<sup>18</sup> can create significant barriers to women's equality in the economic, political, social and personal spheres.<sup>19</sup> The Section below highlights some particular areas of impact noted by researchers in Tunisia, Kenya and the United States.

## WOMEN AND FAMILIES

Violent extremism can have a significant detrimental impact on families and individual members. Families may fall into economic distress when wage earning members join extremist organizations or are the victims of violent extremist activities.<sup>20</sup> This, in turn, negatively impacts children's academic performance or results in children dropping out of school to assist the family economically.<sup>21</sup> Recruitment of family members can cause family conflict and alienation because of conflicting ideologies and paths.<sup>22</sup> Conversely, families are also vulnerable to "kinship recruitment," meaning that multiple family members are more vulnerable to joining an extremist group once one member of the family has been recruited.<sup>23</sup> A recent survey of 474 foreign fighters, comprised of both male and female fighters from 25 Western countries, found that one-third have a familial connection to violent extremists, whether through relatives or marriage.<sup>24</sup> Similarly, families can lose community support and resources as a result of stigmatization<sup>25</sup> and can be targeted by government security interventions.<sup>26</sup> Family members may become traumatized by acts of extreme violence, causing mental health or emotional difficulties that may affect family dynamics.<sup>27</sup> Emotionally, loss of a family member to a violent extremist group can cause a profound sense of grief: sorrow at the loss of a child or husband; guilt at what they may have done or might do in the future; and shame in the face of hostility from friends and neighbors.<sup>28</sup> Some research suggests that wives of suspected violent extremists compensate by deciding to "accept their fate," and seek to separate themselves from the activities of their husbands or other family members.<sup>29</sup>

Women, while increasingly the object of recruiting efforts, are still often most impacted by the loss of male family members and the consequences of that loss. They may experience heightened stress and anxiety due to family dissolution, as women often bear greater responsibilities in maintaining and protecting family cohesion and well being. These consequences range from grief over loss of their children to social isolation to descent into poverty due to a lack of economic opportunities available to women.<sup>30</sup> Women whose

husbands have joined extremist organizations are more likely to experience the economic consequences of poverty than men in a similar position.<sup>31</sup> Because of discriminatory laws, unequal compensation and the underrepresentation of women in employment, women struggle to serve as primary wage earners for their families after men have left. This, combined with the stigmatization from the community, makes it extremely difficult for women to effectively act as heads of households under these circumstances.

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## IN-COUNTRY OBSERVATIONS

As noted, women whose children are recruited by violent extremists appear to often bear the burden of attempting to keep their families together. According to a community organizer in Tunisia, mothers often try to keep in contact with children who have left to join violent extremist groups, often acting in opposition to their husbands and risking alienation from family members who disown and distance themselves from the foreign fighters.<sup>32</sup> These women often seek help from community organizations for assistance in finding their lost children.<sup>33</sup> Both mothers and fathers have attempted to track down children who have left Tunisia, to reunite with them and have them return home.<sup>34</sup>

In Tunisia, reports indicate that family members sometimes distance themselves from individuals accused of violent extremism because the accused are often targeted by police and government security forces.<sup>35</sup> Families of the accused can be targeted by the security sector through arbitrary raids, detentions and questionings.<sup>36</sup> Tunisian authorities often place the families of returning foreign fighters under surveillance.<sup>37</sup> Similar behavior was reported in Kenya, where security forces monitored, interrogated and investigated families and friends of those accused of violent extremism or those closely associated with extremist groups.<sup>38</sup>

Kenyan groups noted that when family members joined extremist groups, other members, including women, were sometimes influenced to join as well. Some were possibly motivated by a desire to be reunited with their missing family members,<sup>39</sup> especially when government officials did not assist when loved ones disappeared.<sup>40</sup> Other groups suspected women felt an obligation to join their husbands, embracing the ideology that wives should follow their husbands.<sup>41</sup>

## WOMEN AND COMMUNITIES

Entire communities can be targeted by law enforcement because individuals from the community have joined extremist groups.<sup>42</sup> Police profile these communities and engage in heightened security activities including arbitrary raids, house arrests,<sup>43</sup> detentions<sup>44</sup> and in some extreme cases, extra-judicial killings.<sup>45</sup>

Increased surveillance, restrictions and government control alter the dynamics and health of a community. Studies suggest that the mere presence of a weapon increases aggressive

behavior in people.<sup>46</sup> The militarization of law enforcement may create a “warrior mentality” in the police against the community they are supposed to serve.<sup>47</sup> In turn, community members tend to view the police as unfair and disrespectful. This corrodes the community’s views of the legitimacy of policing and broader governmental authority and can lead to community members’ withdrawal from social regulation and political life.<sup>48</sup>

Apart from increased contact with the security sector, communities suffer when members leave to join violent extremist groups. The social structure and labor market and, more generally, the political and economic infrastructures are negatively impacted.<sup>49</sup> For example, there are immediately fewer workers in the community and therefore less economic development. Women may be particularly impacted by community disruption. Those affiliated with family members who join violent extremist groups may experience stigmatization and community ostracization, which can have severe negative social, economic and psychological impacts.<sup>50</sup> Those women who relied on the foreign fighters for their income, including their families or their employees, are likely to experience even greater economic stress.<sup>51</sup> While this has not been thoroughly researched, studies suggest that women experience higher rates of domestic violence when their families are in economic distress.<sup>52</sup>

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## IN-COUNTRY OBSERVATIONS

In Tunisia, Amnesty International has reported that police conducted over 1,880 raids in 2015 aimed at violent extremists in the country. Police forcibly entered homes without properly identifying themselves or presenting a warrant or judicial order and proceeded to point guns at residents.<sup>53</sup> Those arrested during the raids included many elderly and ill individuals, and even those who were not arrested suffered consequences: some elderly had medical reactions and children reported being terrified and in shock.<sup>54</sup> Some communities in Tunisia lost more than 30 members overnight because they left to join extremist groups together.<sup>55</sup> As a result of this activity, several businesses and community buildings shut down.<sup>56</sup>

In Tunisia, women associated with foreign fighters are often viewed with distrust and judgment.<sup>57</sup> Similarly, in Kenya, women who are left behind when male family members leave to join violent extremist groups are ostracized from society and stigmatized by community members.<sup>58</sup> This is due, in part, to government measures that target the families of foreign fighters.<sup>59</sup> “Women left behind” often do not leave their homes for long periods of time because of feelings of isolation and shame.<sup>60</sup>

## WOMEN AND FREEDOM OF RELIGION

Violent extremism impinges on women's freedom of religion. Because many extremist groups advance violent ideologies as religious ideals,<sup>61</sup> government reactions have sometimes been to restrict religious freedoms when there is any suspicion of extremism. For example, various countries in the Middle East and North Africa region that have experienced high levels of terrorist attacks have also experienced high levels of government restriction on religion.<sup>62</sup> In 2014, among the world's 25 most populous countries, three of the five states with the highest overall restrictions on religion were in the Middle East and North Africa region: Egypt, Pakistan and Turkey.<sup>63</sup> Violent extremist groups themselves are criticized for being abusers of religious freedom—often attacking minority religious groups in their regions.<sup>64</sup> Human rights activists worry that restrictions of freedom of religion or belief will lead to an overall dissipation of human rights because freedom of religion is closely tied to freedom of association, peaceful assembly, opinion and expression, which are foundational to democratic societies.<sup>65</sup>

Restrictions on freedom of religion limit women's right to freely choose their dress and other expressions of their faith. In 2014, for example, a court in Kazakhstan held that a preschool was within its rights when it prohibited a young girl from wearing a hijab because it violated the school's dress code; the girl's parents removed her from the school.<sup>66</sup> The same year, in the Czech Republic, a school of nursing banned women from wearing headscarves in class, prompting at least two women to leave the school.<sup>67</sup> In both of these countries, restrictions on religion not only constrained women's right to express their faith through their dress, but also interfered with their right to education, and with that, their ability to participate in society on a basis equal to men.

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### IN-COUNTRY OBSERVATIONS

Research exploring cultural attitudes in Tunisia suggests that, while “Tunisians are now generally very tolerant of religious dress that might be considered moderate, like the hijab . . . the vast majority of citizens describe themselves as still ‘completely against’ the wearing of more dramatic religious attire like the niqab.”<sup>68</sup> Even men have reported “shaving off their beards, eschewing traditional gowns, and limiting mosque visits to avoid harassment by police who they fear will sweep up anyone who even looks militant.”<sup>69</sup> In Kenya, reports indicate that police profile those who look Muslim and ask women who wear headscarves to remove them at security check points.<sup>70</sup>

Some Tunisian women, on the other hand, report feeling fearful of retaliation for *not* wearing the hijab or for dressing in ways that might not be perceived as modest in Tunisia. One woman reported to *Slate Afrique* that “[s]ocial pressure to put back on the hijab is huge, especially in the less privileged classes.”<sup>71</sup> This was echoed in some of the interviews in Tunisia, where women expressed that they had been harassed on the street for not wearing a head scarf.<sup>72</sup> The Pew Research Center reported in 2016 that “Tunisia is the only country



in the Arab world and Africa where women report being harassed for dressing too liberally *and* too conservatively.”<sup>73</sup>

## WOMEN RECRUITS

Women who join extremist groups appear to do so for a multitude of reasons. The traditional perception is that women leave to participate in “sexual jihad”, an alleged practice in which women supposedly travel to conflict zones in order to volunteer sexual services to jihadists.<sup>74</sup> Some reports speculate that women join to bear children and produce large families who can be indoctrinated with extremist beliefs.<sup>75</sup>

Reports also differ as to whether women join freely or under coercion or duress. In some profiles, young women appear to have been lured or deceived by extremists to join their cause.<sup>76</sup> Others may have already been outcasts in conservative society—by having a miscarriage, getting a divorce or having been raped—and extremists provide them with a community and a way to escape by suicide if they want to move on to a better afterlife.<sup>77</sup> However, while these reports focus on women victimized and deceived, there are also reports that well-educated, independent women are leaving to join extremist groups voluntarily. Some have speculated that these women, who have been described as “feminist jihadists,”<sup>78</sup> do so to assert their own personal freedom and autonomy.<sup>79</sup> Others believe that most women who join extremist groups have either experienced trauma or are marginalized in their home countries.<sup>80</sup> Still others posit that women join extremist groups for the same reasons as men.<sup>81</sup>

Reports indicate that extremists are changing their recruitment strategies of women to engage them more effectively, sometimes opening more significant roles to women. This may explain why more university educated women could be joining extremist groups.<sup>82</sup> There are a few reasons offered about why extremist groups might want to recruit more women. First, women do not arouse as much suspicion as men.<sup>83</sup> They are rarely subject to full body searches and can more easily hide weapons in their clothing.<sup>84</sup> Second, extremist groups need more people in general and they may not be able to discriminate based on gender. Third, extremist groups may be actively trying to change their image to show that they do believe in some form of equality between the sexes.<sup>85</sup> Fourth, it is likely that women extremists get more media attention for their acts of violence than men, which can have benefits for violent extremist groups that want to publicize their actions.<sup>86</sup>

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## IN-COUNTRY OBSERVATIONS

In Tunisia, the government has estimated that between 100 to 700 women have left for “sexual jihad,” but civil society organizations estimate that it is closer to 300 or 400.<sup>87</sup> The perception that women are only leaving for sexual reasons seems to have diminished over time. Stakeholders interviewed by researchers described women as now actively participating in extremist activities, sometimes by warning extremists of authorities,

recruiting other members in person or online, assisting with information technology and computers, or simply actively participating in violent actions.<sup>88</sup>

Women from Tunisia and Kenya, like men, are often recruited through social media.<sup>89</sup> Reports indicate that women are also recruited by friends and through relations in mosques as well. It is also common for women to be recruited by members of their family; once one member of the family is recruited, organizations have an easier time recruiting other members of the family to join.<sup>90</sup> Often, young women are thought to join extremist groups because they are in relationships with extremists (and may or may not know their true identities)<sup>91</sup> or because the extremists offer them large dowries.<sup>92</sup> In Kenya, Universities are new sites of recruitment for women, and extremists use ideological arguments to appeal to well educated, middle class young women.

## WOMEN RETURNEES

While research is sparse, various theories have been offered for why women leave extremist groups. At least one study has suggested that disappointment in leadership is often a motivating factor.<sup>93</sup> Some stakeholders offered that women may become disenchanted with the ideology; especially given that they are required to live in communities that restrict their rights and autonomy.<sup>94</sup> Others may return because their husbands or other family members were captured or killed.<sup>95</sup> They may also return simply because their groups have been defeated in the regions where they were stationed.<sup>96</sup> Experts have indicated that those who do return are likely not threats to their home countries.<sup>97</sup> If the violent extremist groups knew that they were leaving the group to return to their home countries, they would likely face extreme punishment such as death; it has been reported that the Islamic State (also “ISIS,” “ISIL,” or “Daesh”) had executed 116 foreign fighters because they wanted to return home.<sup>98</sup>

Regardless, many countries have created legal regimes that place returning foreign fighters under increased security. For example, the UK has a new anti-terrorism law that allows the government to seize passports and travel documents for 14 days from dual nationals at borders when terrorism related activity is suspected.<sup>99</sup> The government may also cancel passports and place suspected terrorists immediately onto no-fly lists.<sup>100</sup> Other western countries have also focused on constraining freedom of travel and restricting foreign fighters from coming back into their home countries.<sup>101</sup> The Netherlands reserves the right to revoke the citizenship of convicted dual-national terrorists and Germany permits the government to confiscate any and all travel documents should a person be suspected of posing a national security threat.<sup>102</sup> Many countries also have laws criminally punishing people for joining or participating in violent extremist activities, so many returning foreign fighters may be incarcerated.<sup>103</sup> Countries like Belgium, France, Norway, and Germany have all detained returning fighters under the suspicion that they joined a terrorist organization or violated a travel ban.<sup>104</sup>

Returning fighters are often the subject of increased security and surveillance upon return. Those detained are often isolated or restricted in their contact with other detainees to allay concerns that they will develop relationships with other returnees and become increasingly radicalized. In 2015, for example, Tunisia passed an updated antiterrorism law, in the wake of the attack on the Bardo National Museum, which “extend[ed] some police powers such as pre-trial detention time, and lift[ed] a halt on [the] death penalty.”<sup>105</sup> The law grants security forces broad and vague monitoring and surveillance powers, extends incommunicado detention from 6 to up to 15 days for terrorism suspects, during which time the suspects cannot see a lawyer or family members, and will not be put in front of a judge, and permits courts to close hearings to the public and allows witnesses to remain anonymous to the defendants.<sup>106</sup>

When returning women are imprisoned and ultimately released, they may face additional challenges as compared to their male counterparts. First, while in detention, all women prisoners experience higher rates of physical and sexual abuse before entering prison, along with higher rates of mental health problems and dependency on drugs and alcohol.<sup>107</sup> Because of their increased risk factors, women are more likely than men to attempt suicide in prison.<sup>108</sup> They also require a wider range of health services than men because of their reproductive needs like menstruation and pregnancy.<sup>109</sup> In some countries, women in prison are particularly vulnerable to humiliation and sexual abuse within prisons, both by guards and by male inmates.<sup>110</sup>

When exiting prison, women face particular challenges because of the lack of economic opportunities compounding often strained family ties and the negative stigma they face in their communities. In addition to transitioning into life outside prison, some women who have left a violent relationship will have to establish a new life, which will bring with it additional economic, social and legal difficulties.<sup>111</sup> Women are more likely than men to have been treated for mental health problems in prison and thus often require treatment or counselling after release.<sup>112</sup> In certain countries, women released from prison are also at risk of murder by their families, if they have been convicted of “moral offences,” or are the victims of rape or other sexual abuse.<sup>113</sup>

Some countries do focus on rehabilitation and reintegration for returning foreign fighters, though researchers did not encounter programs that targeted female returnees.<sup>114</sup> Countries with rehabilitative regimes for returning foreign fighters, include: Indonesia,<sup>115</sup> Saudi Arabia,<sup>116</sup> Denmark,<sup>117</sup> and Pakistan.<sup>118</sup> Indonesia, for example, has adopted a “soft-approach” strategy which engages returning fighters, providing counseling and incentives as well as facilitate contact with the detainee’s families.<sup>119</sup> Indonesian rehabilitation centers assist those convicted of violent extremist activities in starting new lives by helping them to set up businesses, enrolling their children in government schools, and giving them access to religious counselling from moderate Muslim mullahs.<sup>120</sup>

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## IN-COUNTRY OBSERVATIONS

In Tunisia, public attitudes appear to support the treatment of female returning foreign fighters like their male counterparts, regardless of whether their recruitment involved coercion. For example, organizations that service victims of violence do not appear to consider female foreign fighter returnees part of their mandate.<sup>121</sup> This may be the case even when the woman was subjected to forms of coercion and deceit or may have experience sexual and/or physical abuse by a foreign fighting extremist organization.<sup>122</sup> Service providers expressed concern that these returnees may have continued involvement in violence and so were reluctant to provide them assistance.<sup>123</sup> In Kenya, the public perception is similar, and many female returning foreign fighters face extreme societal isolation and often experience post-traumatic stress syndrome symptoms.<sup>124</sup>

In Kenya, returning foreign fighters may face difficulties from both the government and violent extremist groups. Disappearances of foreign fighters have been documented and some human rights organizations have found evidence that the government is involved in these disappearances.<sup>125</sup> This practice seems to affect both female and male returning foreign fighters. In Kenya, Human Rights Watch reports that 6 of the 34 documented disappearances and 1 out of the 11 documented extra-judicial killings were women.<sup>126</sup>

In Tunisia, there is very little public information about what happens to female foreign fighters after the return from abroad. There have been reports that returning fighters have been imprisoned immediately after returning to the country, deprived of many of their due process protections.<sup>127</sup> There are estimates that currently over 1,500 returning fighters are in prison.<sup>128</sup> While it appears almost all returning foreign fighters are housed in one prison, it is unclear if women are also housed in this same prison when they return as well.<sup>129</sup> Alternatively, women returning fighters may be housed in a women's prison in Tunisia.<sup>130</sup> There appears to be no conclusive evidence that female returning foreign fighters are imprisoned rather than interrogated and released.<sup>131</sup>

More generally, women in prison in Tunisia often face barriers to caring for their children.<sup>132</sup> Children are able to stay with their incarcerated mothers until the age of three. Prisons do not always have the adequate amount of supplies for children; there are often food, clothing, and diaper shortages. There is often inadequate nutrition for prenatal mothers as well. In Kenya, detained women are not allowed to receive any health services or to meet with any family or outside representatives.<sup>133</sup>

Women returnees face various forms of stigmatization and marginalization. This is especially the case for women who return with children who may be a result of a relationship or sexual abuse.<sup>134</sup> Their communities and families may disown them.<sup>135</sup> Children born during extremist activities may also have stigma attached to them.<sup>136</sup> In Kenya, women involved with Al-Shabab who have returned from Somalia pregnant or with HIV are often stigmatized, and are unlikely to receive support from services or their communities.

## WOMEN'S LIVELIHOODS AND ECONOMIC WELL-BEING

The economic impact of violent extremism on women is a complex issue and likely varies by context. Generally, because women fare worse than men economically, economic incentives and consequences of violent extremism are likely heightened for women. Globally, women are still lagging behind men in terms of labor force participation,<sup>137</sup> and even in countries where the participation approaches equality, women still earn less than men for performing the same work.<sup>138</sup>

As noted above, the connection between violent extremism and economic opportunities is highly debated. There is some evidence that there is a connection between unemployment in a community and recruitment and radicalization.<sup>139</sup> Violent extremist groups use economic influences to encourage both men and women to join. For example, extremist groups often pay people for material assistance, through provision of food or payment of salaries for recruits.<sup>140</sup>

As noted above, because women suffer from more limited economic opportunities, they may be more responsive to economic incentives offered by extremist groups. Examples provided below from Tunisia and Kenya indicate that some of the motivation from women recruits was financial stability and opportunity. As mentioned, women who are left behind by their family members who leave to join extremist groups often struggle to support themselves and their family.<sup>141</sup> Thus, the incentive of economic opportunities may become even more powerful when male recruits have left families and communities in economic distress. Women may see joining an extremist organization as the only way to support dependents given limits on other income-generating options.<sup>142</sup>

Finally, violent extremism may cause diversion of government resources or losses in certain industries which may also impact women's lives. For example, government resources directed towards extremism may be diverted from other sectors such as social services and education. Also, some countries seen as harboring extremists may experience damage to certain industries. Both reduction of social services and loss of jobs in the informal and low-wage sector will have a negative impact on women's lives.

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### IN-COUNTRY OBSERVATIONS

Violent extremist groups use economic opportunities as a tool for recruitment, sometimes employing coercion or deception. In Kenya, for example, there have been reports of a boy who was tricked into going to the Middle East with a lure of an income opportunity. When he arrived, he was taken to fight for a violent extremist group instead; he has apparently been missing for 3 years now.<sup>143</sup> Similar stories have circulated concerning women. In some reports, violent extremist groups promised high dowries to women in need of money.<sup>144</sup>

Tunisia is a good example of a country impacted negatively by the mere perception that it is vulnerable to terrorism. For example, in the wake of the Sousse beach attacks,<sup>145</sup> the United Kingdom's Foreign and Commonwealth Office "advise[d] against all but essential travel to . . . [most of] Tunisia."<sup>146</sup> British tourism subsequently declined by 90 percent.<sup>147</sup> The economic impact here cannot be understated: the BBC estimates that 15.2 percent of Tunisia's GDP consists of travel and tourism, and that 13.8 percent of all employment is based in these sectors.<sup>148</sup> The Tunisian government has, accordingly, "plead" with the United Kingdom to "relax its travel advice."<sup>149</sup>

If the economic incentives theory holds true, this negative economic impact caused by a perception of violent extremism in a country may then have the adverse effect of increasing extremism in a country such as Tunisia.<sup>150</sup> As noted above, women may be disproportionately affected by poor economic conditions that are exacerbated by extremism.

## WOMEN AND THE ABSENCE OF HUMAN RIGHTS PROTECTIONS

PCVE efforts often lead to human rights violations, including restrictions on free speech and religion, curtailments of due process rights, and extra-judicial killing and torture.<sup>151</sup> Women suffer when communities loosen protections for human rights; human rights violations contribute to insecurity and instability, which then often leads to more human rights violations.<sup>152</sup> Moreover, because of gender inequality and discrimination, women experience compounded forms of discrimination when other factors such as age, ethnicity, disability or socio-economic status, make them even more vulnerable to human rights violations.<sup>153</sup>

The right to personal autonomy encompassed in the rights to life, freedom of movement, privacy and expression is often restricted for women, in particular, as a result of violent extremism. Personal autonomy, which has been defined as "the desire to experience choice and psychological freedom,"<sup>154</sup> can include the ability to make choices for one's self, including choices about beliefs, dress, travel and association.<sup>155</sup> One prominent example of women's loss of personal autonomy is limitations placed on their choice of attire, especially religious attire worn by Muslim women. Many countries have already banned some form of Muslim religious dress, and many others are contemplating similar restrictions; these restrictions not only impact women's choice of attire but also their ability to participate in public life.<sup>156</sup> Unable to dress in a manner consistent with their religion and culture, women may feel compelled to withdraw from public spaces. Other potential personal freedoms that can easily be abridged by programs aimed at preventing violent extremism include travel bans and restrictions, controls on financial transactions and curtailment of freedom of association and speech.<sup>157</sup>

In addition to individual freedoms that may be restricted, when a government becomes more restrictive for security reasons, women's equality may be compromised as governments tend to constrict the activities of women and the activities of those organizing for equality.<sup>158</sup> Just like restricting freedom of religion is often a knee-jerk reaction to violent extremism, many governments have also restricted freedom of association in response to violent extremism.<sup>159</sup>

Many counterterrorism laws have included very broad definitions of terrorism and illegal activity, and therefore have been used for the direct and indirect targeting of women's rights organizing, women's rights organizations, and women's human rights defenders.<sup>160</sup> Some salient examples from Tunisia are described below.

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## IN-COUNTRY OBSERVATIONS

In Tunisia, various enacted laws and policies have curtailed women's freedom and even more under consideration threaten to do so. As an example, the Tunisian legislature reviewed a bill in 2014 to "introduce stricter controls on the niqab."<sup>161</sup> According to the Ministry of Interior, such controls were necessary because "suspects and fugitives deliberately wear niqab for disguise and to escape from security units."<sup>162</sup> Proposed legislation would have banned the niqab in public places.<sup>163</sup> Regardless of whether such a law reflects a legitimate effort of the government to identify and detain suspects of violent extremism, it raises concerns for women from a human rights perspective.<sup>164</sup> For example, though the law targets the niqab, the justification provided by the government indicates that all forms of dress that could be used as disguise (sunglasses, hats) should be subject to the same regulation. Moreover, Article 1 of CEDAW requires states to take all appropriate measures to eliminate discrimination against women, including laws that have a discriminatory impact on women. Thus, this law would likely be in violation of Tunisia's obligations under CEDAW.

In 2015, Tunisia passed an updated antiterrorism law, which "extend[ed] some police powers such as pre-trial detention time, and lift[ed] a halt on [the] death penalty."<sup>165</sup> The law grants security forces broad and vague monitoring and surveillance powers, extends incommunicado detention from 6 to up to 15 days for terrorism suspects, and permits courts to close hearings to the public and allows witnesses to remain anonymous to the defendants.<sup>166</sup> The law also expands terrorist offenses to acts "causing harm to private and public property, vital resources, infrastructures, means of transport and communication, IT systems or public services" when they are part of an individual or collective enterprise.<sup>167</sup> The law also restricts freedom of expression—any person who is found to have "publicly and clearly praised" a terrorist crime, the perpetrator of a terrorist crime, an organization or an alliance connected with terrorist crimes, their members or their activities could be sentenced to up to five years in prison.<sup>168</sup> However, the law does not include any penalties on gross human rights violations committed by foreign fighters.

The breadth of violent extremism-related criminal penalties created by this law is likely to have a noticeable impact on women. As noted above, women continue to be in the minority of recruits for violent extremist organizations and often play marginal and supporting roles in any extremist activities. Thus, a law that expands the kinds of acts that qualify as criminal acts is likely to result in more women being prosecuted and imprisoned for potentially minor and low-level involvement in extremist organizations.

In addition, women will be impacted by the limitations on religious freedom resulting from government regulation of the mosques in Tunisia,<sup>169</sup> as well as freedom to travel which is curtailed with the recent travel bans for young Tunisians.<sup>170</sup> Again, limitations on these sorts of freedoms, while generally applicable, may have a disproportionate impact on women who already often experience disparate limits to their movement and religious choice as a result of gender discrimination.

Moreover, in Tunisia, public support for human rights appears to have eroded as a result of violent extremism. In an effort to address this, Human Rights Watch (“HRW”) initiated a campaign in Tunisia entitled “No to Terrorism, Yes to Human Rights” to educate the public about the deterioration of human rights in Tunisia.<sup>171</sup> The campaign primarily consisted of videos meant to explain the potential effects of security measures that disregard human rights against ordinary Tunisians. The videos featured four subjects: a filmmaker, a traveler, a woman hurt by crossfire and an individual who was wrongfully detained.<sup>172</sup> While the preliminary results were positive, further extremist activities resulted in a backlash against the campaign and HRW. On television, HRW was referred to as “Zionist,” “US-backed,” and “traitors with a hidden agenda.”<sup>173</sup> On social media, HRW was sometimes referred to as the “Terrorist Rights Watch.”<sup>174</sup> These sorts of public attitudes create an environment that facilitates deprivation of human rights which is particularly dangerous for populations, like women, already often subject to such violations.



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<sup>9</sup> Id.

<sup>10</sup> Hum. Rts. Council, Rep. of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, ¶ 26, ¶ 28, UN Doc. A/HRC/31/65 (Feb. 22, 2016).

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## GENDER EQUALITY AND WOMEN'S PARTICIPATION IN PCVE PROGRAMMING

As detailed above, violent extremism has a significant impact on gender equality and women's enjoyment of their human rights. Similarly, PCVE programming can have a negative impact on women as well. Under CEDAW, states have a duty to review any programming, policies and laws, including those on PCVE, whether implemented directly or through collaborators and partners, to ensure discriminatory impact and other negative human rights consequences for women are addressed. Moreover, as detailed above, under Articles 3 and 4, state parties to CEDAW must take affirmative measures to address women's inequality.<sup>1</sup> PCVE programming implemented by the government, civil society and communities provides an important opportunity to promote women's actual equality through leadership, inclusion, participation, empowerment and education.

PCVE efforts varied to some extent by context and needs of each country in Tunisia, United States and Kenya. That said, implementing organizations seem to have coalesced around a set of similar, non-security approaches. This Section surveys the main types of programs observed by researchers: **media campaigns, development programs, direct interventions, community dialogue programs, community policing, capacity building and returnee assistance.** Each program attempts to address one or more drivers of violent extremism by providing **psychosocial support, economic opportunity or professional skills development, by presenting counter narratives, providing moderate education, detecting extremism or improving community relations.**

Researchers reviewed these various programs with attention towards whether, by design or through impact, they detracted from women's equality and/or limited women's enjoyment of their human rights as well as whether they missed opportunities to promote the rights and equality of women. Researchers' observations were informed by concerns expressed by the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms While Countering Terrorism in a February 2016 report to the Human Rights Council on the "[i]mpact of measures that target specific groups or individuals."<sup>2</sup> Where programs limited women's rights and equality, they tended to do so in the following ways: **by prompting a backlash against women, marginalizing women, inadequately ensuring women's participation or leadership, instrumentalizing women's participation or detrimentally relying on gender stereotyping.**

In this Section, researchers describe the considerations and possible risks associated with each type of program. The goal of this analysis is to support program developers and facilitators to "ensure that [their] efforts to counter terrorism and violent extremism do not impact adversely on women's rights," as directed by the U.N. Secretary-General.<sup>3</sup> Many considerations listed below can be addressed with planning, attention to gender equality and anticipated impact on women. Potential solutions and recommendations are addressed in the next Section.

One overarching concern is worth noting at the outset—the impact PCVE efforts may be having on organizations promoting women’s rights and equality in environments vulnerable to extremism. This issue has received full treatment in Duke University School of Law’s International Human Rights Clinic Report, *Tightening the Purse Strings: What Counter Terrorism Financing Costs Gender Equality and Security*.<sup>4</sup> As the report details, some organizations doing important human rights work may find donor funding has been diverted from women’s initiatives to PCVE efforts. Similarly, funding may be denied to women’s organizations due to restrictions created in an effort to combat extremism.<sup>5</sup> Along these lines, donors may place increasing administrative burdens on organizations that receive funding in high risk areas making it difficult for smaller grassroots organizations to maintain accurate and reliable financial accounts.<sup>6</sup> These concerns all merit attention to ensure PCVE programming does not undermine women’s rights efforts and that women’s peace and security organizations are able to effectively assist in addressing violent extremism.<sup>7</sup>

## MEDIA CAMPAIGNS

Media campaigns are a popular approach to raise awareness, **present counter-narratives** and distribute critical messaging about violent extremism. Campaigns are thought to be particularly effective in harnessing the power of youth engagement. For example, several Tunisia-based programs are either engaged in or planning to implement programs to assist youth in writing and performing rap and hip hop songs—a popular genre among Tunisian youth—critical of violent extremism.<sup>8</sup>

Web videos are also being used to distribute messages to at-risk individuals. Such programming currently includes debates, lessons on religion and national history, and testimonials by family members of foreign fighters.<sup>9</sup> Given that social media is used to recruit individuals to violent extremism, the expectation is that this kind of programming may reach these and other individuals, providing education, imparting a more tolerant and moderate view of religion, promoting good citizenship and presenting the social consequences of violent extremism.<sup>10</sup> Web videos have also been developed specifically to convince viewers of the importance of enforcing human rights guarantees and maintaining healthy police oversight, even in the face of serious security concerns.<sup>11</sup>

Some organizations have taken on the production of documentaries. These include *Raise Our Voices*, a documentary in which Kenyan women share their experiences of life without sons and husbands who left to fight alongside extremist groups, as well as the experience of their family members returning.<sup>12</sup> *Call Back Home*, another Kenyan documentary, focuses on the recruitment of youth to violent extremist causes.<sup>13</sup> It includes interviews with community leaders on promoting community cohesion and the prevention of violent extremism. These leaders highlight misconceptions and misinterpretations of religious teachings that are taught to youth by extremist recruiters.<sup>14</sup> In Tunisia, one organization has produced a series of short films featuring the experiences of women, two of which were in post-production as of March 2017.<sup>15</sup>

Finally, some organizations have turned to broadcast radio.<sup>16</sup> In Kenya, African Women Advocating Peace and Security in Africa (“AWAPSA”) and Humanity, Activism, Knowledge, Integrity (“HAKI”) Africa have introduced radio programs where women share their experiences as “women left behind.” These radio programs are interactive, where listeners can call in live to voice concerns and queries. This platform may also serve as a kind of psychosocial support for affected women and may improve the community’s ability to detect extremism.

Some organizations have begun to pursue strategies beyond traditional platforms to include social media and peer-to-peer communication, including WhatsApp, when targeting youth vulnerable to radicalization.<sup>17</sup> AWAPSA and HAKI in Kenya have taken considerable steps in this regard. The Kenya Community Support Centre (“KECOSCE”),<sup>18</sup> which operates in Kenya’s coastal regions, aims to empower communities to prevent and counter radicalization through youth capacity building, community organizations, and community dialogue.<sup>19</sup> To reach wider communities, KECOSCE utilizes not only radio, but other multimedia such as billboards, LED screens, and social media.<sup>20</sup> As part of its *Countering Violent Extremism Through Multimedia and Forum Series* initiative which targets youth aged 15 to 25 years in Mombasa, KECOSCE is not only conducting bi-weekly radio talk shows, which feature PCVE themed discussions, but also organizing forums which include screenings of *Watutu* film.<sup>21</sup> *Watutu* showcases life and experience of a coastal Kenyan Muslim youth who became radicalized and was recruited by Al-Shabab.<sup>22</sup> The aim of such initiatives and forums is again to present counter-narratives and highlight dangers of participating in VE activities.

Muslim groups in Kenya are engaging strategically to delegitimize Al-Shabaab’s use of Islam to spread terror. The Building Resilience Against Violent Extremism (“BRAVE”) initiative, the Supreme Council of Kenyan Muslims (“SUPKEM”), and the Center for Ihsan and Educational Development (“CIED”) are examples of organizations that focus on “countering the use of Islam to legitimize violence” and have developed “programs to offset militant ideology.”<sup>23</sup> They run media campaigns on social and electronic media that aim to counter extremist messages and teach Muslims about interfaith dialogue and the effects of terrorism. *Being Kenyan Being Muslim* (“BKBM”) is another campaign to *present counter-narratives*. The pilot BKBM initiative was a sixteen-contact-hour, multi-media course for individuals who are exposed to extremist discourse, and for training professionals aiming to counter extremism.<sup>24</sup> An impact evaluation of BKBM concluded that the initiative’s pilot program was successful in Kenya.<sup>25</sup>

### *Considerations with Media Campaigns*

In Tunisia, in particular, there could be greater efforts to **involve women** on an equal basis in media campaigns. Involving women in media campaigns will avoid **marginalizing gender**, instead ensuring women will gain access on equal footing to a forum for speech and the opportunity to serve as educators and leaders. A lack of visibility of women in media is marginalizing, leaving unchallenged conceptions of women as unimportant in efforts to counter violent extremism.<sup>26</sup> Encouragingly, at least with respect to testimonial media campaigns, it appeared that women’s voices are better represented.<sup>27</sup> It also does not appear sufficient efforts are made to reach female audiences—either with respect to the format or the content of the messaging. Failure to consider women as target listeners not only represents a missed opportunity to reach half of the population, but has the potential to further marginalize women, as they may not receive the benefits of effective programming on par with their male counterparts.

Efforts to involve women must also keep in mind the potential for media campaigns that promote human rights and/or women’s human rights to **prompt backlash** against women.<sup>28</sup> The backlash against human rights defenders following the Human Rights Watch campaign in Tunisia may serve as a cautionary tale. Depending on the social and cultural climate in which a campaign takes place, an environment with an increasingly negative attitude towards human rights protections could pose risks unique to women, who are already vulnerable due to their gender. Media campaigns by necessity expose participants to a larger audience who will become aware of their or their family’s association with violent extremism or their efforts to prevent and counter violent extremism. These considerations may be ameliorated with attention to context-appropriate messaging, advanced planning and anticipation of potential negative consequences.

### DEVELOPMENT PROGRAMS

Researchers in Tunisia encountered one development program managed by the *Union Nationale de la Femme Tunisienne* (“UNFT”) and apparently funded in part by the Ministry of Women’s Affairs. UNFT provides vocational training, instruction for women and girls in animal husbandry and beekeeping, material assistance in the form of clothing and household goods, and opportunities for girls to participate in sporting events. While UNFT’s primary aim was to alleviate poverty, it also expects the support provided to help in preventing women and girls from getting involved with violent extremists.<sup>29</sup> Particularly on the southern border of Tunisia, it is not uncommon for women to cook or otherwise share food with members of extremist groups in exchange for a modest sum of money.<sup>30</sup> Providing this kind of economic support, then, is hoped to decrease the incentives for women to indirectly support violent extremism in the region.

In Kenya, a development program called *Kenya Tuna Uwezo*<sup>31</sup> (“KTU”)<sup>32</sup> aimed to reduce politically motivated conflicts in Nairobi’s informal settlements and Eastleigh.<sup>33</sup> Based on the

premise that feelings of marginalization and alienation from the society in informal settlements can lead to conflict and violence, KTU created opportunities and “increase demand for cooperative action among conflicting groups.”<sup>34</sup> After four years of program implementation, KTU had provided entrepreneurial and technical training to youth to assist them in starting small businesses and securing skilled employment<sup>35</sup> and facilitated the creation of small business for some youth.<sup>36</sup> In addition, KTU trained other civil society organizations in conflict-sensitive programming and violent extremism. It also engaged vulnerable at-risk groups to engage in constructive dialogue on community needs and challenges.<sup>37</sup>

### *Considerations for Development Programs*

Development programs, such as the one run by UNFT, should also account for potential **backlash** against women, particularly where only women receive benefits or where women primarily receive benefits. UNFT’s vocational training, for example, offers training in small animal care and beekeeping, work which is often seen as that of women and girls.<sup>38</sup> However, as always, concerns about backlash are weighed against the advantages of addressing existing inequalities and the value they provide in promoting women’s equality.

Strikingly, researchers were told in more than one interview in Tunisia of the existence of a generation of “*chômeurs diplômés*,”<sup>39</sup> men who are reluctant to pursue menial employment that they believe to be below their education or skills level.<sup>40</sup> This was said to be less the case with women who were more likely to accept any available employment. If true, it may make it less likely that men will react negatively to women receiving preferential or exclusive access to job training in these undesirable professions. However, this, in turn, raises the concerns that programs may **marginalize women** by relegating them to low paid or undesirable professions or **rely on gender stereotypes**, by limiting training to areas of work thought to be appropriate for women and girls.

Thus, program developers should be wary of **inadequately ensuring women’s participation** in development programs, particularly where material assistance is distributed, and ensure such assistance is provided in a way that promotes women’s equal access to desirable employment while also anticipating and addressing potential backlash caused by cultural norms that may perceive work as determined by gender.

## DIRECT INTERVENTIONS

Direct intervention programs focused on providing psychosocial support to individuals directly impacted by extremism. In Kenya, the *Women’s Initiative for Female Empowerment* (“WIFE”) brought together “women left behind” by family members fighting with violent extremist groups abroad, offering them psychological support and an avenue for reintegration in their communities. This program also sought to train women on how to engage with other at-risk individuals, with an aim to increasing the community’s ability to

detect extremism. *African Women Advocating Peace and Security in Africa* (“AWAPSA”) and the *Coastal Education Center* (“COEC”) run a similar program, *Women Against Violence Extremism* (“WAVE”) that provides trauma counseling to “women left behind” and to those targeted by law enforcement.

UN Women Kenya also supports local partners to provide safe spaces for women to share their experiences and regain their confidence in a protected environment.<sup>41</sup> Some safe spaces also serve as shelters for women who have been victims of extremism or other violence.<sup>42</sup> Support groups and safe spaces can be a great source of strength for affected women.<sup>43</sup> In addition to providing psychosocial support, some programs also provide affected women with economic opportunities to assist in reintegrating them into their communities. In this sense, direct interventions may resemble development programs. For example, as part of WAVE, COEC has been connecting women with small savings and micro-finance loan services to “help them start up their own businesses, building their self-reliance and ability to provide for themselves and their families.”<sup>44</sup>

Support groups also aim to improve the community’s ability to identify at-risk individuals. By sharing their experiences, women help each another identify “early-warning signs” exhibited by male family members. A USAID activity assessment conducted in 2015 reported that “women and girls . . . [have] an important role in resisting violent extremism, because they [are] in a better position to observe changing behaviors of their children or significant others.”<sup>45</sup> *Humanity Activism Knowledge Integrity* (“HAKI”) Africa, going one step ahead, has also started to train women to identify at-risk youth. As highlighted by a United States Peace Institute’s study, developing mothers’ skills to identify early warning signs of radicalization inculcates confidence and determination in them to move beyond the family sphere and engage the community through media and technology.<sup>46</sup> However, some stakeholders in Kenya were skeptical about the effectiveness of such programs.<sup>47</sup> According to one stakeholder, children hide their activities from mothers, and hence, the assumption that mothers are a good point of access to at-risk children does not hold ground.<sup>48</sup> Fionnuala (2015), on the other hand, states that such programs underestimate “the personal and social contexts in which these women live in ways that fail to appreciate the complexity of the roles they play in their families and communities.”<sup>49</sup>

Mentoring programs offer another form of support and are common in Kenya. AWAPSA, HAKI, and MUHURI Africa run youth mentorship programs. *Royal United Services Institute* (“RUSI”) pairs former criminals with youth mentees, which allows the mentors to provide a counter narrative about participation in crime. HAKI engages young individuals from 14 to 30 years of age, who are school dropouts or not working, through activities such as sports, debates, exhibitions and theatre to focus their energies on productive activities and prevent them from being radicalized. HAKI also runs a program specifically geared towards engaging at-risk women and counseling them against joining extremist groups. Young school girls and women in college who are vulnerable to radicalization are the focus of this program. AWAPSA



also lobbies directly on behalf of female Muslim students persecuted for wearing religious headgear, *hijab*.<sup>50</sup>

Other programs facilitate increased participation of women in planning PCVE programs and policies. For example, the COEC's Mini Bus community dialogue program used a mini bus to pick up women and others from the community to ensure they attended the organization's meetings to develop a charter on women against VE.<sup>51</sup> The mini bus picked up women heading to work in the morning, and then dropped them to their respective places of work.<sup>52</sup> It acted as a platform to bring women and other community members together to raise awareness on women's roles in PCVE and give recommendations on the proposed charter.<sup>53</sup>

Still other direct interventions focus on providing social activities for youth who are thought to be particularly at-risk of adopting violently extreme ideology. As a part of its efforts to address violent extremism in Kenya, RUSI provides activities for youth in low-income Somali neighborhoods. The *Union des Tunisiens Indépendants pour la Liberté* ("UTIL") expressed interest in developing youth programming in the approximately 650 currently defunct youth centers around Tunisia, as a way of providing access to sports, music, and film.<sup>54</sup> In this scheme, "monitors" at the centers—expected to be primarily women—would be trained to identify at-risk youth.

In its most extreme form, direct intervention involves engaging those who are currently or were very recently involved with violent extremism. UTIL had, on at least one occasion, taken family members—and mothers in particular—to visit their sons in a Syrian prison. The administration of UTIL believed that mothers' close relationship with children makes their engagement particularly useful in preventing young people from becoming involved or continuing to associate with violent extremists.<sup>55</sup> The expectation is that seeing their mothers would inspire young detainees to turn forever from violent extremism.<sup>56</sup>

#### *Considerations with Direct Interventions*

Direct intervention programs run the risk of ***instrumentalizing women***. A program like WIFE that provides women counseling, but also expects them to play an active role in dialogue with at-risk communities, may compel women to participate more actively in efforts to address violent extremism than they might otherwise choose. This kind of *quid pro quo* arrangement in which a service is provided in exchange for participation runs the risk of pressuring women to engage in programs. This, in turn, may result in less successful outcomes, where women are only participating in order to receive a service. There are several ways to avoid these dynamics, such as providing the service independent of agreements to participate or moderating the requirements so that women may choose to participate in the PCVE program to varying degrees.

In addition, interventions that engage women solely because of their status as mothers, such as UTIL's arranging for mothers to visit their sons in prison, ***rely on gender stereotypes*** that may perpetuate preconceptions of women as only relevant to PCVE efforts in their role

as caretakers. They may also color women’s own conceptions of the limited relevance of their participation to efforts to address and prevent violent extremism. As programs that involve parents may be quite helpful in efforts to combat extremism, there are various implementation considerations that could minimize the negative impact on women caused by focusing solely on their identity as mothers. Programs could involve women and men equally as fathers and mothers. Programs that focus on mothers could have added elements that empower women as women and/or engage women as mothers but also in their other social, economic and cultural capacities.

Many of the direct intervention programs encountered could better ensure **women’s participation**. For example, it was unclear whether women and girls had access to mentoring programs on an equal basis with men and boys, although at least one program was geared specifically towards young women.<sup>57</sup> The same can be said of efforts to provide youth with social and cultural opportunities. While at least one organization arranges sporting events for girls in rural areas, it is unclear whether other programs—established or nascent—make efforts to include girls and women in these sorts of cultural opportunities.<sup>58</sup> In these circumstances, young women and girls may have a difficult time otherwise participating without affirmative efforts to include them.

## COMMUNITY DIALOGUE

Many community dialogue programs encountered by researchers have a religious component and seek to reduce tensions between those of different faiths. In Kenya, AWAPSA’s “Friends Without Borders” program brings Christian and Muslim women from Madrassah together to discuss their differences and to present counter narratives.<sup>59</sup> Women are the focus of this program, as they are increasingly seen as a stabilizing force in the community.<sup>60</sup> RUSI conducts a similar program, working with whole communities to hold discussions about spiritual and ethnic differences, suspected to fuel some types of violent extremism. In Tunisia, the Ministry of Human Rights, with support from the *United Nations Development Programme* (UNDP), hosted a three day-long conference to bring imams and popular youth bloggers together from five nations to create dialogue around presenting violent extremism through social networks, as part of the Ministry’s “*plateforme de contrediscourse*.”<sup>61</sup> Other community dialogue programs aim to bring community members together with law enforcement. These efforts will be discussed in the next Section on community policing.

### *Considerations with Community Dialogue*

While women appear to be involved in various community dialogue programs, one potential consideration is **ensuring women’s participation** in dialogue programs across genders. It appears that some dialogue programs may involve women dialoguing with each other but it is also important to provide a forum in which women’s voices can be prominent in the community at large. Similarly, it is important to ensure, where appropriate, that women participating in all-female dialogue programs are provided with the skills and tools to

communicate their positions and perspectives outside of the program so that such conversations are not limited to the program space.

## COMMUNITY POLICING

In Tunisia and Kenya, some interviewees expressed skepticism about the feasibility of community policing programs, citing the difficult relationship between state security and marginalized communities, the latter having repeatedly been the target of due process and other human rights violations. In Tunisia, stakeholders noted that it was likely to take time to develop relationships between community and police due to frequent abuses by police and the resulting very low levels of confidence of marginalized communities in the police.<sup>62</sup> Despite this, others expressed some optimism about community policing as a goal, at least in theory, particularly if effectuated through security forces that have favorable relationships with the surrounding communities.<sup>63</sup> Yet others believed effective community policing may even serve to reduce violent extremism, to the extent that some extremism is catalyzed by abusive security measures.<sup>64</sup>

In Tunisia, for several years, UNDP supported community policing workshops for local security forces and the rehabilitation of some buildings in a dozen community policing stations.<sup>65</sup> The Ministry of the Interior may replicate these stations in the future.<sup>66</sup> In Kenya, community policing programs, geared towards detecting violent extremism, are already underway. AWAPSA facilitates roundtable discussions between women in the community and law enforcement, to build trust between the two groups and to encourage women to share information about extremism in their own communities. The Kenyan Ministry of the Interior's community policing efforts—in its most recent iteration, known as *Nyumba Kumi*—sought to bring together small groups of community members to share their concerns with police. However, these efforts, according to one reporter, “have yielded little fruit.”<sup>67</sup> This is due in large part to the acute lack of trust between targeted communities and security forces in the country.

KECOSCE is also implementing *Countering Violent Extremism through building stronger, more resilient local communities in the coast of Kenya* in Mombasa, Kwale and Lamu counties.<sup>68</sup> The program aims to improve relations between law enforcement and youth through engagement and empowerment activities such as youth discussion forums where police officials are also participants.

### *Considerations with Community Policing Programs*

Because police forces in Tunisia and Kenya are overwhelmingly staffed by men, community policing programs tend to have quite defined gender dynamics. The police that participate are mostly male while community members may be male or female. These dynamics should be taken into account in constructing the framework for the dialogue in ensuring women's voices are not *marginalized*. Alternately, some community policing programs may focus on

female officers engaging with a community. This has its own issues in that often women police officers have little influence in the department at large and thus any policies or approaches they may have learned in the engagements may not be effectively communicated or mainstreamed within the department. Such programs could include components that empower female officers within the departments.

## CAPACITY BUILDING

Local civil society organizations, with support from USAID and UNDP in Kenya, are implementing programs to build community and individual capacity in an effort to reduce vulnerability to violent extremism. USAID’s “Strengthening Community Resilience against Extremism” program supports civil-society organizations “working on conflict and countering violent extremism (CVE) in the six counties on the Kenyan coastal region.”<sup>69</sup> *Coast Education Center* (“COEC”) is one of eight local organizations receiving USAID assistance to strengthen its advocacy and operations to address violent extremism.<sup>70</sup> USAID’s *Kenya Transition Initiative–Eastleigh* (“KTI-E”) provides support to organizations in the predominantly Somali neighborhood in Nairobi for programs that build capacity among youth and community for moderation and non-violence, empower the local youth, and provide livelihood support for youth.<sup>71</sup> *Act Change Transform* (“ACT!”) is a grant management agency that supports partner organizations working in “peacebuilding and conflict transformation.”<sup>72</sup> ACT! also offers grantees “technical assistance” and “organizational development” services. The objective of these kinds of grants is to build the capacity of local actors to effectively address violent extremism in their communities.

Muslim organizations are also engaged in training of religious leaders and clerics to counter radicalization efforts. In this regard, BRAVE has developed a training manual, which includes an “Early Warning Against Radicalization and Violent Extremism” tool that attempts to identify “early warning signs of radicalization and violent extremism.”<sup>73</sup> Similarly, the *Council of Imams and Preachers of Kenya* (“CIPK”), through its vast network of Muslim clerics and regular training of its members, aims to “protect their mosques from being used by extremist preachers and to include the youth in their mosque committees.”<sup>74</sup> Local organizations are also involved in capacity building of law enforcement on PCVE, *Strengthening Resilience to Violent Extremism in the Horn of Africa* (“STRIVE”) program being implemented by RUSI involves capacity building and training of mid-level and senior law enforcement managers working in high risk areas on PCVE.<sup>75</sup>

Locally supported programs are also engaged in capacity building efforts. One organization in Tunisia has developed programming aimed at educating female police officers about their rights and responsibilities under Resolution 1325 and encouraging them to seek promotions within their departments.<sup>76</sup> The same organization’s “Peace Ambassador” program selects women in equal proportion to men for training and assistance in developing region-specific programs addressing violent extremism.<sup>77</sup>

### *Considerations with Capacity Building Programs*

Community capacity building programs appear to receive significant external donor funding. One possible area of concern is that external donors tend to fund more well-established organizations for administrative and technical convenience. Researchers noted that, at least in Tunisia, some of the smaller less established organizations were directed by women.<sup>78</sup> As such, it is possible that capacity building programs may ***fail to adequately ensure women's participation and leadership*** where external donors are not willing to support less established female-lead organizations.

As with many programs, capacity building programs directed at women, such as female police officers for example, can ***prompt backlash***. Again, these concerns may be ameliorated by providing at the outset groundwork to anticipate potential backlash, laying out the benefits of capacity building to non-targets, building capacity of targets to respond to potential backlash and providing resources in a thoughtful manner.

### RETURNEE ASSISTANCE

Returnee assistance programs were limited in both Tunisia and Kenya. For example, returnees were not accepted in a domestic violence shelter visited by researchers in Tunisia.<sup>79</sup> Researchers in Kenya came across few programs that offered services to returnees. Stakeholders there described government backlash against the returnees and local organizations that assisted them.<sup>80</sup> Some returnees have had their financial accounts frozen and released only after court intervention.<sup>81</sup> Identifying returnees is a challenge in Kenya as well. Returnees do not readily identify themselves due to fear of abduction and extra-judicial killings perpetrated, according to one stakeholder, either by the state or by violent extremist groups.<sup>82</sup> Only one of the interviewed stakeholders worked with returnee women and had differentiated between programs for “women left behind” and those for returnees.<sup>83</sup>

Researchers are concerned that the lack of returnee services risked ***marginalizing women*** with connections to violent extremism. Without adequate support, already vulnerable women may be driven to further desperation. This may be particularly true in prison, where women may be held upon return.<sup>84</sup> As noted above, it is unclear where female returnees are held and what conditions they are subjected to in detention. However, the same concerns likely exist as with the male returnee population of further radicalization in detention and reintegration as well as concerns specific to women in the areas of reproduction and child care.

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<sup>1</sup> UN General Assembly, *Convention on the Elimination of All Forms of Discrimination Against Women*, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13, *available at* <http://www.refworld.org/docid/3ae6b3970.html> [accessed 5 August 2017].

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<sup>2</sup> Hum. Rts. Council, Rep. of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, ¶ 20, UN Doc. A/HRC/31/65 (Feb. 22, 2016).

<sup>3</sup> *Plan of Action to Prevent Violent Extremism* ¶ 53, Office of the Secretary-General, UN Doc. A/70/674 (Dec 24, 2015), available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/70/674](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/70/674) [accessed 5 August 2017].

<sup>4</sup> International Human Rights Clinic Duke University School of Law, *Tightening the Purse Strings*, Duke Law, March 2017, 39, available at <https://law.duke.edu/sites/default/files/humanrights/tighteningpursestrings.pdf> [accessed 7 August 2017].

<sup>5</sup> Id.

<sup>6</sup> Id. at 69.

<sup>7</sup> Id. at 39.

<sup>8</sup> Interview with UTIL (Union des Tunisiens Indépendants pour la Liberté), in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors). At least one example appears to be available at [https://www.facebook.com/pg/UTILTn/videos/?ref=page\\_internal](https://www.facebook.com/pg/UTILTn/videos/?ref=page_internal) [accessed 6 May 2017].

<sup>9</sup> Id.

<sup>10</sup> Id.

<sup>11</sup> Interview with Middle East and North Africa Division, Human Rights Watch, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors) (discussing HRW's "Say No to Terrorism, Yes to Human Rights" campaign).

<sup>12</sup> Interview with AWAPSA – AFRICA, in Mombasa, Kenya (March 18 2017) (interview notes on file with authors).

<sup>13</sup> Interview with Coastal Education Center, Mombasa, Kenya (March 18, 2017) (interview notes on file with authors).

<sup>14</sup> Strengthening Community Resilience against Extremism (SCORE), USAID, Kenya and East Africa, available at <https://www.usaid.gov/sites/default/files/documents/1860/SCORE%20Draft%20Fact%20Sheet.pdf> [accessed 7 August 2017].

<sup>15</sup> Interview with IIHD, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors). Organizational social media page available at <https://www.facebook.com/org.IDH/> [accessed 7 August 2017].

<sup>16</sup> Interview with HAKI (Humanity, Activism, Knowledge Integrity) Africa, in Mombasa, Kenya (March 17, 2017) (interview notes on file with authors); Interview with AWAPSA – AFRICA, in Mombasa, Kenya (March 18 2017) (interview notes on file with authors).

<sup>17</sup> Strengthening regional capacities to prevent and counter violent extremism in the Greater Horn of Africa. Djibouti: IGAD (2016) available at [http://www.globalcenter.org/wp-content/uploads/2016/04/17-19Feb\\_HoA-CVE-Stakeholders-Meeting-Outcome-Document\\_FINAL.pdf](http://www.globalcenter.org/wp-content/uploads/2016/04/17-19Feb_HoA-CVE-Stakeholders-Meeting-Outcome-Document_FINAL.pdf) [accessed 7 August 2017]

<sup>18</sup> William Robert Avis, *The role of online/social media in countering violent extremism in East Africa*, June 2016, available at <http://www.gsdrc.org/wp-content/uploads/2016/06/HDQ1380.pdf> [accessed 5 August 2017].

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<sup>19</sup> N. Hassan, *The role of CSOs in Countering Violent Extremism (CVE) - A case of actors in East African Region*, UMYDF Working Paper Series 1: 2014. Kampala: Uganda Muslim Youth Development Forum, available at <http://umydf.org/downloads/Role%20of%20CSOs.pdf> [accessed 7 August 2017].

<sup>20</sup> Id.

<sup>21</sup> Countering Violent Extremism through multimedia and forum series in Mombasa, Kenya, Kenya Community Support Center, available at <http://www.kecosce.org/index.php/programme-and-projects/current-projects/154-promoting-youth-resilience-to-radicalism-and-violent-extremism> [accessed 7 August 2017]

<sup>22</sup> Id.

<sup>23</sup> Anthony Langat, *Muslim leaders are trying to change the way Kenya fights terrorism*, PRI.org, 23 August 2015, available at <https://www.pri.org/stories/2015-08-23/muslim-leaders-are-trying-change-way-kenya-fights-terrorism> [accessed 7 August 2017].

<sup>24</sup> Savage et al. Preventing Violent Extremism in Kenya through Value Complexity: Assessment of Being Kenyan Being Muslim, *JOURNAL OF STRATEGIC SECURITY*, 2014, 7(3), pp: 1-26.

<sup>25</sup> Id.

<sup>26</sup> For instance, a failure to reach out to young women and involve young women in a program for young rappers might leave the notion that young women don't rap unchallenged. Of course, this is not the case. See Nicki Minaj, Lil' Kim, Lauryn Hill, Missy Elliott, Azealia Banks, Remy Ma, and M.I.A. in the United States as current examples. See also the self-published YouTube music video, "Hijabi" by Mona Haydar, which went viral only a day or two prior to this writing, available at [https://youtu.be/XOX9O\\_kVPeo](https://youtu.be/XOX9O_kVPeo) [accessed 8 August 2017]. Afghani rapper Paradise Sorouri raps against extremism and violence against women from Germany available at <https://www.theguardian.com/music/2016/dec/01/afghanistan-first-female-rapper-paradise-sorouri-143band-interview> [accessed 7 August 2017].

<sup>27</sup> Interview with Middle East and North Africa Division, Human Rights Watch, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors) (discussing the "Say No Terrorism, Yes to Human Rights" campaign, in which one woman and three men participated); Interview with IIHD, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors) (discussing IIHD's short film series, in which a majority of women are expected to participate).

<sup>28</sup> Interview with IIHD, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors); Interview with Middle East and North Africa Division, Human Rights Watch, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors).

<sup>29</sup> Interview with Union National de la Femme Tunisienne, in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors).

<sup>30</sup> Id.

<sup>31</sup> Kiswahili for "We have the power!"

<sup>32</sup> Democracy, Governance and Conflict, USAID.gov, available at <https://www.usaid.gov/kenya/democracy-human-rights-and-governance> [accessed 8 August 2017].

<sup>33</sup> Kenya Tuna Uwezo Program: A KAP Survey Report, CHF International, Conducted by Africa Peace Point, 2012, available at <http://www.africapeacepoint.net/pubs/APPCHFResearchReport.pdf> [accessed 7 August 2017].

<sup>34</sup> Id.

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<sup>35</sup> Democracy, Governance and Conflict, USAID.gov, *available at* <https://www.usaid.gov/kenya/democracy-human-rights-and-governance> [accessed 7 August 2017].

<sup>36</sup> Id.

<sup>37</sup> Kenya Tuna Uwezo “We have the power”, USAID, *available at* <https://www.usaid.gov/sites/default/files/documents/1860/Kenya%20Tuna%20Uwezo.pdf> [accessed 7 August 2017].

<sup>38</sup> Interview with UNICEF, in Tunis, Tunisia (March 17, 2017) (interview notes on file with authors).

<sup>39</sup> “Unemployed graduates.”

<sup>40</sup> Interview with UNDP, in Tunis, Tunisia (March 15, 2017) (interview notes on file with authors).

<sup>41</sup> Interview with UN Women, in Nairobi, Kenya (March 16, 2017) (interview notes on file with authors).

<sup>42</sup> Interview with Coastal Education Center, in Mombasa, Kenya (March 18, 2017) (interview notes on file with authors).

<sup>43</sup> Strengthening Community Resilience against Extremism (SCORE), *supra* note 14.

<sup>44</sup> Interview with Coastal Education Center, in Mombasa, Kenya (March 18, 2017) (interview notes on file with authors).

<sup>45</sup> Strengthening Community Resilience against Extremism (SCORE), *supra* note 14.

<sup>46</sup> United States Peace Institute (USIP) (2015) *Charting a New Course: Thought for Action Kit: Women Preventing Violent Extremism*, Washington, DC: United States Institute of Peace, *available at* <http://www.women-without-borders.org/files/downloads/Women-Preventing-Violent-Extremism-Charting-New-Course.pdf> [accessed 8 August 2017].

<sup>47</sup> Interview with RUSI, in Nairobi, Kenya (March 15, 2017) (interview notes on file with authors).

<sup>48</sup> Id.

<sup>49</sup> Ní Aoláin, Fionnuala (2015) ‘Jihad, counter-terrorism and mothers’, *Just Security*, March 4, *available at* <https://www.justsecurity.org/20407/jihad-counter-terrorism-mothers/> [accessed 13 December 2016].

<sup>50</sup> Interview with AWAPSA – AFRICA, in Mombasa, Kenya (March 18 2017) (interview notes on file with authors).

<sup>51</sup> Interview with Coastal Education Center, in Mombasa, Kenya (March 18, 2017) (interview notes on file with authors).

<sup>52</sup> Interview with Coastal Education Center, in Mombasa, Kenya (March 18, 2017) (interview notes on file with authors).

<sup>53</sup> Id.

<sup>54</sup> In Tunisia in particular, engaging youth in cultural pursuits as a way of cultivating a healthy self-identity was believe to be a particularly effective method of combatting violent extremism. See also interview with UTIL, in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors) (detailing UTIL’s efforts to engage youth in producing music critical of violent extremism).

<sup>55</sup> Interview with UTIL (Union des Tunisiens Indépendants pour la Liberté), in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors). But see interview with UNICEF, in Tunis, Tunisia (March 17, 2017) (interview notes on file with authors) (citing a study that suggested fathers were actually more affectionate with their children than Tunisian mothers).



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<sup>56</sup> The UTIL director also arranged to have the press present, outside of the prison. Interview with UTIL, in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors).

<sup>57</sup> Interview with HAKI Africa, in Mombasa, Kenya (March 17, 2017) (interview notes on file with authors).

<sup>58</sup> Interview with RUSI, in Nairobi, Kenya (March 15, 2017) (interview notes on file with authors); Interview with UTIL, in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors).

<sup>59</sup> Interview with AWAPSA – AFRICA, in Mombasa, Kenya (March 18 2017) (interview notes on file with authors).

<sup>60</sup> Id.

<sup>61</sup> Interview with UNDP, in Tunis, Tunisia (March 15, 2017) (interview notes on file with authors).

<sup>62</sup> Interview with Middle East and North Africa Division, Human Rights Watch, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors).

<sup>63</sup> Interview with UNODC, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors).

<sup>64</sup> Id.

<sup>65</sup> Interview with UNDP, in Tunis, Tunisia (March 15, 2017) (interview notes on file with authors).

<sup>66</sup> Id.

<sup>67</sup> Fred Mukinda, Nyumba Kumi has little to show as crime rate continues to soar (Daily Nation, Apr 13, 2016), *available at* <http://www.nation.co.ke/news/Nyumba-Kumi-has-little-to-show-/1056-3158236-vn8wy5/index.html> [accessed 5 August 2017].

<sup>68</sup> *Countering Violent Extremism through building stronger, more resilient local communities in the coast of Kenya*, Kenya Community Support Centre, *available at* <http://www.kecosce.org/index.php/programme-and-projects/current-projects/203-countering-violent-extremism-through-building-stronger-more-resilient-local-communities-in-the-coast-of-kenya> [accessed 7 August 2017].

<sup>69</sup> Strengthening Community Resilience against Extremism (SCORE), USAID, Kenya and East Africa, *supra* note 14.

<sup>70</sup> Id.

<sup>71</sup> Midterm Evaluation of Three Countering Violent Extremism Projects, USAID, 22 February 2013, *available at* [http://pdf.usaid.gov/pdf\\_docs/pdacx479.pdf](http://pdf.usaid.gov/pdf_docs/pdacx479.pdf) [accessed 7 August 2017].

<sup>72</sup> See ACT webpage, *available at* <http://www.act.or.ke/> [accessed 5 August 2017].

<sup>73</sup> Finn et al., *Youth Evaluations of CVE/PVE Programming in Kenya in Context*, 2016, *available at* <http://journals.sfu.ca/jd/index.php/jd/article/viewFile/62/52> [accessed 7 August 2017].

<sup>74</sup> Langat, *supra* note 23.

<sup>75</sup> Strengthening Resilience against Violent Extremism in the Horn of Africa (STRIVE), RUSI.org, *available at* <https://rusi.org/projects/strive-horn-africa> [accessed 7 August 2017].

<sup>76</sup> Interview with IIHD, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors) (discussing IIHD's 1325 Training program).

<sup>77</sup> Id. (discussing IIHD's Peace Ambassador training).

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<sup>78</sup> Id.

<sup>79</sup> Interview with AFTD (Association Tunisienne des Femmes Démocrates), in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors); Interview with Le Centre Tamkin, outside of Tunis, Tunisia (March 17, 2017) (interview notes on file with authors).

<sup>80</sup> Id.

<sup>81</sup> Id.

<sup>82</sup> Id.

<sup>83</sup> Id.

<sup>84</sup> Interview with AFTD, in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors); Interview with UTIL, in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors) (estimating that approximately 5 percent of returning foreign fighters are women).

## RECOMMENDATIONS

### GENERAL RECOMMENDATIONS

#### 1. ENSURE A HUMAN RIGHTS APPROACH IN DESIGN, IMPLEMENTATION AND REVIEW OF PCVE EFFORTS THAT SEPARATES PREVENTION FROM LAW ENFORCEMENT

By ratifying CEDAW, 189 state parties, including Tunisia and Kenya, have committed to ensuring laws, policies and programs do not discriminate against women and that they respect their basic rights. States have also committed to advancing women's equality through affirmative measures. PCVE programming is no exception.

A PCVE program that separates prevention programming from security oriented programming is more likely to be human rights oriented. When programs combine law enforcement with prevention goals, initiatives are less effective and undermine community participation and relationships. If communities are only engaged within a security framework, they are less likely to see themselves as partners, and more as targets of the state. In both Kenya and Tunisia, stakeholders reported government action that potentially violates women's human rights through police harassment and raids, arbitrary detention, disappearances and even extra judicial killings, among others. While some organizations in Tunisia viewed the government as more human rights compliant in its approach, Kenyan organizations uniformly expressed concern in this area. As reported, women detained in Kenya for suspected terror attacks are not allowed to meet friends, family members or legal representatives, are not given medical care, and only released upon payment of extremely high monetary bonds.<sup>1</sup>

All counterterrorism and PCVE efforts should be reviewed for adverse human rights impacts, including a detrimental impact on women's equality. To ensure such programs are gender-sensitive and gender-effective, programs should be designed and implemented in a manner that protects women's human rights and equality. Programs that fail to take a human rights approach run the risk of *advancing discrimination, instrumentalizing the rights of women, marginalizing their input and participation and even promoting backlash against women.*

Further, PCVE programs are opportunities to advance women's equality through affirmative measures. PCVE programming, when designed with women's equality in mind, can provide opportunities for women's leadership and community engagement, capacity building, economic and professional equality and access to education and skills training. These opportunities should be considered and seized by the government and its partners in the service of PCVE goals as well as overall social, economic, political state wellbeing.

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## 2. PRIORITIZE GENDER-SENSITIVE AND GENDER-EFFECTIVE STRATEGIES AND REFORMS IN THE SECURITY SECTOR

The security sector should review its strategies, plan and operations, including recruitment, hiring, training, working practices and community engagement methods, for gender-related considerations and human rights oriented reforms more generally. This would not only ensure compliance with obligations under CEDAW but improve the operational effectiveness of security sector PCVE efforts by ensuring they are responsive to the entire community serviced and that they are engaging women as both partners and participants.

This review should have goals of developing a gender-inclusive security sector at all levels as well as security practices that are gender-sensitive and gender-effective. A gender-inclusive security sector should include increased recruitment and hiring of women at all levels as well as development of an environment and practices that are inclusive, responsive to the challenges women face in the security sector and promoting of women's advancement and leadership. Both Tunisia and Kenya suffer from significant underrepresentation of women in law enforcement.

Gender-sensitive and gender-effective security practices include consideration and assessment of women and gender equality in all aspects of security sector activities including policing and detention. In the context of policing, considerations could include how police may more effectively engage with female community members and build trust through responsiveness, for example, to domestic violence situations. Considerations could also include ensuring female detainees are detained in conditions that account for women's reproductive, maternal and psychological needs. Practices should be reviewed in light of women's social, economic, legal and cultural roles to determine how women's needs may be better served, how women may be better engaged as community partners and how women's recruitment may be more effectively addressed.

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## 3. SUPPORT BUILDING RESILIENT COMMUNITIES THAT ARE INCLUSIVE, PROMOTE EQUALITY AND ENGAGE IN DIALOGUE BETWEEN WOMEN AND GIRLS, MEN AND BOYS

Violent extremism inevitably impacts the economic, social, cultural and political well-being of an entire community. Program elements should encourage strong communities that protect community values and encourage recognition of women and girls as critical and equal voices to men and boys. This kind of programming can lay the groundwork for other more targeted prevention interventions and ensure communities can be equal partners in PCVE efforts in the long-term.

Effective gender-sensitive and gender-effective approaches to PCVE require active engagement of the entire community, including boys and men.<sup>2</sup> In otherwise male-dominated institutions such as police and local governments, engaging male leaders in promoting

women's presence is important to effectively creating space for women and girls and developing sustainable inclusive and diverse environments.<sup>3</sup> Media and other public education resources may be employed to promote male engagement with gender-sensitive PCVE efforts by advancing, for example, non-discriminatory behavior or introducing non-violent conflict resolution methods. In Kenya, husbands and other male family members appear to have significant influence on women's participation in programs because of traditional and religious practices.<sup>4</sup> Under these circumstances, educating men on the value of increased women's participation in PCVE will likely increase women's presence in such programs. Similarly, religious leaders may be influential in ensuring non-discrimination and gender equality. For example, by implementing the Beirut Declaration and its 18 commitments on "Faith for Rights," which specifically includes the pledge to revisit those religious understandings and interpretations that appear to perpetuate gender inequality and harmful stereotypes or even condone gender-based violence, women's engagement in PCVE efforts could be encouraged.<sup>5</sup>

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#### 4. AVOID COUNTERPRODUCTIVE RELIANCE ON HARMFUL STEREOTYPES AND TRADITIONAL GENDER ROLES

As noted, some PCVE programs rely on harmful stereotypes, such as equating women with motherhood or conceiving of them solely as victims, which may result in promotion of counterproductive and limiting traditional conceptions of women's proper roles and identity. This does not mean PCVE efforts may not engage with the social and cultural roles women tend to play in many communities and families but it does mean such engagement should be thoughtful and reflective, considerate of the costs and consequences to women's equality, and, where possible, inclusive of program components that seek to challenge or question counterproductive stereotypes and traditional roles.

Stereotyping not only harms women but can undermine the success of PCVE programming. For example, many programs make assumptions that mothers and wives have defined roles in the family that may not reflect the reality of many families. Current studies measuring the effectiveness of such programs often rely on self-evaluations by mothers, which reinforce the idea that women have a special role within the family and have access to special information.<sup>6</sup> However, these self-evaluations do not objectively indicate the efficacy of utilizing women in PCVE programs. In fact, reports indicate that often children go to extensive lengths to hide their participation from their mothers in particular.<sup>7</sup>

Moreover, women's participation in preventing and identifying extremism in their communities may be underutilized by assumptions of their roles. Women's predisposition to peace and/or tolerance, an example of another gender stereotype, may cause programs to be badly targeted or less effective. These stereotypes about women create a barrier to understanding women as affected by *and* as participants in violent extremism. Some policy makers might assume that women do not utilize violence as a manner of expressing agency, or that women only use violence in cases of self-defense. However, such a view ignores drivers

of violent extremism that currently impact women, and categorizes women solely as victims, or as apolitical actors, which ultimately hampers ongoing PCVE efforts.<sup>8</sup> Ultimately, one-dimensional depictions of women reinforce gendered stereotypes, and oversimplify analyses of and responses to the full range of reasons women participate in violent extremism and can participate in its prevention.<sup>9</sup>

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## 5. ENGAGE WOMEN AS CHANGE AGENTS AND CREATIVE LEADERS IN ALL FORMS OF PROGRAMMING

Uniformly, women are being underutilized in efforts to prevent and counter violent extremism. With the exception of programs implemented at women-led civil society organizations, women are at most general participants or conduits for actual program targets. As half of the population, women have significant potential to serve as change agents in transforming factors that facilitate violent extremism. Maximizing this potential would require gender-aware program development and for women to be equally involved in all levels of programming from design to implementation to assessment of success. Towards this end, UN Security Council Resolution (“UNSCR”) 1325 on Women, Peace and Security stresses the importance of the equal participation and full involvement of women in this area and urges states to increase women’s representation at all levels of the decision-making process for the prevention, management and resolution of conflict.<sup>10</sup>

To fully engage women as change agents, it is imperative that women play leadership roles in program design and conceptualization. Doing so ensures programming benefits from women’s experience, knowledge and perspective about cultural, political and social dynamics and conditions in their societies, communities and families. Programs that engage women only at the implementation stage are more likely to rely on misguided or counterproductive stereotypes and limited and narrow conceptualizations about women’s capabilities or relationships. Moreover, involving women and gender issues in program design ensures barriers and disincentives for women’s participation and leadership due to discrimination and inequality are anticipated at the outset.

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## 6. EMPHASIZE CAPACITY BUILDING AND EDUCATIONAL ELEMENTS OF PROGRAMS

For women to be effective participants and leaders in PCVE efforts, capacity-building and education elements of programs should be emphasized. Where women are engaged in their role as parents, for example, they cannot simply be expected to recognize early warning signs of extremism without substantial education, training and program components that explore effective communication with children, among other things. As interviewed program directors themselves pointed out, it is difficult to identify “at-risk” individuals.<sup>11</sup> Even if parents recognize extremist tendencies or sympathies in their children, they often lack the skills needed to intervene. Women (and parents more generally) need to be equipped and

supported in their efforts to prevent their children from joining extremist groups, and also to build their own capacity to reject the influence of extremism and violence. Moreover, programs that target mothers should consider engaging fathers as well. Not only will such an engagement maximize parental intervention but also the support and involvement of the father will likely facilitate efficacy of the mother's actions.

Where possible and appropriate, programs focusing on women's participation could consider adding empowerment and education around religion. Interviewed stakeholders in Kenya identified religious beliefs and religiously influenced socio-cultural norms as sometimes socializing women from an early age to be subservient and heavily influenced by male family members. Kenyan women, for example, felt obligated to "follow" their husbands to Somalia.<sup>12</sup> Programs could engage religious leaders to introduce or share interpretations of Islam that conceive of males and females in the context of equality.

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**7. AVOID INSTRUMENTALIZING AND MARGINALIZING WOMEN'S RIGHTS WHICH CAN UNDERMINE ENGAGEMENT AND SERVE AS A LOST OPPORTUNITY TO PROMOTE WOMEN'S EQUALITY**

PCVE programs that incorporate women's rights and interests are also more likely to succeed in engaging women and women's organizations. Where PCVE programming engages women solely in order to utilize them as a means of collecting information, for example, they are less likely to successfully develop partnerships with women's organizations if these organizations perceive women's rights as subsidiary to security concerns.<sup>13</sup> Leaders of women's organizations have also been reluctant to participate in counterterrorism programs because such policy circles have little overlap with women's groups and hold as the primary goal security defined in military terms.<sup>14</sup> Moreover, women's organizations may perceive a cost to participating in such programs. In cases such as the United Kingdom's Prevent program, participation in the program by women's organizations fostered suspicion in the constituent communities and decreased the trust between women's groups and the communities in which they worked.<sup>15</sup>

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**8. EMPHASIZE TRANSPARENCY AND ONGOING EVALUATIONS OF UNINTENDED DISCRIMINATORY IMPACT OF PCVE PROGRAMMING**

As seen in the United States (*see* Appendix), there is often ambiguity and a lack of transparency around program funding. Greater transparency regarding funding sources, recipients of funding, evaluations of use of funds and whether the programs were deemed effective should be included in ongoing program evaluations. The efficacy of PCVE efforts is enhanced when women and girls are included in monitoring and evaluation mechanisms. Gender-disaggregated data can provide a nuanced picture of the outputs and differential impact of PCVE activities.<sup>16</sup> Gender-related indicators and baseline information should

therefore be incorporated in the assessment of both general PCVE initiatives and those that specifically seek to advance women and girls' roles in PCVE.

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## 9. ADDRESS LAWS AND POLICIES THAT LIMIT AND COMPROMISE WOMEN'S RIGHTS

Even programs that promote women's rights and maximize women's leadership will face challenges in legal and political environments that limit women's autonomy and/or fail to promote equality. PCVE efforts should support the passage and implementation of laws and policies that promote women's equality, allowing women to act as change agents.

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## 10. CONSIDER NEW APPROACHES FOR RETURNEES, REHABILITATION AND REINTEGRATION AS AN ALTERNATIVE TO PROSECUTION AND DETENTION

As noted, research revealed a dearth of services and programs for women returnees. In fact, in Tunisia, services directed towards women subjected to violence did not consider female returnees as part of their client base. Programming should be developed to address the complex issues around female returnees. As more and more women are successfully recruited and subsequently return to their communities, there is an important opportunity to engage with difficult questions and conduct an analysis of community and social conditions that may have encouraged women to join extremist organizations and may now make it difficult or impossible for them to rejoin their peers. Special attention should be paid to female returnees who are detained, as it is unclear where female returnees are held and what conditions they are subjected to in detention.

## SPECIAL CONSIDERATIONS BY PROGRAM TYPE

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### 1. MEDIA CAMPAIGNS

Coordinators should undertake an evaluation of their own social and cultural climate, including potential risks for participants, at the outset of media programming. Coordinators should actively solicit the participation of women so that the same opportunities are available to men and women. Programmers should make it clear to the communities in which they operate that all individuals, including women, have important ideas and perspectives to bring to the table and diverse roles to play in the battle against violent extremism. Careful attention to messaging and plans that anticipate potential backlash are advisable.

Coordinators should follow an informed consent model for participation in media campaigns or any other activity that poses special risks to participants. All participants should be warned of foreseeable potential risks posed by participation, especially risks unique to their demographic. Participants should only consent to participate after they have considered these risks and found that participation is in their own interest.



Coordinators should also consider addressing media campaigns to parents and family members when attempting to intervene with at-risk youth. As one interviewee in Tunisia noted, anti-drug campaigns in the United States that attempted to address young drug users may have been more effective when those efforts were addressed to their parents.

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## 2. DEVELOPMENT PROGRAMS

Coordinators should undertake an evaluation of the local conditions, including potential barriers to women's access, before implementing a development program. Program facilitators should take gender-specific barriers to access into account when delivering goods or services, and consider whether special accommodations could lead to better distribution. For example, facilitators may find that changing the time of day or the location of distribution may increase women's participation.

Program facilitators should review program implementation for indications that women are either (a) not benefitting on an equal basis with men or (b) suffering backlash from community members as a result of receiving development benefits. This might include periodic surveys of local program participants, or data collection to allow program facilitators to evaluate whether women are participating in the desired proportions, and if so, under what conditions.

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## 3. DIRECT INTERVENTIONS

Developers should avoid exchanging goods or services for women's participation in direct intervention programs. This sort of *quid pro quo* arrangement may exert coercive pressure on women to participate to a greater degree than they might otherwise choose.

Coordinators should generally ensure all programs are available on an equal basis to women and girls. This is particularly true where women and girls may not be expected or welcome to participate in the same numbers as men and boys. For example, if the local atmosphere is such that women and girls may not feel welcome to participate in a youth sports program, special efforts should be made to ensure their participation and to make them feel welcome.

Developers should take special care that direct intervention programs do not expose vulnerable populations to violent extremist ideology, and in so doing risk the perpetuation of violent extremism.

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## 4. COMMUNITY DIALOGUE

Coordinators should do their best to develop programs that provide women a meaningful opportunity to contribute to conversations. Facilitators should actively encourage women's involvement and ensure the dialogue mechanism promotes women's participation. In some

communities, women's spaces may be a good way to ensure that women have a meaningful opportunity to express themselves.

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## 5. COMMUNITY POLICING

Community policing strategies are unlikely to successfully address conditions of violent extremism unless the relationship between the police and the community is based on mutual trust and respect. Programs that instrumentalize community members may further damage the community's relationship with security forces.

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## 6. CAPACITY BUILDING

As noted above, capacity building is an important element of many PCVE programs. Programs that focus primarily on capacity building should have the dual goal of preventing and countering violent extremism and promoting women's equality. By considering both goals simultaneously, these programs can avoid instrumentalizing women's participation but instead ensure that women are both active contributors and beneficiaries in PCVE efforts. Moreover, by promoting women's equality, program interventions are likely to be more sustainable and have lasting effects as women develop their ability to become change agents and leaders in the PCVE effort.

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<sup>1</sup> Interview with HAKI (Humanity, Activism, Knowledge Integrity) Africa, in Mombasa, Kenya (March 17, 2017) (interview notes on file with authors).

<sup>2</sup> Good Practices on Women and Countering Violent Extremism, Global Terrorism Forum, *available at* [www.theGCTF.org](http://www.theGCTF.org) [accessed 5 August 2017].

<sup>3</sup> *Id.*

<sup>4</sup> Interview with HAKI Africa, in Nairobi, Kenya (March 17, 2017) (interview notes on file with authors).

<sup>5</sup> Beirut Declaration and its 18 commitments on "Faith for Rights" (March 29, 2017), see commitment V., *available at* <http://www.ohchr.org/EN/NewsEvents/Pages/FaithforRights.aspx> [accessed 7 August 2017].

<sup>6</sup> Edit Schlaffer, Ulrich Kropiunigg, *Preventing and Countering Violent Extremism: The Role of Women and Women's Organizations*, Hadiyah, (2016), 55, *available at* [http://www.globalcenter.org/wp-content/uploads/2016/07/AMansWorld\\_FULLL.pdf](http://www.globalcenter.org/wp-content/uploads/2016/07/AMansWorld_FULLL.pdf) [accessed 7 August 2017].

<sup>7</sup> Naureen Chowdhury Fink, Sara Zeiger, Rafia Bhulai, *Preventing and Countering Violent Extremism: The Role of Women and Women's Organizations*, Hadiyah, (2016), 178, *available at* [http://www.globalcenter.org/wp-content/uploads/2016/07/AMansWorld\\_FULLL.pdf](http://www.globalcenter.org/wp-content/uploads/2016/07/AMansWorld_FULLL.pdf) [accessed 7 August 2017].

<sup>8</sup> Jeannette Gaudry Haynie, *Women, Gender and Terrorism: Gendered Aspects of Radicalization and Recruitment*, *Women in International Security*, 2 (Sept 15, 2016).

<sup>9</sup> Sahana Dharmapuri, *UN Security Council Resolution 1325 and Countering Violent Extremism: Using a Gender Perspective to Enhance Operational Effectiveness*, *Preventing and Countering Violent*

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*Extremism: The Role of Women and Women's Organizations*, Hadiyah, (2016), 38, available at [http://www.globalcenter.org/wp-content/uploads/2016/07/AMansWorld\\_FULLL.pdf](http://www.globalcenter.org/wp-content/uploads/2016/07/AMansWorld_FULLL.pdf) [accessed 7 August 2017].

<sup>10</sup> Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution 1325 (UN Women, 2015), available at <https://goo.gl/Em8PhO> [accessed 7 August 2017].

<sup>11</sup> Interview with USAID, in Nairobi, Kenya (March 14, 2017) (interview notes on file with authors).

<sup>12</sup> Interview with HAKI Africa, in Mombasa, Kenya (March 17, 2017) (interview notes on file with authors).

<sup>13</sup> Chantal de Jonge Oudraat, *Preventing and Countering Violent Extremism: The Role of Women and Women's Organizations*, Hadiyah, (2016), 19, 86, available at [http://www.globalcenter.org/wp-content/uploads/2016/07/AMansWorld\\_FULLL.pdf](http://www.globalcenter.org/wp-content/uploads/2016/07/AMansWorld_FULLL.pdf) [accessed 7 August 2017].

<sup>14</sup> Naureen Chowdhury Fink, Ra a Barakat and Liat Shetret, "The Roles of Women in Terrorism, Conflict and Violent Extremism: lessons for the United Nations and International Actors," Policy Brief, April 2013, Center on Global Counter- terrorism Cooperation (now: Global Center on Cooperative Security) "practitioners engaged in gender issues related to conflict resolution and peacebuilding are also reluctant to engage in activities labeled as counterterrorism."

<sup>15</sup> Jayne Huckerby, *Preventing and Countering Violent Extremism: The Role of Women and Women's Organizations*, Hadiyah, (2016), 85, available at [http://www.globalcenter.org/wp-content/uploads/2016/07/AMansWorld\\_FULLL.pdf](http://www.globalcenter.org/wp-content/uploads/2016/07/AMansWorld_FULLL.pdf) [accessed 7 August 2017].

<sup>16</sup> Good Practices on Women and Countering Violent Extremism, *supra* note 2.

## TUNISIA COUNTRY PROFILE

Tunisia is widely recognized as one of the most progressive countries in the Arab world. After a largely peaceful transition to democracy, Tunisia's new constitution contains robust human rights protections, including non-discrimination and gender equality provisions, freedom of religion guarantees, due process protections, and various socio-economic rights.<sup>1</sup> Tunisia has also signed on to various human rights treaties, further expressing its commitment to human rights and protected freedoms.<sup>2</sup>

Nonetheless, Tunisia has recently been the target of various terrorist attacks and has responded with security policies and practices that concern human rights activists. More youth travel abroad to join violent extremist groups from Tunisia than perhaps from any other country; some estimates indicate that 7,000 people, mostly youth, have left Tunisia to join violent extremist groups since the conflict began.<sup>3</sup> With approximately half of its population under thirty,<sup>4</sup> developing a response to violent extremism that honors its expressed commitment to gender equality and human rights poses a difficult challenge for Tunisia.

These complex dynamics have made Tunisia an interesting case study for this research. This profile explores how Tunisia's commitment to protecting human rights, and more specifically, women's rights, intersects with its approach to preventing and countering violent extremism.

## HISTORY AND CURRENT STATE OF VIOLENT EXTREMISM IN TUNISIA

Violent extremism and recruitment for violent extremist groups has increased steadily in Tunisia since the Revolution in 2011.<sup>5</sup> That same year, Tunisia experienced four significant terror events. In 2013, these events were followed by an attempt to bomb the seaside towns of Sousse and Monastir.<sup>6</sup> In 2015, several deadly attacks occurred: an attack at the Bardo National Museum that resulted in twenty lives lost (including seventeen tourists),<sup>7</sup> an attack on the Sousse beaches resulting in thirty-nine deaths,<sup>8</sup> and a suicide bombing in Tunis which "killed [twelve] members of the presidential guard."<sup>9</sup> In recent years, many attacks have been linked to the Islamic State (also "ISIS," "ISIL," or "Daesh").<sup>10</sup> Most recently, Tunisian extremists have been accused of perpetrating violence in France, including the 2015 massacre at Charlie Hebdo and the 2016 Bastille Day attack in Nice.<sup>11</sup>

The southern and central regions of the Tunisia are thought to be particularly vulnerable to extremism, due in part to their proximity to the instability in Libya.<sup>12</sup> In addition to the approximately 7,000 Tunisians who have left the country to join extremist organizations abroad,<sup>13</sup> estimates indicate that about 3,000 Tunisians are currently fighting with violent extremist groups<sup>14</sup> and approximately 700–800 trained fighters have returned to Tunisia.<sup>15</sup>

With more Tunisians joining extremist organizations abroad, dual concerns regarding state security and the protection of human rights and civil liberties have surfaced. The Tunisian

government has increased its security efforts aimed at combatting extremism, including an updated antiterrorism law, extending some police powers such as pre-trial detention time, and lifting a halt on the death penalty.<sup>16</sup> But organizations such as Human Rights Watch and Amnesty International, among others, have expressed concerns about the human rights consequences of these efforts.<sup>17</sup> Namely, concerns are that people have been questioned, searched, and detained in the absence of any credible evidence linking them to terrorism, sometimes with convictions secured by confessions that were extracted largely through torture.<sup>18</sup>

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## VIOLENT EXTREMISM AND WOMEN

While significantly fewer Tunisian women join violent extremist organizations than men, Tunisia has a relatively large proportion of female fighters in comparison to other countries.<sup>19</sup> Reports estimate as many as 700 women have joined extremist groups.<sup>20</sup> This means that around 10 percent of people who have left Tunisia to join foreign fighters are women. The government has estimated that 100-500 women have left the country specifically for “sexual jihad,” but civil society organizations put the number closer to 300–400.<sup>21</sup>

As more than one activist noted, female participants in violent extremism are often characterized as victims, citing examples of deception and forced sexual services, but the perception that women are only joining organizations under coercive circumstances has slowly eroded.<sup>22</sup> In fact, some have speculated that women are actively recruited by organizations because they are less likely to be suspected by authorities.<sup>23</sup> Some suggest that women may be particularly good recruits because they may commit more readily and ardently to extremist ideology than men.<sup>24</sup> One trend appears to be to recruit middle-class, educated women.<sup>25</sup> According to stakeholders, women actively participate in extremist activities, by serving as look-outs, recruiting other members in person or online, assisting with information technology and computers or otherwise supporting their plans.<sup>26</sup>

Women are likely recruited by the same means as men—through social media, friends and mosques.<sup>27</sup> Women are also often recruited through association with male family members who have joined extremist organizations.<sup>28</sup> Additionally, young women may be introduced to extremist groups through romantic partners.<sup>29</sup>

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## DRIVERS OF VIOLENT EXTREMISM

Stakeholders in Tunisia posit a number of driving forces of violent extremism that may lead to the adoption of these views. While opinions vary greatly on this issue, some common themes in Tunisia are: the breakdown of the family unit; violence in the family; economic incentives; breakdown of the Tunisian national identity; and abuses by the security state.<sup>30</sup>

*The breakdown of the family unit* was cited by those interviewed by researchers as a potential factor in decisions to leave Tunisia to join foreign fighters. Stakeholders believed that

parental influence has eroded in Tunisian society.<sup>31</sup> They suggested that teenagers have a difficult time communicating openly with their parents, which has led them to talk more to peers in person or online.<sup>32</sup> Unsurprisingly, social media recruitment by extremist groups is relatively common in Tunisia, because of these changing communication patterns.<sup>33</sup>

*Violence in the family* was also identified as potential reason for high recruitment of foreign fighters from Tunisia. As a current study indicates, Tunisian children are exposed to physical and verbal violence within the family unit or at school, usually within the context of disciplinary practices.<sup>34</sup> In fact, 94 percent of children aged 4–18 reported exposure to violence in some form in Tunisian society, according to the study.<sup>35</sup> UNICEF Tunisia theorizes that exposure to childhood violence may desensitize Tunisians to the violence associated with extremist groups.<sup>36</sup> Research generally supports this theory, with research finding that children exposed to physical punishment are more likely to engage in violent behavior later in life.<sup>37</sup>

*Economic incentives* are considered relevant to many people's decisions to assist and join violent extremist groups. High unemployment rates in Tunisia, especially in many of the rural areas closest to the Libyan border, are thought to encourage extremism.<sup>38</sup> Extremist groups will compensate people for material assistance, such as the provision of food, or even offer salaries to people who join the group full time.<sup>39</sup> In Tunisia, this economic benefit can be appealing to a wide range of people; it is relatively common for educated people not to be able to find skilled work in Tunisia.<sup>40</sup> There are high unemployment rates in Tunisia; one study suggested that as many as 35 percent of people aged 25–29 are unemployed.<sup>41</sup> Some researchers speculate that an education bubble has burst in Tunisia, with many recent college graduates unable to find work.<sup>42</sup> This may be a particular problem in rural areas. Stakeholders report that women do most of types of menial work in rural areas, and that men feel that this kind of work is beneath them.<sup>43</sup> As a result, rural men in particular often cannot find skilled work and sometimes will resort to assisting or joining extremist groups.<sup>44</sup> Another stakeholder believed that men see women as the cause of their unemployment problems, and may join extremist groups that advocate divesting women of their rights and economic opportunities.<sup>45</sup> Such a divestment would theoretically open the jobs that women currently hold to men, giving them yet another economic motivation to join extremist groups.<sup>46</sup>

*The breakdown of Tunisian national identity* is another potential factor that may influence Tunisians to join violent extremist groups. According to one stakeholder, many young people view themselves as Muslim first and Tunisian second, indicating a higher sense of affiliation and identification with religion than country.<sup>47</sup> Some stakeholders thought that this identity crisis was a natural part of the revolution.<sup>48</sup> Other stakeholders thought that extremist rhetoric is especially appealing to youth in this moment, as rebellion against the state offers one way of defining themselves.<sup>49</sup> A few stakeholders suggested that young people have lost their faith in the state, either because they did not see the changes they were promised after

the revolution, or because they are being actively victimized by the government and state security measures.<sup>50</sup>

Finally, *abuses by the security state* may be pushing people toward extremist organizations. As explained later in the report, police often arbitrarily detain or arrest people because of their associations with certain mosques, imams, or other individuals who are suspected of extremist activity.<sup>51</sup> This victimization of communities by the government is thought to contribute to the breakdown of national identity, pride, and loyalty to the country. Another potential problem stakeholders identified is radicalization in prison. It appears that Tunisia does not currently have a system for separating prisoners that adequately isolates violent extremists, so that returning foreign fighters are housed in the general population. This exposes the general population to violent extremists and their rhetoric, and converts prisons into recruitment centers for violent extremist groups.<sup>52</sup>

## HISTORY AND CURRENT STATE OF WOMEN'S RIGHTS IN TUNISIA

As noted, women's equality has historically been an important element of Tunisian identity.<sup>53</sup> Tunisia gained its independence from France in 1956, under the leadership of Habib Bourguiba. Only three months after the country declared its independence, the Code of Personal Status was promulgated.<sup>54</sup> The Code was seen by many as a victory for women's rights in Tunisia: it abolished polygamy, replaced repudiation<sup>55</sup> with legal divorce, available to both genders on an equal basis, and ended "matrimonial guardianship."<sup>56</sup> In 1993, the Code was expanded.<sup>57</sup> The expanded Code replaced paternal authority with shared parental authority that required the consent of both the mother and father before a minor could marry, allowed a woman to obtain full guardianship after divorce, and permitted her to represent her children in legal matters.<sup>58</sup> Article 23 of the Code describes the concept of mutual "benevolence" in marriage.<sup>59</sup> Tunisian women have enjoyed the most progressive laws and rights in the Arab region,<sup>60</sup> including reproductive and family planning rights, both of which were actively promoted by the Bourguiba administration.<sup>61</sup>

Tunisia's 2014 Constitution reflects its long-standing dedication to ensuring gender equality. The Preamble to the 2014 Constitution expresses "respect for . . . human rights, . . . [and] the equality of rights and duties between all citizens, male and female."<sup>62</sup> Article 21 guarantees a positive right to "equal rights and duties," and "equal[ity] before the law without any discrimination," to "[a]ll citizens, male and female."<sup>63</sup> In Article 34, the state expresses its intention to "guarantee women's representation in elected bodies."<sup>64</sup> Article 40 obliges the state to "take necessary measures" to ensure employment nondiscrimination.<sup>65</sup> Article 74 contemplates female candidates for President of the Republic.<sup>66</sup> In Article 46 of the Constitution, the state commits to taking affirmative measures to "protect women's accrued rights and work to strengthen and develop those rights" including gender equality within government and elected bodies as well as the eradication of violence against women.<sup>67</sup> To this end, one of the most progressive, complete draft laws on domestic violence in the Arab world is currently being debated in the legislature.<sup>68</sup>

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## INTERNATIONAL COMMITMENTS ON WOMEN'S HUMAN RIGHTS

Tunisia's treaty ratifications are aligned with its commitment to women's rights. Tunisia's constitution states that treaties and international law are the supreme law of the country.<sup>69</sup> Tunisia ratified the Convention on the Elimination of All Forms of Discrimination Against Women ("CEDAW") in 1985<sup>70</sup> and, in 2014, lifted all reservations to CEDAW. In the 2010 report from the CEDAW Committee on Tunisia, the Committee expressed concern over the rise in incidents of violence against women, and urged the Tunisian legislature to create a law that would clearly define and criminalize all forms of violence against women, especially including protections for women wearing the hijab from harassment by public and private individuals.<sup>71</sup> The Committee also expressed concerns about women's political participation, education and literacy. However, the Committee was especially concerned with allegations of arbitrary arrest and harassment against non-governmental organizations and human rights defenders which can weaken protections more generally for women.<sup>72</sup> The Committee still regards Tunisia as a model of gender equality for most other Muslim and Arab countries.<sup>73</sup>

As a party to the International Covenant on Civil and Political Rights ("ICCPR"),<sup>74</sup> Tunisia is also committed to respecting the rights of those accused of crimes and those imprisoned or held in detention, which can include women suspects.<sup>75</sup> In the 2008 ICCPR report on Tunisia, the ICCPR Human Rights Committee expressed concern about the broad definition of terrorism in Tunisia's criminal code, citing potential violations of Article 6 (right to life), Article 7 (right against torture and degrading treatment) and Article 14 (rights of accused persons).<sup>76</sup> Tunisia is also a party to the Convention Against Torture, which it ratified in 1988 with no reservations.<sup>77</sup> The definition of torture in the convention is relatively broad,<sup>78</sup> and accusations have been leveled against the government under the treaty for torture and mistreatment during detention of violent extremist suspects, including women who are suspected returning foreign fighters.<sup>79</sup>

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## CURRENT WOMEN'S RIGHTS CONCERNS IN TUNISIA

Following its report to the CEDAW Committee, Tunisia reaffirmed the state's commitment to "take all necessary measures in order to eradicate violence against women."<sup>80</sup> The government has taken some steps in this direction. It has conducted a comprehensive study on violence against women from 2006–2009, spearheaded a program entitled "Gender Equality and Prevention of Violence against Women" in 2006, and created a national strategy to help address the prevention of gender based violence.<sup>81</sup> In August 2004, the Penal Code was amended to criminalize sexual harassment.<sup>82</sup> However, problems persist despite these steps to eradicate gendered violence. In 2010, one article suggested that 47.6 percent of Tunisian women between the ages of eighteen and sixty-four had experienced some form of violence.<sup>83</sup> A 2015 report suggests that one in six of these women have experienced sexual violence.<sup>84</sup> Studies have found a correlation between this spike in gendered violence and the



revolution. A 2014 study found “a marked increase in violence against women, including sexual violence, since the revolution. According to the police’s own statistics, 46 women were killed in the first ten months of 2013 (as compared to thirty-four for the same period in 2012). 90 percent of these crimes were committed by the victim’s partner.”<sup>85</sup>

Stakeholders managing a domestic violence shelter and service center note that “legislative responses to violence [against women] remain largely insufficient.”<sup>86</sup> A serious gap in the current Penal Code, reported by Amnesty International, “allow[s] men accused of raping a girl or woman aged between 15 and 20 to escape prosecution by marrying their victim,”<sup>87</sup> and reforms “continue[ ] to reflect discriminatory social attitudes against women and [fail to] preserve the general needs of survivors.”<sup>88</sup> The prejudices of judges, traditional attitudes regarding gender roles within the home, and high standards of proof may also act as aggravating factors in the effective prosecution of perpetrators of violence against women.<sup>89</sup> *The Guardian* reports that, between 2012 and 2013, “two-thirds of the 5,575 complaints of marital violence lodged with the authorities were withdrawn or dismissed; only 10% resulted in convictions.”<sup>90</sup> The publication also observed that “police may refuse to investigate complaints and allegations—and sometimes they are the perpetrators.”<sup>91</sup>

Another significant restriction of women’s rights manifests in the context of religious expression. President Habib Bourguiba referred to veils as “wretched rag[s]” and “dreadful shroud[s],” and was criticized for mocking the religious concept of virginity.<sup>92</sup> Bourguiba also banned the *niqab*<sup>93</sup> in schools, and “[o]nce, on camera, [ ] removed a hair-covering from a woman in the street.”<sup>94</sup> Bourguiba’s successor communicated a similar stance towards women’s religious expression; President Zine el Abidine Ben Ali “once reportedly said that the *hijab*<sup>95</sup> was something foreign and not part of Tunisian culture,”<sup>96</sup> and, “[u]nder Ben Ali, visible signs of faith, such as a man’s beard or a woman’s *niqab*, became cause for harassment by security forces.”<sup>97</sup> Tunisian society appears to have a complex relationship with women’s religious expression, particularly in its discomfort with their religious garb. Research exploring cultural attitudes in Tunisia suggests that, while “Tunisians are now generally very tolerant of religious dress that might be considered moderate, like the hijab . . . the vast majority of citizens describe themselves as still ‘completely against’ the wearing of more dramatic religious attire like the *niqab*.”<sup>98</sup> The Pew Research Center reported in 2016 that “Tunisia is the only country in the Arab world and Africa where women report being harassed for dressing too liberally *and* too conservatively.”<sup>99</sup>

## GOVERNMENT RESPONSES TO VIOLENT EXTREMISM

The government response to the increasing threat of violent extremism has been primarily security based. In 2015, Tunisia passed an updated antiterrorism law, in the wake of the Bardo attack, which “extend[ed] some police powers such as pre-trial detention time, and lift[ed] a halt on [the] death penalty.”<sup>100</sup> The law grants security forces broad and vague monitoring and surveillance powers; extends incommunicado detention (where the detainee is prohibited from communicating externally) from six to up to fifteen days for terrorism

suspects, during which time detainees cannot see a lawyer or family members, and cannot go before a judge; permits courts to close hearings to the public; and allows witnesses to remain anonymous to the defendants.<sup>101</sup> Human rights workers characterize these measures as restrictions of due process that violate many of Tunisia’s constitutional and international obligations.<sup>102</sup>

The law also creates a National Commission on Counterterrorism, a joint commission designed to bring together members of different ministries to advise on future laws and design counterterrorism methods.<sup>103</sup> While the Commission can incorporate civil society organizations, they have not yet been added as members. The Parliament also created a Commission on the Recruitment of fighters, with members from the Ministry of Justice, Interior, and Defense, to further investigate the processes by which people are connected to extremist groups.<sup>104</sup> It is unclear whether these new bodies will bolster the human rights aspects of current national programs.

Other due process violations that are frequently reported include arbitrary raids, house arrests<sup>105</sup> and detentions, especially for those suspected of extremist activity.<sup>106</sup> There are an estimated 1,500 returning foreign fighters in prison in Tunisia.<sup>107</sup> Most alarmingly, Amnesty International has found evidence that security forces frequently torture detainees during both interrogation and detention.<sup>108</sup>

Furthermore, under the guise of increasing security concerns, the Ministry of the Interior announced in 2014 that “it would introduce stricter controls on the *niqab*.”<sup>109</sup> According to the Ministry, such controls are necessary because “suspects and fugitives deliberately wear *niqab* for disguise and to escape from security units.”<sup>110</sup> As of April 2016, Tunisia did not appear to officially regulate women’s religious dress,<sup>111</sup> but draft legislation was submitted to Parliament on March 18, 2016—the one-year anniversary the Bardo attack<sup>112</sup>—that would ban the *niqab* in public places.<sup>113</sup> The 2016 bill was passed into law on July 5, 2019.<sup>114</sup>

Despite these findings, some organizations perceive the government as more receptive to taking a human rights approach in addressing violent extremism than other governments. According to one interviewee, Tunisia stands out as being one of the first governments to recognize that approaches to counterterrorism must be multifaceted—including education, media, restrictions on hate speech, the judiciary and social policies, to name a few examples. However, public perceptions of the risk of violent extremism—undoubtedly stoked by media coverage of these events—have made it more difficult to maintain a human rights approach to counterterrorism.

As part of its broader strategy to combat violent extremism, the Tunisian government has also focused on the regulation of mosques. In Tunisia, mosques must be registered by law with the Ministry of Religious Affairs, but around 20 percent of mosques fell out of government control as a result of the revolution.<sup>115</sup> In addition, “[c]lose to 200 new mosques [were] built without a license,” meaning that they were not properly registered with the

government.<sup>116</sup> The Ministry believes that “[m]any of these mosques came under the influence of groups espousing extremist interpretations of Islam.”<sup>117</sup> The Ministry is now working closely with imams, taking an active role in monitoring the content of meetings and services, and censoring hate speech and political discussion.<sup>118</sup> However, concerns have been expressed that the Ministry has made control of mosques largely a police responsibility, focusing on security, rather than education and dialogue.<sup>119</sup>

For similar reasons, the stakeholders, including the Ministry of Women, Family, and Children, have advocated for licensure of early childhood education centers. Currently, preschools and schools for children under the age of five are unregulated by the government.<sup>120</sup> Partners of the Ministry have expressed concern that unlicensed centers may teach extreme religious ideology by extolling the virtues of female genital mutilation, coercing very small girls to cover themselves, allowing children to play with fake weapons, and teaching them to sing extreme songs.<sup>121</sup>

Unofficial travel restrictions to destinations outside Tunisia has been another government strategy for discouraging extremism. Men and women under the age of thirty-five were, until recently, not permitted to travel without the explicit consent of their parents.<sup>122</sup> These travel restrictions were implemented unofficially, arbitrarily, and often with little basis, according to stakeholders.<sup>123</sup> There have been reports that passport registration has also been decentralized, making it significantly harder to complete necessary paperwork.<sup>124</sup> Reports indicate that the Ministry of the Interior has been barring specific individuals from travel abroad, and even ordering their arrest, through “S-10” and “S-17” forms, unofficial government travel approval mechanisms. Though reports have come from various sectors, there has been no confirmation or government acknowledgment of their existence.<sup>125</sup>

The government also launched a media campaign called *Ghodwa khir* (“Tomorrow will be better”) in March 2016.<sup>126</sup> This program aimed to “promote Islam’s real, moderate values” through the dissemination of “recorded sermons and religious seminars” available on the web, “awareness programs on public and private radio and television stations,” a helpline “for youths with questions about religion” and classes in mosques supervised by “authorized imams and preachers.”<sup>127</sup>

## NON-GOVERNMENT RESPONSES TO VIOLENT EXTREMISM

Civil society in Tunisia has turned its attention towards extremism and established various programs to address it. A summary of programming of stakeholders IHCHR engaged with during the 2017 field visit follows. This list is meant to be representative and not exhaustive.

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## UNION DES TUNISIENS INDÉPENDANTS POUR LA LIBERTÉ

Union des Tunisiens Indépendants pour la Liberté (“UTIL”) is a civil society organization that primarily works on political participation and democracy building in Tunisia. Its work in PCVE programs falls into three main categories: 1) *media campaigns*, 2) *direct intervention* in prisons, and 3) *direct intervention* through youth engagement. UTIL’s *media campaign* distributes debates and lessons on Islam, lessons on Tunisian history and culture, and testimonials by family members of foreign fighters, in order to present counter narratives and provide moderate education. UTIL has also facilitated at least one meeting between parents and their children detained for suspected participation in extremist activities abroad. UTIL explained this kind of *direct intervention* with suspected extremists abroad can have a de-radicalizing effect. UTIL is also in the process of developing a *direct intervention* program for youth. There are currently about 650 defunct and underutilized young centers around Tunisia, and UTIL is working to help fund and direct social and cultural programming to give youth access to sports, music and film.<sup>128</sup>

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## UNION NATIONALE DE LA FEMME TUNISIENNE

The Union Nationale de la Femme Tunisienne (“UNFT”) is a women’s rights advocacy organization that has had a longstanding historical influence on the development of women’s rights in Tunisia. Relevant to the prevention of violent extremism, this group is the driving force behind a monthly rural women’s assistance program. UNFT’s *development program* provides material assistance to women, such as clothing, furniture, and other forms of economic assistance. It also provides professional skills development, which can include training in sewing, embroidery, weaving, leather work or agricultural skills, such as small animal care and beekeeping, as well as hosting sporting events for younger girls. UNFT estimates that about 60–70 women participate at each event. UNFT believes that one of the main drivers of violent extremism is poverty, and believe that their program, which both economically assists these communities and develops their professional skills, has real potential to decrease violent extremism.

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## INTERNATIONAL INSTITUTE FOR HUMAN DEVELOPMENT

The International Institute for Human Development (“IIHD”) has three primary counter violent extremist programs: (1) Women for Peace and Security (“W4PS”); (2) 1325 Trainings; and (3) *direct intervention* through youth engagement. The W4PS program is part *media campaign* and part *capacity building*. IIHD hopes to eventually train two men and two women from each district or community across Tunisia to act as “peace ambassadors” and community leaders to communicate with others who have been personally impacted by extremist activities.<sup>129</sup> After attending a day and a half training about the causes of violent extremism and different international counter extremism models, IIHD supports the peace ambassadors as they develop region-specific counter extremism action plans. The program

also engages these ambassadors to produce a *media campaign*, comprised of a series of short films that detail how terrorism has impacted their lives.

The 1325 Trainings are *capacity building* training sessions for police women, aimed at empowering them and educating them about UN Security Council Resolution 1325, which urges all state actors to increase the participation of women and incorporate gender perspectives in all United Nations peace and security efforts. IIHD hopes to encourage female police officers to actively seek promotions so that women can have more say in the development of counterterrorism and security strategies. IIHD has held one 1325 Training conference and held half day trainings dedicated to educating Tunisian female police officers about the resolution. It believes that building these officers' capacity will allow them to more actively participate in national counterterrorism programs and strategies, and that women's participation will help make these strategies more effective.<sup>130</sup>

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## INTERNATIONAL AGENCIES

Human Rights Watch ("HRW") Tunisia recently spearheaded a *media campaign* called "No to Terrorism, Yes to Human Rights," which primarily consisted of videos communicating the potential negative consequences of security measures against ordinary Tunisians.<sup>131</sup> While this is a not intuitively a PCVE program, its goal was to improve state and security relations by improving the state's ability to effectively engage in programs and prevention efforts with a human-rights focus. The videos featured four subjects: a filmmaker, a traveler, a woman hurt by crossfire and an individual who was wrongfully detained. The preliminary results were positive, with a measurable decrease in attacks against and criticisms of human rights groups. As the director noted, however, the real test will come if and when Tunisia experiences another significant terror event as backlash against human rights organizations could occur. On television, HRW has been called "Zionist," "US-backed," and "traitors with a hidden agenda."<sup>132</sup> On social media, the Human Rights Watch is sometimes referred to as the "Terrorist Rights Watch."<sup>133</sup>

The United Nations Development Program ("UNDP") is supporting the government on two different PCVE programs.<sup>134</sup> The first is focused on *community policing*<sup>135</sup> and consists of workshops for local security forces, and the rehabilitation of some office buildings into "model stations."<sup>136</sup> UNDP has also hosted a three day conference that brought together popular youth bloggers and imams in *community dialogue*, allowing them to talk about social media and violent extremist rhetoric.<sup>137</sup>

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In Tunisia, civil society organizations appear to be taking laudable steps to address the threat of violent extremism in a more nuanced and holistic way. While the government has focused primarily on security approaches to violent extremism, civil society actors appear to be filling in the gaps. However, most of these projects are in the nascent stages, and it remains to be

seen whether critical funding and resources needed to carry them through their first years will materialize. In addition, Tunisian efforts addressing violent extremism appear not to address the needs of returnees—that is, while Tunisian civil society has begun to concern itself with “preventing” violent extremism, it does not seem similarly poised to “counter” it.

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<sup>1</sup> *Tunisia’s Constitution of 2014* (Constitute Project, Apr. 18, 2016), available at [https://www.constituteproject.org/constitution/Tunisia\\_2014.pdf](https://www.constituteproject.org/constitution/Tunisia_2014.pdf) [accessed 7 August 2017].

<sup>2</sup> *Claiming Human Rights – in Tunisia*, ClaimingHumanRights.org, available at <http://www.claiminghumanrights.org/tunisia.html> [accessed 7 August 2017].

<sup>3</sup> Guy Taylor, *Arab Spring star Tunisia emerges as Islamic State’s No. 1 source for foreign fighters*, WASHINGTON TIMES, September 14, 2016, available at <http://www.washingtontimes.com/news/2016/sep/14/tunisia-emerges-as-isiss-no-1-source-for-foreign-f/> [accessed 7 August 2017].

<sup>4</sup> Radwan A. Masmoudi, *US must support Tunisia to defeat violent extremism*, THE HILL, February 23, 2016, available at <http://thehill.com/blogs/congress-blog/foreign-policy/270338-us-must-support-tunisia-to-defeat-violent-extremism> [accessed 7 August 2017].

<sup>5</sup> *Tethered by History: The failures of the Arab spring were a long time in the making*, ECONOMIST, July 5, 2014, available at <http://www.economist.com/news/briefing/21606286-failures-arab-spring-were-long-time-making-tethered-history> [accessed 7 August 2017].

<sup>6</sup> Tarek Amara, *Suicide bomber attacks Tunisian resort town*, REUTERS, available at <http://www.reuters.com/article/us-tunisia-blast-idUSBRE99T0DV20131030> [accessed 7 August 2017].

<sup>7</sup> Chris Stephen, Kareem Shaheen, & Mark Tran, *Tunis museum attack: 20 people killed after hostage drama at tourist site*, THE GUARDIAN, Mar. 18, 2015, available at <https://www.theguardian.com/world/2015/mar/18/eight-people-killed-in-attack-on-tunisia-bardo-museum> [accessed 7 August 2017].

<sup>8</sup> *Tunisia attack on Sousse beach kills 39*, BBC, June 27, 2015, available at <http://www.bbc.com/news/world-africa-33287978> [accessed 7 August 2017].

<sup>9</sup> Carlotta Gall, *Tunisia Says Attack in Capital Was Suicide Bombing*, NY TIMES, Nov. 25, 2015, available at [http://www.nytimes.com/2015/11/26/world/middleeast/tunisia-suicide-bombing-presidential-guard.html?\\_r=0](http://www.nytimes.com/2015/11/26/world/middleeast/tunisia-suicide-bombing-presidential-guard.html?_r=0) [accessed 7 August 2017].

<sup>10</sup> Stephen, Shaheen, & Tran, *supra* note 7; *Tunisia attack on Sousse beach kills 39*, *supra* note 8; Gall, *supra* note 9.

<sup>11</sup> Rory McCarthy, *Why is Tunisia, success story of the Arab Spring, home to so many terrorists?* THE TELEGRAPH, July 15, 2016, available at <http://www.telegraph.co.uk/news/2016/07/15/why-is-tunisia-success-story-of-the-arab-spring-home-to-so-many/> [accessed 7 August 2017].

<sup>12</sup> Sara Sidner, *When ISIS lives next door: Tunisia’s desperate fight against extremism*, CNN.COM (December 10, 2015), available at <http://www.cnn.com/2015/12/10/africa/isis-tunisia-democracy-extremism/> [accessed 8 August 2017]; *Arms caches discovered in Tunisia on border with Libya*, MIDDLE EAST MONITOR, Nov. 15, 2016, available at <https://www.middleeastmonitor.com/20161115-arms-caches-discovered-in-tunisia-on-border-with-libya/> [accessed 7 August 2017].

<sup>13</sup> McCarthy, *supra* note 11.

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- <sup>14</sup> *Tunisia builds large prison for returning terror suspects*, Middle East Monitor, (December 31, 2016), available at <https://www.middleeastmonitor.com/20161231-tunisia-builds-large-prison-for-returning-terror-suspects/> [accessed 7 August 2017].
- <sup>15</sup> Jack Moore, *As ISIS Flees Sirte in Libya, Tunisia Faces Greater Threat from Returning Jihadis*, NEWSWEEK, available at <http://www.newsweek.com/isis-flees-sirte-libya-tunisia-faces-greater-threat-returning-jihadis-513719> [accessed 7 August 2017]; Security forces warn Tunisia over returning fighters, Aljazeera, December 25, 2016, available at <http://www.aljazeera.com/news/2016/12/security-forces-warn-tunisia-returning-fighters-161225141901743.html> [accessed 7 August 2017].
- <sup>16</sup> Patrick Markey and Tarek Amara, *After Bardo attack, Tunisia treads line between security and freedoms*, Reuters, Apr 8, 2015, available at <http://www.reuters.com/article/us-tunisia-security-rights-idUSKBN0MZ1G620150408> [accessed 8 August 2017].
- <sup>17</sup> *Tunisia Human Rights*, Amnesty International, available at <http://www.amnestyusa.org/our-work/countries/middle-east-and-north-africa/tunisia>; Tunisia: Events of 2016, Human Rights Watch Report 2017, available at <https://www.hrw.org/world-report/2017/country-chapters/tunisia> [accessed 7 August 2017].
- <sup>18</sup> *Tunisia: Counterterror Law Endangers Rights*, Human Rights Watch, July 31, 2015, available at <https://www.hrw.org/news/2015/07/31/tunisia-counterterror-law-endangers-rights> [accessed 8 August 2017].
- <sup>19</sup> Rahma Guettari, *Young, Educated and Here: New Forum Breaks Down Tunisia's Terror Threat*, TunisiaLive, available at <http://www.tunisia-live.net/2016/10/27/young-educated-and-here-new-forum-breaks-down-tunisias-terror-threat/> [accessed 7 August 2017].
- <sup>20</sup> Haim Malka & Margo Balboni, *Tunisian Fighters in History and Today*, Center for Strategic and International Studies, June 2016, available at <http://foreignfighters.csis.org/tunisia/tunisian-fighters-in-history.html> [accessed 7 August 2017].
- <sup>21</sup> Interview with Union National de la Femme Tunisienne, in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors); *Démantèlement en Tunisie d'une cellule recrutant des femmes pour les djihadistes*, RBTF (Dec. 21, 2015), available at [https://www.rtbef.be/info/dossier/la-syrie-entre-contestation-et-repression/detail\\_demantement-en-tunisie-d-une-cellule-recrutant-des-femmes-pour-les-djihadistes?id=9170398](https://www.rtbef.be/info/dossier/la-syrie-entre-contestation-et-repression/detail_demantement-en-tunisie-d-une-cellule-recrutant-des-femmes-pour-les-djihadistes?id=9170398) [accessed 10 October 2017].
- <sup>22</sup> Interview with AFTD (Association Tunisienne des Femmes Démocrates), in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors); Interview with AFTD (Association Tunisienne des Femmes Démocrates), in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors). See also Huckerby, *Gender, Violent Extremism and Countering Violent Extremism* in JUST SECURITY available at <https://www.justsecurity.org/20620/gender-violent-extremism-countering-violent-extremism-cve/> [accessed 7 August 2017] (explaining that studies show that often women join violent extremist groups for the same reasons as men including “adventure, inequality and alienation”).
- <sup>23</sup> Interview with AFTD, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors).
- <sup>24</sup> Id.
- <sup>25</sup> Id.
- <sup>26</sup> Interview with Union National de la Femme Tunisienne, in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors); Interview with Nabila Hamza, Co-founder, AFTD, in Tunis, Tunisia (March 16, 2017).

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<sup>27</sup> Interview with AFTD, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors).

<sup>28</sup> Id.

<sup>29</sup> Id.

<sup>30</sup> Several local stakeholders are currently conducting studies on the motivations for joining extremist groups, including the FTDES: Tunisian Forum on Economic and Social Rights and UNICEF Tunisia.

<sup>31</sup> Interview with UNDP, in Tunis, Tunisia Office (March 15, 2017) (interview notes on file with authors); Interview with UTIL (Union des Tunisiens Indépendants pour la Liberté), in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors); Interview with UNICEF, in Tunis, Tunisia (March 17, 2017) (interview notes on file with authors).

<sup>32</sup> Interview with UNICEF, in Tunis, Tunisia (March 17, 2017) (interview notes on file with authors).

<sup>33</sup> Interview with AFTD, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors).

<sup>34</sup> Tunisia has the second highest rate of children exposed to violence among the 8 countries in their region; Iraq and Algeria have lower rates of violence against children than Tunisia. Interview with Lila Pieters, Tunisia Country Representative, UNICEF, in Tunis, Tunisia (March 17, 2017).

<sup>35</sup> Interview with UNICEF, in Tunis, Tunisia (March 17, 2017) (interview notes on file with authors).

<sup>36</sup> Id.

<sup>37</sup> American Psychological Association, *Parents' Use of Physical Punishment Increases Violent Behavior Among Youth*, 2006, available at <http://www.apa.org/pi/prevent-violence/resources/violent-behavior.asp> [accessed 7 August 2017].

<sup>38</sup> Elyes Zammit, *Tunisia groaning under weight of unemployment*, AL-MONITOR, October 2, 2015, available at <http://www.al-monitor.com> [accessed 7 August 2017].

<sup>39</sup> Jeremy Bender, *An ISIS defector explained a key reason people continue joining the group*, BUSINESS INSIDER, Nov. 18, 2015, available at <http://www.businessinsider.com/isis-defector-explains-why-people-continue-joining-group-2015-11> [accessed 7 August 2017].

<sup>40</sup> Interview with UNDP, in Tunis, Tunisia Office (March 15, 2017) (interview notes on file with authors).

<sup>41</sup> Zammit, *supra* note 39.

<sup>42</sup> John Carney, Here's The Real Story of What's Happening in Tunisia: A Higher Education Bubble, CNBC, Jan 24, 2011, available at <http://www.cnbc.com/id/41237865> [accessed 7 August 2017].

<sup>43</sup> Interview with Union National de la Femme Tunisienne, in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors).

<sup>44</sup> Id.

<sup>45</sup> Interview with AFTD, in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors).

<sup>46</sup> Id.

<sup>47</sup> Interview with UTIL, in Tunis, Tunisia (March 14, 2017) (interview notes on file with authors).

<sup>48</sup> Id.

<sup>49</sup> Interview with UNDP, in Tunis, Tunisia Office (March 15, 2017) (interview notes on file with authors).



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<sup>50</sup> Id.

<sup>51</sup> Interview with UNDP, in Tunis, Tunisia Office (March 15, 2017) (interview notes on file with authors).

<sup>52</sup> Interview with UNODC, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors).

<sup>53</sup> Sophie Bessis, *Le Féminisme Institutionnel en Tunisie*, 1999 FEMMES DU MAGHREB 9, available at <http://clio.revues.org/286#tocto2> [accessed 7 August 2017].

<sup>54</sup> Id. The date was August 13, which is now known as “La Fête de la Femme,” a national holiday in Tunisia.

<sup>55</sup> Repudiation is a process in some cultures by which a husband may renounce his wife, in some instances by simply saying “I renounce you.”

<sup>56</sup> Bessis, *supra* note 54. Interestingly, the ban on polygamy may be grounded in the Koran. Fareda Banda, *Project on a Mechanism to Address Laws that Discriminate Against Women* \*94, OHCHR Women’s Rights and Gender Unit (2008), available at [http://www.ohchr.org/Documents/Publications/laws\\_that\\_discriminate\\_against\\_women.pdf](http://www.ohchr.org/Documents/Publications/laws_that_discriminate_against_women.pdf) [accessed 7 August 2017]. A matrimonial guardian is the individual that has the right to contract for a woman’s marriage. See “*Shari’ah*: Islamic Law,” Encyclopedia Britannica, available at <https://www.britannica.com/topic/Shariah> [accessed 8 August 2017].

<sup>57</sup> Bessis, *supra* note 54.

<sup>58</sup> Id. This last feature may be particularly significant, because Islamic law may recognize only paternal filiation. *Id.* The creation of the state alimony fund in 1993—“which ensures payments to divorced women and their children in case the husband refuses to make the payments”—may have also been a part of this package of reforms. See *Tunisia: MENA Gender Equality Profile: Status of Girls and Women in the Middle East and North Africa* \*2 (UNICEF, 2011), available at <https://www.unicef.org/gender/files/Tunisia-Gender-Eqaulity-Profile-2011.pdf> [accessed 7 August 2017].

<sup>59</sup> Bessis, *supra* note 54; See also Les droits des femmes en Tunisie: Rapport Alternatif Soumis au Comité des Nations-Unies pour l’élimination de la discrimination à l’égard des femmes \*10 (ATDF, Oct. 2010), available at <https://www.fidh.org/IMG/pdf/CEDAWreportTunisiaFR.pdf> [accessed 7 August 2017].

<sup>60</sup> *Has life got worse for Tunisia’s women?*, BBC News, March 8, 2016, available at <http://www.bbc.com/news/world-africa-35743663> [accessed 7 August 2017].

<sup>61</sup> Bessis, *supra* note 54.

<sup>62</sup> *Tunisia’s Constitution of 2014*, *supra* note 1.

<sup>63</sup> Id.

<sup>64</sup> Id.

<sup>65</sup> Id.

<sup>66</sup> Id.

<sup>67</sup> Id.

<sup>68</sup> Interview with Middle East and North Africa Division, Human Rights Watch, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors); Najwa Younes, Draft Law on Domestic Violence Approved in Carthage, Tunisia Live, July 15, 2016, available at <http://www.tunisia-live.net/2016/07/15/draft-law-domestic-violence/> [accessed 7 August 2017].

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<sup>69</sup> *Claiming Human Rights – in Tunisia, supra* note 18; *Tunisia’s Constitution of 2014* (constituteproject.org, Apr. 18, 2016), *supra* note 1.

<sup>70</sup> *Convention on the Elimination of All Forms of Discrimination against Women* (UN Treaty Collection), available at [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-8&chapter=4&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&clang=_en) [accessed 7 August 2017].

<sup>71</sup> Committee on the Elimination of Discrimination against Women, *Concluding observations of the Committee on the Elimination of Discrimination against Women*, Nov 5, 2010, available at <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhshqWC9Lj7ub%2fHrJVf1GxZMHHcKCjCpiUZfCqHLQQZ5R%2fJsJGV7Yf26bZ2SndYzY8pYuzBb1Jo%2bb3whXgzj9rYgit0PPu37a%2bJn77OF5xuN%2fly> [accessed 7 August 2017].

<sup>72</sup> *Id.*

<sup>73</sup> *Id.*

<sup>74</sup> *International Covenant on Civil and Political Rights* (UN Treaty Collection), available at [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-4&chapter=4&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&clang=_en) [accessed 7 August 2017].

<sup>75</sup> *Id.*

<sup>76</sup> Human Right Committee, *Concluding observations of the Human Rights Committee: Tunisia*, April 23, 2008, available at <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhshqWC9Lj7ub%2fHrJVf1GxZMHHcKCjCpiUZfCqHLQQZ5R%2fJsJGV7Yf26bZ2SndYzY8pYuzBb1Jo%2bb3whXgzj9rYgit0PPu37a%2bJn77OF5xuN%2fly> [accessed 7 August 2017].

<sup>77</sup> United Nations Human Rights, Office of the High Commissioner, *Human Rights by Country: Tunisia*, available at [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=178&Lang=EN](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=178&Lang=EN) [accessed 8 August 2017].

<sup>78</sup> *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (Convention Against Torture) General Assembly of the United Nations, Dec. 10, 1984, available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx> [accessed 7 August 2017].

<sup>79</sup> Interview with Amnesty International North Africa Office, in Tunis, Tunisia (March 15, 2017) (interview notes on file with authors).

<sup>80</sup> *Tunisia’s Constitution of 2014, supra* note 1.

<sup>81</sup> Committee on the Elimination of Discrimination against Women, *supra* note 72.

<sup>82</sup> *Id.*

<sup>83</sup> Harriet Sherwood, *Tunisian coalition party fights for women’s rights with gender violence bill*, THE GUARDIAN, Oct. 24, 2016, available at <https://www.theguardian.com/global-development/2016/oct/24/tunisia-gender-violence-bill-substance-progressive-image> [accessed 7 August 2017], *See also* Cordall, Simon Speakman, *Tunisian woman’s viral video tells of domestic abuse and corruption*, TUNISIA-LIVE.NET, Nov. 3, 2015, available at <http://www.tunisia-live.net/2015/11/03/tunisian-woman-flees-domestic-violence/> [accessed 7 August 2017] (“Nationwide, [t]he National Office for [ ] Population estimates that around 50% of Tunisian women have suffered some form of domestic violence.”).

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<sup>84</sup> *Executive Summary: Assaulted and Accused; Sexual and Gender-Based Violence in Tunisia*, Amnesty International, 2015, available at <https://www.amnesty.org/en/countries/middle-east-and-north-africa/tunisia/report-tunisia/> [accessed 7 August 2017].

<sup>85</sup> Simon Speakman Cordall, *Tunisian woman's viral video tells of domestic abuse and corruption*. TUNISIA-LIVE.NET, Nov. 3, 2015, available at <http://www.tunisia-live.net/2015/11/03/tunisian-woman-flees-domestic-violence/> [accessed 7 August 2017].

<sup>86</sup> Les droits des femmes en Tunisie: Rapport Alternatif Soumis au Comité des Nations-Unies pour l'élimination de la discrimination à l'égard des femmes \*10 (ATDF, Oct. 2010), *supra* note 60.

<sup>87</sup> *Amnesty International Report 2015/16: The State of the World's Human Rights*, Amnesty International, 2016, available at <https://www.amnesty.org/en/countries/middle-east-and-north-africa/tunisia/report-tunisia/> [accessed 7 August 2017]. ATDF documents that some of the women that came to them for counselling would say, "I died twice: first, when he raped me; second, when he married me." *Les droits des femmes en Tunisie: Rapport Alternatif Soumis au Comité des Nations-Unies pour l'élimination de la discrimination à l'égard des femmes* \*10 (ATDF, Oct. 2010), *supra* note 60 at 74; See also *Executive Summary: Assaulted and Accused; Sexual and Gender-Based Violence in Tunisia*, Amnesty International, 2015, available at <https://www.amnesty.org/en/countries/middle-east-and-north-africa/tunisia/report-tunisia/> [accessed 7 August 2017].

<sup>88</sup> *Executive Summary: Assaulted and Accused; Sexual and Gender-Based Violence in Tunisia*, Amnesty International, 2015, available at <https://www.amnesty.org/en/countries/middle-east-and-north-africa/tunisia/report-tunisia/> [accessed 7 August 2017].

<sup>89</sup> *Les droits des femmes en Tunisie: Rapport Alternatif Soumis au Comité des Nations-Unies pour l'élimination de la discrimination à l'égard des femmes* \*10 (ATDF, Oct. 2010), *supra* note 60.

Each of these concerns is equally applicable in case of divorce for cause. See *id.* at \*14, 30. On gender-based violence, see also *Amnesty International Report 2015/16: The State of the World's Human Rights*, *supra* note 88.

<sup>90</sup> Sherwood, *supra* note 86.

<sup>91</sup> *Id.*

<sup>92</sup> Bessis, *supra* note 54.

<sup>93</sup> That is, the religious veil that most typically covers the entire face and head, excluding the eyes. *What's the difference between a hijab, niqab and burka?* BBC, June 18, 2015, available at <http://www.bbc.co.uk/newsround/24118241> [accessed 7 August 2017].

<sup>94</sup> Asma Smadhi, & Robert Joyce, *New 'controls' on niqab spur alarm in Tunisia*, AL JAZEERA, Apr. 26, 2014, available at <http://www.aljazeera.com/news/middleeast/2014/03/new-controls-niqab-spur-alarm-tunisia-2014319111436498101.html> [accessed 7 August 2017].

<sup>95</sup> That is, the religious covering that most typically "covers the head and neck but leaves the face clear." This is the type of covering that is most common in the West. *What's the difference between a hijab, niqab and burka?*, *supra* note 94.

<sup>96</sup> Alaa Abdel-Ghani, *Sports Talk: A problem wherever she goes*, Al Bawaba, Jan. 24, 2011, available at <http://www.albawaba.com/sports-talk-problem-wherever-she-goes> [accessed 7 August 2017].

<sup>97</sup> Smadhi, & Joyce, *supra* note 95.

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<sup>98</sup> Reed Cooley, For and Against the Veil: The Social Policing of Women's Dress, TUNISIA LIVE, Apr. 11, 2016, available at <http://www.tunisia-live.net/2016/04/11/for-and-against-the-veil-the-social-policing-of-womens-religious-attire/> [accessed 5 August 2017].

<sup>99</sup> Id.

<sup>100</sup> Patrick Markey & Tarek Amara, *After Bardo attack, Tunisia treads line between security and freedoms*, Reuters, Apr 8, 2015, available at <http://www.reuters.com/article/us-tunisia-security-rights-idUSKBN0MZ1G620150408> [accessed 7 August 2017].

<sup>101</sup> *Tunisia: Counterterrorism Law Endangers Rights*, *supra* note 18.

<sup>102</sup> *Tunisia: Sweeping crackdown signals abuse of emergency measures*, Amnesty International, December 2, 2015, available at <https://www.amnesty.org/en/latest/news/2015/12/tunisia-sweeping-crackdown-signals-abuse-of-emergency-measures/> [accessed 7 August 2017].

<sup>103</sup> Sarah Mersch, *Tunisia's Ineffective Counterterrorism Law*, CARNEGIE ENDOWEMENT FOR INTERNATIONAL PEACE, Aug. 6, 2015), <http://carnegieendowment.org/sada/60958>.

<sup>104</sup> Peter Mulvaney, *Tunisia Parliament Approves Commission to Investigate Jihadists' Recruitment Network*, MIDDLE EAST CONFIDENTIAL, (Feb. 1, 2017), available at <https://me-confidential.com/14942-tunisia-parliament-approves-commission-to-investigate-jihadists-recruiting-networks.html> [accessed 16 October 2017].

<sup>105</sup> Id. (Amnesty International has reported that police have conducted over 1880 raids in 2015 aimed at violent extremists).

<sup>106</sup> Ahmed Nadhif, How will Tunisia deal with thousands of returning jihadis?, AL-MONITOR, available at <http://www.al-monitor.com/pulse/originals/2017/01/tunisia-return-islamic-state-fighters-syria-controversy.html> [accessed 5 August 2017].

<sup>107</sup> Id.

<sup>108</sup> Leila Fadel, *Amnesty International: Human Rights in Tunisia Regresses*, NPR, January 14, 2016, available at <http://www.npr.org/2016/01/14/463010096/amnesty-international-progress-in-tunisia-to-protect-human-rights-is-being-rever> [accessed 7 August 2017].

<sup>109</sup> Conor Sheils, *Lifting the veil on religious freedom in Tunisia*, THE NEW ARAB, Apr. 30, 2015, available at <https://www.alaraby.co.uk/english/politics/2015/4/30/lifting-the-veil-on-religious-freedom-in-tunisia-1> [accessed 7 August 2017]. While such tactics are not unheard of, they do appear to be rare. *Id.*

<sup>110</sup> Id.

<sup>111</sup> Cooley, *supra* note 99.

<sup>112</sup> *Sigma Conseil: 93% of Tunisians Against Niqab, 60% Favor Hijab*, Tunisia-TN.com, Mar. 25, 2016, available at <http://tunisia-tn.com/sigma-conseil-93-of-tunisians-against-niqab-60-favor-hijab/> [accessed 7 August 2017].

<sup>113</sup> Zeineb Marzouk, *Government Seeks Niqab Ban and Central Control of Mosques*, TUNISIA LIVE, Mar. 25, 2016, available at <http://www.tunisia-live.net/2016/03/25/government-seeks-niqab-ban-and-central-control-of-mosques/> [accessed 7 August 2017].

<sup>114</sup> Lilia Blaise, *Tunisia Bans Full Face Veils for Security Reasons*, THE NEW YORK TIMES, July 5, 2019, available at <https://www.nytimes.com/2019/07/05/world/africa/tunisia-ban-veil-niqab.html> [accessed 29 July 2020].

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<sup>115</sup> Eric Reidy, *Tunisia cracks down on radicalization*, AL-MONITOR, available at <http://www.al-monitor.com/pulse/originals/2015/05/tunisia-government-counter-extremism-anti-terrorist-bill.html> [accessed 7 August 2017].

<sup>116</sup> Id.

<sup>117</sup> Id.

<sup>118</sup> Carlotta Gall, *Tunisia's Secular Government Cracks Down on Mosques in Aftermath of Massacre*, NY TIMES, July 23, 2015, available at <http://www.nytimes.com/2015/07/24/world/africa/rift-widens-in-tunisia-as-government-cracks-down-on-mosques.html> [accessed 7 August 2017].

<sup>119</sup> Gall, *supra* note 9.

<sup>120</sup> Interview with UNICEF, in Tunis, Tunisia (March 17, 2017) (interview notes on file with authors).

<sup>121</sup> Interview with OHCHR, in Tunis, Tunisia (March 13, 2017) (interview notes on file with authors).

<sup>122</sup> Human Rights Watch, *Tunisia: Arbitrary Travel Restrictions, Apparent Effort to Prevent Recruiting by Extremists*, July 10, 2015, available at <https://www.hrw.org/news/2015/07/10/tunisia-arbitrary-travel-restrictions> [accessed 7 August 2017].

<sup>123</sup> Interview with Amnesty International North Africa Office, in Tunis, Tunisia (March 15, 2017) (interview notes on file with authors) (Fida shared her experiences negotiating with security officials at the airport twice while attempting to travel to Morocco for work. She did not have a parental consent form, but did show the officials her mission orders. When they continued to express hesitancy, she asked them to show her the law, which they could not. After a few calls back and forth on their radios, Fida was allowed to travel.)

<sup>124</sup> Interview with OHCHR, in Tunis, Tunisia (March 13, 2017) (interview notes on file with authors).

<sup>125</sup> Interview with Amnesty International North Africa Office, in Tunis, Tunisia (March 15, 2017) (interview notes on file with authors).

<sup>126</sup> *Tunisia to launch campaign to curb extremism among youth*, Qantara.de, Mar. 21, 2016, available at <https://en.qantara.de/content/tunisia-to-launch-campaign-to-curb-extremism-among-youth> [accessed 7 August 2017].

<sup>127</sup> Id.

<sup>128</sup> UTIL also hopes to continue a youth music program—which encourages participants to write rap songs that condemns extremism—in the youth centers. Each center would ideally have a trained monitor to help youth struggling with extremist ideas; many of these monitors are expected to be women.

<sup>129</sup> *Tunisia: IDH Launches Network 'Women 4peace and Security'*, All Africa, available at <http://allafrica.com/stories/201602251821.html> [accessed 7 August 2017].

<sup>130</sup> IIHD also expressed interest in direct intervention in the form of youth engagement. IIHD one day hopes to facilitate workshops for youth to write anti-extremism songs, satire, and slogans. The hope would be to encourage people to ridicule violent extremism, rather than admiring or fearing it. IIHD does not currently have adequate funding to pursue this program.

<sup>131</sup> *No to Terrorism, Yes to Human Rights*, Human Rights Watch, April 28, 2016, available at <https://www.hrw.org/news/2016/04/28/no-terrorism-yes-human-rights> [accessed 7 August 2017].

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<sup>132</sup> Interview with Middle East and North Africa Division, Human Rights Watch, in Tunis, Tunisia (March 16, 2017) (interview notes on file with authors).

<sup>133</sup> Id.

<sup>134</sup> Interview with UNDP, in Tunis, Tunisia Office (March 15, 2017) (interview notes on file with authors).

<sup>135</sup> *Model police stations launched in Tunisia, United National Development Programme*, June 5, 2014, available at <http://www.undp.org/content/undp/en/home/presscenter/pressreleases/2014/06/05/model-police-stations-launched-in-tunisia.html> [accessed 7 August 2017].

<sup>136</sup> Id.

<sup>137</sup> Interview with UNDP, in Tunis, Tunisia Office (March 15, 2017) (interview notes on file with authors).

## KENYA COUNTRY PROFILE

Violent extremism poses a serious threat to Kenya. Although the country has faced threats from domestic groups, Somali-based Harakat al-Shabaab al-Mujahideen (“Al Shabab”) and, more recently, the Islamic State (also, “ISIS,” “ISIL” or “Daesh”) are the major perpetrators of violent extremism and radicalization in the country today. The government has predominantly taken an aggressive approach to terror threats and radicalization efforts. Kenyan authorities’ counter-terrorism effort includes religious and ethnic profiling of Kenyan Somalis, extra-judicial killings and arbitrary arrests by the Anti-Terror Police Unit. Unfortunately, these efforts have, in some cases, served to “push” individuals toward radicalization. As a result, Kenya is now attempting a more inclusive, “softer” approach through its National Countering Violence Extremism Strategy. This includes working with civil society organizations to address the driving reasons behind radicalization. Notwithstanding these efforts, significant steps still must be taken to break the cycle of radicalization, and to implement effective PCVE strategies at the regional level.

This Section explores how Kenya’s commitment to protecting human rights and more specifically, women’s rights intersects with its approach to preventing and countering violent extremism

## HISTORY AND CURRENT STATE OF VIOLENT EXTREMISM IN KENYA

A host of factors make Kenya vulnerable to domestic and transnational violent extremism. These include the country’s ethnic composition, lack of internal political stability, geography, unstable neighbors, as well as Islamic fundamentalism, poverty and ineffective law enforcement. On the domestic front, the threat of violent extremism in the country is due to several small-scale militant factions. The most prominent of these factions is the MRC, which advocates for the city of Mombasa’s secession from Kenya.<sup>1</sup> Law enforcement agencies held MRC responsible for the attack on a popular Italian-owned casino in Malindi in March 2013 that claimed eight lives.<sup>2</sup> Terrorist attacks have had a devastating impact on Kenya’s tourism industry, which provides a vital source of jobs and income for the country. The Kenya Tourism Board has estimated a 25 percent drop in tourism due to terrorism.<sup>3</sup> In one case, hundreds of British tourists were evacuated from beach resorts near Mombasa in May 2014, following warnings from the Foreign Office.<sup>4</sup>

International groups—Al-Qaida’s affiliate in Somalia, Al-Shabab, and more recently the Islamic State—are now the greatest threats to Kenya’s security. Al-Shabab has been fighting an insurgency in Somalia for more than a decade. Al-Shabab has targeted Kenya for the country’s role in the global war on terror and its 2011 military invasion of Somalia as part of the African Union Forces in Somalia (“AMISOM”).<sup>56</sup> Between 2011 and 2015 alone, more than 200 attacks targeting markets, night-clubs, and places of worships with explosives or automatic weapons were linked to Al-Shabab.<sup>7</sup> The group claimed responsibility for the September 2013 attack on Nairobi’s Westgate shopping mall, a symbol of Kenya’s prosperity.

More than 60 people were killed, including women and children, and more than 150 were wounded during a four-day siege.<sup>8</sup> Al-Shabab also has a history of executing bold military attacks against armed forces personnel and the government. In January 2016, it claimed to have killed more than 100 Kenyan soldiers during a raid conducted at the AMISOM base in Somalia. It released propaganda video footage of the raid in April 2016.<sup>9</sup>

Kenya has also become a prime location for Al-Shabab's recruitment and radicalization efforts.<sup>10</sup> The group targets recent converts to Islam, particularly residing in the coastal areas of the country. Typically described as "young" and "zealous," these converts can be difficult to detect and monitor, as they blend in easily with the general population. It was estimated in December 2014 that 25 percent of Al-Shabab personnel were Kenyan.<sup>11</sup> Elgiva Bwire Oliacha represents a well-known example of this kind of homegrown violent extremism. The 28-year-old Kenyan national pled guilty to a grenade attack in Nairobi that wounded over two dozen people.<sup>12</sup> He proclaimed that he was a member of Al-Shabab in court and was sentenced to life imprisonment.

The Islamic State has also starting making inroads in Kenya. It operates online and in universities, and has become effective in recruitment.<sup>13</sup> Rashid Abdi, senior analyst at the International Crisis Group think tank in Nairobi, contends that "there is now a real threat that Kenya faces from ISIS, and the danger will continue to increase."<sup>14</sup> The statement is corroborated by the Kenyan intelligence agencies estimates in 2016 that around 100 men and women went to Syria and Libya to join ISIS.<sup>15</sup>

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## WOMEN AND VIOLENT EXTREMISM IN KENYA

Al-Shabab and ISIS<sup>16</sup> are increasingly targeting women to radicalize and engage them as fighters in the region.<sup>17</sup> Women were involved in the Al-Shabab's September 2016 attack in Mombasa.<sup>18</sup> Previously, there were reports of "Al-Shabab brides" arrested in Northeast Kenya on their way to join militants in Somalia.<sup>19</sup>

Many speculate that women are recruited because they are thought to be less likely to be suspected of violent extremism, less likely to be seen as "posing an imminent threat," and "able to travel" without raising suspicion.<sup>20</sup> While women in Kenya join violent extremist efforts as "sympathizers, facilitators and perpetrators,"<sup>21</sup> they tend to act as recruiting agents rather than participating in combat roles.<sup>22</sup>

Various factors have been identified as encouraging women to join extremist causes. The ostracization and marginalization of "women left behind" by male family members who have gone to fight with ISIS or Al-Shabab, or have been killed or abducted by Kenyan security forces, can serve as push factor for those women.<sup>23</sup> Exploitation of women by security forces, including sexual violence, can sometimes lead women towards violent extremist ideology.<sup>24</sup> Some Kenyan women are pulled to join Al-Shabab and ISIS in hopes to achieve martyrdom by fighting for a religious cause, while others have been deceived and coerced into joining the



groups.<sup>25</sup> For instance, some women have gone to Somalia to find their “disappeared” husbands only to be abducted or threatened with violence to participate in violent activities.<sup>26</sup> Al-Shabab has forced some of these women into sexual slavery.<sup>27</sup> Other women are trafficked to Somalia, and still others are pulled by the promise of large dowries, only to be forced to join Al-Shabab after marriage.<sup>28</sup>

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## DRIVERS OF VIOLENT EXTREMISM

Independent organizations and government actors, in collaboration with local and international civil society organizations, are conducting research to understand the general drivers of violent extremism and radicalization in Kenya—that is, the “push” and “pull” factors for “at risk” individuals. One such study, *Countering Violent Extremism and Risk Reduction: A Guide to Programme Design and Evaluation*, conducted by the Royal United Services Institute (“RUSI”), explains the structural motivators, individual incentives, and enabling factors for “at risk” individuals in Kenya.<sup>29</sup> Individual incentives can include “a sense of purpose (generated through acting in accordance with perceived ideological tenets), adventure, belonging, acceptance, status, material enticements, fear of repercussions by violent extremism groups, [and] expected rewards in the afterlife.”<sup>30</sup> This finding is corroborated by another study, *Understanding Drivers of Violent Extremism: The Case of Al-Shabaab and Somali Youth*, drawn from interviews with former Al-Shabaab members.<sup>31</sup> The study reports that those who joined the group were seen by some as “heroes for defending the country and religion.”<sup>32</sup>

Another study, *Radicalization in Kenya*, involving interviews of 95 Al-Shabab fighters, finds that although ideology plays an important role in recruitment efforts, social, political, and economic oppression are primary reasons motivating individuals to join the group.<sup>33</sup> Other structural issues acting as push factors include “repression, corruption, unemployment, inequality, discrimination, a history of hostility between identity groups, [and] external state interventions in the affairs of other nations.”<sup>34</sup>

Unemployment, inequality and marginalization were also common push factors mentioned during IHRC in-country research.<sup>35</sup> Young disenfranchised Kenyan men, often from poor neighborhoods, are lured into Somalia with the promise of good jobs and large salaries.<sup>36</sup> Upon reaching the country, they are coerced under threat of violence to join Al-Shabab and undergo military training.<sup>37</sup> In contrast, some young men have described Al-Shabab as a “business,” and have joined the group willingly to make money.<sup>38</sup> International Crisis Group supports this narrative, having found that Al-Shabab “pays its soldiers and operatives well and regularly, as well as provides for its veterans and the families of the *martyrs*.”<sup>39</sup> Another report concludes that Al-Shabab “capitalizes on . . . unemployment and feelings of marginalization to recruit.”<sup>40</sup> The MRC similarly derives its support from local discontent about “long-held grievances over land and frustration at the perceived economic marginalization of the region by the central government.”<sup>41</sup>

Counterterrorism measures resulting in human rights violations, including excessive use of force, extra judicial killings, police raids and disappearances of suspects and their families, also act as push factors in Kenya.<sup>42</sup> A lack of trust in ineffective and corrupt public institutions is also a driver of violent extremism in the country.<sup>43</sup> Researchers have identified “the presence of radical mentors (including religious leaders and individuals from social networks, among others), access to radical online communities, social networks with VE associations, access to weaponry or other relevant items, a comparative lack of state presence, [and] an absence of familial support” as enabling factors.<sup>44</sup> ISIS and Al-Shabab both have effective online recruitment techniques, often targeting both men and women at universities.<sup>45</sup>

## HISTORY AND CURRENT STATE OF WOMEN’S RIGHTS IN KENYA

Women’s struggle for empowerment and human rights in Kenya has been an uphill battle against patriarchy, poverty, discrimination and exclusion from political decision-making.<sup>46</sup> Although the 2010 Kenyan Constitution<sup>47</sup> provides a legal framework to ensure basic human rights for women and girls, women still face considerable challenges, including in obtaining positions of political leadership. Women and girls are disadvantaged in the economic and education spheres, in gaining employment and accessing financial assets. Eighty percent of Kenyan women are engaged in small holder farming, but only 1 percent own land. Women have access to less than 10 percent of available credit, and less than 1 percent of agricultural credit.<sup>48</sup> High rates of poverty among women is exacerbated by gender-based violence, including rape, sexual harassment and other sexual violence. According to the 2014 Kenya Demographic and Health Survey, 4 out of every 10 women in Kenya have experienced some form of violence, whether physical or sexual.<sup>49</sup> Rural women in Kenya are the most marginalized as traditional gender roles that define divisions of labor make them politically, economically, and socially dependent on men.

Kenya has introduced several policies and legislation promoting gender equality and protection of women and girls. These include: a Presidential Decree that women constitute 30 percent of formal appointees to public posts; a ban on female genital mutilation;<sup>50</sup> the establishment of Family Courts and a Gender Commission; women-specific police stations and gender desks in Government Ministries, police stations, and parastatals; the Gender Policy Bill and the Sexual Offenses Act; and other legal instruments.<sup>51</sup> Kenya has also launched a Joint Programme on Prevention and Response to Gender Based Violence 2017–2020 to “accelerate efforts towards the elimination of [gender based violence] in Kenya.”<sup>52</sup> Despite these and other advancements, female political candidates have faced hurdles, such as verbal and physical abuse during campaigns<sup>53</sup> and sexual violence during the post-election violence of 2007–2008.<sup>54</sup>

Under the Constitution of Kenya, all international and regional treaties, conventions and laws among other instruments ratified by Kenya form part of the country’s laws.<sup>55</sup> Kenya has committed to protecting and promoting women’s human rights and equality by ratifying

several core international treaties, including the Convention on the Elimination of All Forms of Discrimination against Women (“CEDAW”), the International Covenant on Civil and Political Rights (“ICCPR”), and the International Covenant on Economic, Social and Cultural Rights (“ICESCR”). Kenya has not, however, ratified the Optional Protocol to CEDAW.<sup>56</sup> At the regional level, Kenya is party to the African Charter on Human and Peoples’ Rights (“ACHPR”), and has ratified the African Charter on the Rights and Welfare of the Child and the Convention Governing Specific Aspects of Refugee Problems in Africa. Kenya has also ratified the Protocol to the ACHPR on the Establishment of an African Court on Human and Peoples’ Rights, but it does not accept the Court’s jurisdiction on individual complaints.<sup>57</sup> Kenya has not ratified the Maputo Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa.<sup>58</sup>

In 2011, the CEDAW Committee provided recommendations to the Kenyan government to improve women’s human rights in the country. The Committee expressed concern at the high prevalence of sexual violence against women and girls and recommended that Kenya “respond to the existing culture of underreporting and impunity by criminalizing marital rape and investigating, prosecuting and punishing perpetrators of sexual violence.”<sup>59</sup> The Committee urged the government to adopt a “comprehensive strategy to modify or eliminate harmful practices and stereotypes that discriminate against women, in conformity with . . . [CEDAW].”<sup>60</sup>

In 2012, the Human Rights Committee expressed concern about “acts of physical and sexual violence by the police towards refugees following bomb explosions that claimed the lives of some police officers at Dadaab camp.”<sup>61</sup> The Committee urged the Kenyan government to “conduct thorough investigations into all incidents of violence including allegations of violence by law enforcement personnel and bring those responsible to justice.”<sup>62</sup> The Committee further highlighted concern over the “lack of a legal framework that clearly sets out the human rights that must be respected in the fight against terrorism.”<sup>63</sup>

## GOVERNMENT RESPONSES TO VIOLENT EXTREMISM

Kenya has taken an aggressive approach to countering extremism at home and abroad.<sup>64</sup> It has passed several pieces of legislation, including its first Anti-Terrorism Law in 2012, the Proceeds of Crime and Anti-Money Laundering Act (2011), the Prevention of Organized Crime Act (2010), and the Security Laws (Amendment) Act (2014) (“SLAA”). These laws establish a strong legal framework to prosecute acts of terrorism.<sup>65</sup> The SLAA contains several measures that strengthen the mandate of Kenya’s National Counter-Terrorism Centre to fight terrorism. These include “broadening evidentiary standards to allow greater use of electronic evidence and recorded testimony in terrorism prosecutions” and criminalization of participation in terrorist training.<sup>66</sup> Civil society and political opposition have objected to these and other provisions of the SLAA on grounds that they contravene Kenya’s international obligations and violate constitutionally guaranteed civil liberties.<sup>67</sup>

International and domestic civil society organizations have voiced serious concerns over the government's approach to counterterrorism. Human Rights Watch ("HRW") Kenya has investigated disappearances and renditions of individuals suspected or accused of terrorism or extremist activities. It found that military and police excesses take place routinely in the name of counterterrorism and efforts to counter violent extremism and that a variety of activities are labeled "terrorism" without proper investigation.<sup>68</sup> In response, the government acts disproportionately against entire communities after incidents of violence, regardless of whether the violence was ideologically motivated or more traditional criminal activity. During these community raids, authorities have abducted and disappeared individuals suspected of VE, according to the HRW Kenya.<sup>69</sup>

Operation Usalma Watch, carried out in Nairobi in April 2014, is cited as a disturbing example of the government's flawed approach to PCVE.<sup>70</sup> The operation was launched after a series of grenade and gun attacks in Mombasa and Eastleigh, a predominantly Somali neighborhood in Nairobi. During the weeks-long raids conducted by approximately 5,000 security forces, an estimated 4,000 individuals, including journalists, Kenyan citizens, registered refugees and international aid workers, were harassed and detained.<sup>71</sup> According to Amnesty International's Eastern Africa office, Operation Uslama Watch was "used as a pretext for the blanket punishment of the Somali community in Kenya."<sup>72</sup> She argued that Somalis were treated as "scapegoats with thousands arrested and ill-treated, forcibly relocated and hundreds unlawfully expelled to a war-torn country."<sup>73</sup> These claims are supported by the fact that more than 1,000 Somalis, including breast-feeding women separated from their infants, were forcibly relocated to Northern Kenya's overcrowded, insecure refugee camps.<sup>74</sup>

The lack of coordination between different arms of law enforcement and military in conducting counterterrorism and PCVE measures is also an area of concern for stakeholders. The 2013 Westgate Mall attack and the 2015 Garrisa School attack are key examples of this.<sup>75</sup> In both cases, the lack of coordination between military and specialized tactical units has been blamed for unnecessary deaths and the elongation of sieges.<sup>76</sup>

Corruption by Kenyan authorities in implementing counterterrorism and PCVE appear to be a major concern. During Operation Uslama Watch, residents bribed law enforcement officials to prevent them from raiding their homes.<sup>77</sup> Reports indicate that authorities unlawfully detain Kenyan Somalis and Somali refugees in order to receive bribes for their release.<sup>78</sup> In some cases, authorities refer to these groups as "cash-cows," in reference to the system of detention and bribery.<sup>79</sup> Muslim women are especially targeted because Muslim families are thought to pay higher bribes to prevent women from being detained in cells overnight.<sup>80</sup>

Still, it appears that Kenyan authorities are increasingly seeing the value of a softer approach to counterterrorism.<sup>81</sup> The government has recently advanced several PCVE efforts to prevent radicalization. These include redeployment of ethnic Somali police officers to their home counties in Northeast Kenya to improve public confidence in the police with

communities at risk of radicalization. The Ministry of the Interior has implemented a major Community Policing Program called *Nyumba Kumi*, involving clustered households that are encouraged to identify and report suspicious activities and “at-risk” individuals.<sup>82</sup> The government is also focusing on counter messaging and reintegration of former foreign terrorist fighters and Al-Shabab facilitators and sympathizers.

As part of these PCVE efforts, President Kenyatta launched the National Counter-Violent Extremism (“NCVE”) Strategy in September 2016. The strategy was developed through a consultative process involving government agencies, civil society, religious leaders, private sector, researchers and other regional and international stakeholders.<sup>83</sup> The strategy aims “to give civil society and Faith Based Organizations an upper hand in fighting extremism and terror,” in order to address recruitment and radicalization of vulnerable youth.<sup>84</sup> A National Counter Radicalization Strategy has also been launched which has seven pillars: “a media strategy; psycho-social strategy; faith based strategy; capacity building strategy; political strategy; education and security strategies.”<sup>85</sup> The National Counter-Terrorism Centre (“NCTC”) is promoting localized implementation action plans for the strategy at the county level,<sup>86</sup> and has asked UN Women to provide gender training for NCTC officials and to aid in establishing a gender desk at NCTC headquarters.<sup>87</sup> However, stakeholders have expressed concern that the NCVE strategy is gender-neutral and that it lacks a pillar to address the unique challenges faced by women as victims, perpetrators and sympathizers of extremism.<sup>88</sup> UN Women, Kenya and Humanity, Activism, Knowledge Integrity (“HAKI”) have made efforts to introduce a gender pillar into the strategy.<sup>89</sup>

Notwithstanding these advancements, the Kenyan authorities have launched crackdowns in recent years against civil society organizations in an effort to counter the financing of terrorism. The country’s Non-Governmental Organization Coordination Board deregistered sixteen NGOs in December 2014 for suspected, but unsubstantiated, links to terrorists and funding of their activities.<sup>90</sup> In 2015, a list of “entities suspected to be associated with Al-Shabaab” was published resulting in the freezing of the organizations’ accounts.<sup>91</sup> More recently, the government is trying to establish an online portal for registration of all individuals and organizations working on the NCVE strategy, which is being resisted by civil society in light of these past abuses.<sup>92</sup> This has created a difficult climate for civil society organizations to operate in.

## NON-GOVERNMENT RESPONSES TO VIOLENT EXTREMISM

Several non-governmental organizations (“NGOs”) are implementing PCVE programs with funding from international donor agencies such as the United States Agency for International Development (“USAID”), United States Institute of Peace (“USIP”), and International Civil Society Action Network (“ICAN”), among others. Programs range from those that focus on countering radicalization, rehabilitating “women left behind,” and protecting the populations targeted by law enforcement counterterrorism measures.

In Mombasa, African Women Advocating Peace and Security in Africa (“AWAPSA”) and the Coastal Education Center (“COEC”) are implementing direct intervention programs funded by USIP called Women Against Violence Extremism (“WAVE”).<sup>93</sup> WAVE focuses on building women’s resilience against violent extremism, supports women by providing psychosocial support and economic opportunities, like microfinance, and also provides a forum for female students to discuss challenges of combatting extremism in their communities. After Garissa students were brought to Mombasa University following the attack, WAVE provided a platform for female students to talk about their experiences. The Women’s Initiative for Their Empowerment (“WIFE”) is another initiative that focuses on “women left behind.”<sup>94</sup> WIFE provides psychological support to women and attempts to reintegrate them in the society. Other direct intervention programs attempt to bridge gaps between radical and moderate youth.<sup>95</sup> These programs engage individuals (14 to 30-years-old) who have dropped out of school, or are unemployed for other reasons, through sport, debates, and exhibitions, among other activities.<sup>96</sup> These initiatives may also aid in detecting extremism.

AWAPSA and HAKI have also pursued media campaigns, via radio, social media, and documentaries such as *Raise Our Voices* where “women left behind” share their experiences and stories.<sup>97</sup> Other media campaigns include documentaries such as *Call Back Home*, an initiative of COEC, which focuses on youth involved in extremism.<sup>98</sup> Various direct interventions programs targeting youth have also been launched in Kenya. These include youth mentorship programs providing youth with an alternative forms of guidance. For example, RUSI’s Peer Mentorship program pairs former criminals with youth mentees to create a peer bond.<sup>99</sup>

AWAPSA and others have implemented community policing programs, such as the program on women and law enforcement, to improve community relations and to encourage women to share information with police, improving the state’s ability to detect extremism.

In addition, a number of community dialogue programs have been implemented. These include programs by HAKI that employ theatre as a way to communicate PCVE messages and hold community meetings where community leaders can speak directly with affected women.<sup>100</sup> APWAPSA has also launched *Friend without Borders*, an inter-faith dialogue between Christian and Muslim women.<sup>101</sup> Another program titled *Tuna Uwezo*—“We Have the Power”—aims to “reduce politically-motivated conflict, interethnic violence and sectarian violence in the informal settlements in Nairobi” through community dialogue by “targeting residents, especially young people, to engage in dialogue, air grievances and work toward common resolutions.”<sup>102</sup>

Muslim groups in Kenya, such as the Supreme Council of Kenyan Muslims (“SUPKEM”), and the Center for Ihsan and Educational Development (“CIED”) are also engaged in conducting media campaigns among other initiatives to counter the use of Islam in legitimatizing violent extremism activities.<sup>103</sup> As part of these efforts, people are working with the government to allow “amnesty” for youth who joined Al-Shabab and now wish to return home.<sup>104</sup> They are

also involved in capacity building of Muslim scholars and clerics to identify early warning signs of radicalization.<sup>105</sup>

International organizations in collaboration with government and civil society organizations are also implementing PCVE programs. For example, government and UNDP Kenya jointly developed the UN Development Assistance Framework (“UNDAF”) 2014–2018.<sup>106</sup> United Nations agencies in the country are also currently working to develop a unified PCVE platform from which to engage government and civil society and launch PCVE programs, with UNDP leading the effort.<sup>107</sup>

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<sup>1</sup> *Kenya: Extremism & Counter-Extremism 2015*, Counter Extremism Project, available at <https://www.counterextremism.com/countries/kenya> [accessed 7 August 2017].

<sup>2</sup> *Eight people killed in attack on Kenyan casino*, REUTERS.COM, 28 March 2013, available at <http://www.reuters.com/article/kenya-separatists-idUSL5N0CK09620130328> [accessed 7 August 2017].

<sup>3</sup> Hugh Morris, *Kenya visitor numbers fall 25 per cent as terrorism hits tourism*, Telegraph.co.uk, 12 June 2015, available at <http://www.telegraph.co.uk/travel/destinations/africa/kenya/articles/Kenya-visitor-numbers-fall-25-per-cent-as-terrorism-hits-tourism/> [accessed 7 August 2017].

<sup>4</sup> Id.

<sup>5</sup> Tristan McConnell, *Kenya's case study in homegrown terrorism*, PRI.ORG, 10 June 2014, available at <https://www.pri.org/stories/2014-06-10/kenyas-case-study-homegrown-terrorism> [accessed 7 August 2017].

<sup>6</sup> *Kenya: Extremism & Counter-Extremism 2015*, *supra* note 1.

<sup>7</sup> *Preventing and Responding to Violent Extremism in Africa: A Development Approach*, Regional and Multi-Country Project Document, UNDP, available at [http://www.undp.org/content/dam/undp/library/Democratic%20Governance/Local%20Governance/UNDP\\_RBA\\_Preventing\\_and\\_Responding\\_to\\_Violent\\_Extremism\\_2016-19.pdf](http://www.undp.org/content/dam/undp/library/Democratic%20Governance/Local%20Governance/UNDP_RBA_Preventing_and_Responding_to_Violent_Extremism_2016-19.pdf) [accessed 7 August 2017].

<sup>8</sup> Jeffery Gettleman and Nicholas Kulish, *Gunmen Kill Dozens in Terror Attack at Kenyan Mall 21 September 2013*, available at <http://www.nytimes.com/2013/09/22/world/africa/nairobi-mall-shooting.html> [accessed 7 August 2017].

<sup>9</sup> *Al-Shabaab Release Film of Mass Raid Attack on Kenyan Forces*, SomaliaNewsroom.com 11 April 2016, available at <https://somalianewsroom.com/2016/04/11/video-al-shabaab-release-film-of-mass-raid-attack-on-kenyan-forces/> [accessed 7 August 2017].

<sup>10</sup> McConnell, *supra* note 5.

<sup>11</sup> *Kenya: Extremism & Counter-Extremism 2015*, *supra* note 1.

<sup>12</sup> McConnell, *supra* note 5.

<sup>13</sup> Interview with USAID, in Nairobi, Kenya (March 14, 2017) (interview notes on file with authors).

<sup>14</sup> *Isis makes Inroads into Kenya*, News 24, June 30, 2016, available at <http://www.news24.com/Africa/News/isis-makes-inroads-into-kenya-20160630> [accessed 7 August 2017].

<sup>15</sup> Id.

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- <sup>16</sup> Leposo, Lilian and Kriel, *Robyn, Mother's plea to missing girls feared to have joined ISIS*, The CNN, 26 May 2015, *available at* <http://www.cnn.com/2015/05/26/africa/missing-kenyan-girls-syria-isis/> [accessed 7 August 2017].
- <sup>17</sup> Interview with HAKI (Humanity, Activism, Knowledge Integrity) Africa, in Mombasa, Kenya (March 17, 2017) (interview notes on file with authors).
- <sup>18</sup> *Women: New face of terrorism in Kenya*, DW.COM, 13 September 2016, *available at* <http://www.dw.com/en/women-new-face-of-terrorism-in-kenya/a-19546300> [accessed 7 August 2017].
- <sup>19</sup> Elkana Jacob, Suspected al-Shabab 'brides' among six arrested in Kwale, The Star, 1 July 2016, *available at* [http://www.the-star.co.ke/news/2016/07/01/suspected-al-shabaab-brides-among-six-arrested-in-kwale\\_c1379001](http://www.the-star.co.ke/news/2016/07/01/suspected-al-shabaab-brides-among-six-arrested-in-kwale_c1379001) [accessed 7 August 2017].
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- <sup>22</sup> Interview with USAID, in Nairobi, Kenya (March 14, 2017) (interview notes on file with authors); Interview with Development Alternatives Incorporated (DAI), in Nairobi, Kenya (March 10, 2017) (interview notes on file with authors);
- <sup>23</sup> Interview with UN Women, in Nairobi, Kenya (March 16, 2017) (interview notes on file with authors); Interview with HAKI Africa, in Mombasa, Kenya (March 17, 2017) (interview notes on file with authors).
- <sup>24</sup> Interview with UN Women, in Nairobi, Kenya (March 16, 2017) (interview notes on file with authors).
- <sup>25</sup> Id.
- <sup>26</sup> Interview with CVE Specialist, AWAPSA – AFRICA, in Mombasa, Kenya (March 18 2017) (interview notes on file with authors).
- <sup>27</sup> Id.
- <sup>28</sup> Interview with AWAPSA – AFRICA, in Mombasa, Kenya (March 18 2017) (interview notes on file with authors).
- <sup>29</sup> James Khalil and Martine Zeuthen, *Countering Violent Extremism and Risk Reduction: A Guide to Programme Design and Evaluation*, Royal United Services Institute for Defence and Security Studies (RUSI), June 2016, *available at* [https://rusi.org/sites/default/files/20160608\\_cve\\_and\\_rr.combined.online4.pdf](https://rusi.org/sites/default/files/20160608_cve_and_rr.combined.online4.pdf) [accessed 7 August 2017].
- <sup>30</sup> Id.
- <sup>31</sup> Muhsin Hassan, *Understanding Drivers of Violent Extremism: The Case of Al-Shabaab and Somali Youth*, CTC Sentinel (Vol. 5, No. 8), 2012, p. 19.
- <sup>32</sup> Id.
- <sup>33</sup> Radicalization in Kenya, ISS Paper 265, Institute for Security Studies, September 2014, *available at* <https://issafrica.s3.amazonaws.com/site/uploads/Paper265.pdf> [accessed 7 August 2017].
- <sup>34</sup> Id.



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<sup>35</sup> Interview with Human Rights Watch, in Nairobi, Kenya (March 29, 2017) (interview notes on file with authors); Interview with AWAPSA – AFRICA, in Mombasa, Kenya (March 18 2017) (interview notes on file with authors).

<sup>36</sup> Tom BurrIDGE, *Funding jihad: Al-Shabab cash lures in young Kenyans*, BBC.com, 12 December 2014, available at <http://www.bbc.com/news/world-africa-30419987> [accessed 7 August 2017].

<sup>37</sup> Interview with Coastal Education Center, in Mombasa, Kenya (March 18, 2017) (interview notes on file with authors).

<sup>38</sup> Id.

<sup>39</sup> International Crisis Group, Somalia: *Al-Shabaab – It will be a Long War*, Policy Briefing, June 2014, p. 15.

<sup>40</sup> *Kenya: Extremism & Counter-Extremism 2015*, supra note 1.

<sup>41</sup> Id.

<sup>42</sup> Interview with HAKI Africa, in Mombasa, Kenya (March 17, 2017) (interview notes on file with authors); Interview with Human Rights Watch, Kenya (March 29, 2017) (interview notes on file with authors); Interview with USAID, in Nairobi, Kenya (March 14, 2017) (interview notes on file with authors).

<sup>43</sup> Interview with John Langlois, USAID, in Nairobi, Kenya (March 14, 2017) (interview notes on file with authors).

<sup>44</sup> Khalil and Zeuthen, supra note 29.

<sup>45</sup> Interview with USAID, in Nairobi, Kenya (March 14, 2017) (interview notes on file with authors); Interview with Coastal Education Center, in Mombasa, Kenya (March 18, 2017) (interview notes on file with authors); Interview with AWAPSA – AFRICA, in Mombasa, Kenya (March 18 2017) (interview notes on file with authors).

<sup>46</sup> Interview with USAID, in Nairobi, Kenya (March 14, 2017) (interview notes on file with authors); Interview with HAKI Africa, in Mombasa, Kenya (March 17, 2017) (interview notes on file with authors).

<sup>47</sup> *Constitution of Kenya, 2010*, available at <http://www.kenyalaw.org/lex/actview.xql?actid=Const2010> [accessed 7 August 2017].

<sup>48</sup> UN Women, *Kenya Country Profile*, available at <http://africa.unwomen.org/en/where-we-are/eastern-and-southern-africa/kenya> [accessed 7 August 2017].

<sup>49</sup> *Kenya Demographic and Health Survey 2014*, DHS Program, available at <https://dhsprogram.com/pubs/pdf/fr308/fr308.pdf> [accessed 7 August 2017].

<sup>50</sup> However, FGM is not a criminal offence for women above 18 years rendering them vulnerable to the practice.

<sup>51</sup> *Profile of Women's Socio-Economic Status in Kenya*, Institute of Economic Affairs, Kenya, June 2008, available at [https://ke.boell.org/sites/default/files/profile\\_of\\_womens\\_socio-economic\\_status\\_in\\_kenya\\_1.pdf](https://ke.boell.org/sites/default/files/profile_of_womens_socio-economic_status_in_kenya_1.pdf) [accessed 7 August 2017].

<sup>52</sup> *Joint Programme on Prevention and Response to Gender Based Violence 2017-2020*, Ministry of Public Service, Youth and Gender Affairs & United Nations Kenya, available at

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<http://www.daogewe.org/index.php/publications/reports/112-un-gok-joint-programme-on-gender-based-violence/file> [accessed 7 August 2017].

<sup>53</sup> *Profile of Women's Socio-Economic Status in Kenya*, *supra* note 51.

<sup>54</sup> Agnes Odhiambo, In Kenya, Forgotten Rape Survivors Have Stories to Tell, Human Rights Watch, 17 March 2016, *available at* <https://www.hrw.org/news/2016/03/17/kenya-forgotten-rape-survivors-have-stories-tell> [accessed 7 August 2017].

<sup>55</sup> Malombe et al., *Kenya's Regional and International Human Rights Obligations*, Kenya Human Rights Commission, *available at* <http://www.khrc.or.ke/publications/126-kenya-s-regional-and-international-human-rights-obligations/file.html> [accessed 7 August 2017].

<sup>56</sup> Office of the High Commissioner for Human Rights (OHCHR), [ohchr.org](http://ohchr.org), *available at* [http://lib.ohchr.org/HRBodies/UPR/Documents/Session8/KE/KSC\\_UPR\\_KEN\\_S08\\_2010\\_KenyaStakeholdersCoalitionforUPR\\_Annex3.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/Session8/KE/KSC_UPR_KEN_S08_2010_KenyaStakeholdersCoalitionforUPR_Annex3.pdf) [accessed 7 August 2017].

<sup>57</sup> *Human rights in Development Cooperation with Kenya*, German Federal Ministry for Economic Cooperation and Development, *available at* [http://www.institut-fuer-menschenrechte.de/uploads/tx\\_commerce/e-info-tool\\_hr\\_in\\_dc\\_with\\_kenya.pdf](http://www.institut-fuer-menschenrechte.de/uploads/tx_commerce/e-info-tool_hr_in_dc_with_kenya.pdf) [accessed 7 August 2017].

<sup>58</sup> *Id.*

<sup>59</sup> Concluding observation of the Committee on the Elimination of Discrimination against Women (CEDAW /C/KEN/CO/7) Kenya, Convention on the Elimination of All Forms of Discrimination against Women, 5 April 2011.

<sup>60</sup> *Id.*

<sup>61</sup> Concluding Observations adopted by Human Rights Committee (CCPR/C/KEN/CO/3) Kenya, International Covenant on Civil and Political Rights, 31 August 2012.

<sup>62</sup> *Id.*

<sup>63</sup> CCPR/C/KEN/CO/3

<sup>64</sup> *Kenya: Extremism & Counter-Extremism 2015*, *supra* note 1.

<sup>65</sup> *State Department Kenya Terrorism Report 2015*, [state.gov](http://state.gov), *available at* <https://www.state.gov/j/ct/rls/crt/2015/257514.htm> [accessed 7 August 2017].

<sup>66</sup> *Id.*

<sup>67</sup> *Id.*

<sup>68</sup> Interview with Human Rights Watch, in Nairobi, Kenya (March 29, 2017) (interview notes on file with authors).

<sup>69</sup> *Id.*

<sup>70</sup> Interview with Human Rights Watch, in Nairobi, Kenya (March 29, 2017) (interview notes on file with authors); Interview with UN Women, in Nairobi, Kenya (March 16, 2017) (interview notes on file with authors).

<sup>71</sup> *Kenya: Somalis scapegoated in counter-terror crackdown*, *Amnesty International*, 27 May 2014, *available at* <https://www.amnesty.org/en/latest/news/2014/05/kenya-somalis-scapegoated-counter-terror-crackdown/> [accessed 7 August 2017].

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<sup>72</sup> Id.

<sup>73</sup> Id.

<sup>74</sup> Id.

<sup>75</sup> Interview with USAID, in Nairobi, Kenya (March 14, 2017) (interview notes on file with authors).

<sup>76</sup> *Kenyan Students Demonstrate to Honor those Killed in Attack*, *US News*, April 7 2015, available at <https://www.usnews.com/news/world/articles/2015/04/07/kenyan-students-demonstrate-to-honor-those-killed-in-attack> [accessed 7 August 2017].

<sup>77</sup> Interview with UN Women, in Nairobi, Kenya (March 16, 2017) (interview notes on file with authors).

<sup>78</sup> Id.

<sup>79</sup> Id.

<sup>80</sup> Id.

<sup>81</sup> Id.

<sup>82</sup> Draft Guidelines For Implementation of Community Policing- Nyumba Kumi, Republic of Kenya, available at [http://www.syokimau.or.ke/sra/Draft\\_guidelines\\_for\\_implementation\\_of\\_NYUMBA\\_KUMI.pdf](http://www.syokimau.or.ke/sra/Draft_guidelines_for_implementation_of_NYUMBA_KUMI.pdf) [accessed 7 August 2017].

<sup>83</sup> Stella Cheronu, *Uhuru launches counter-terrorism strategy, names special envoy*, Nation.Co.Ke, 7 September 2016, available at <http://www.nation.co.ke/news/Uhuru-launches-counter-terrorism-strategy-names-special-envoy/1056-3372608-w4du8t/> [accessed 7 August 2017].

<sup>84</sup> Joseph Muraya, Kenya to launch a National Counter Violent Extremism policy, CapitalNews, 28 January 2016, available at <http://www.capitalfm.co.ke/news/2016/01/kenya-to-launch-a-national-counter-violent-extremism-policy/> [accessed 7 August 2017].

<sup>85</sup> *Strengthen Community's Capacity Against Radicalization And Violent Extremism in Kenya*, UNDP & Republic of Kenya, January 2015, UNDP.ORG, available at [https://info.undp.org/docs/pdc/Documents/KEN/\(Kenya%20rev%20270115\)%20Kenya%20Counter%20Terrorism%20project%20Document%20FINAL.pdf](https://info.undp.org/docs/pdc/Documents/KEN/(Kenya%20rev%20270115)%20Kenya%20Counter%20Terrorism%20project%20Document%20FINAL.pdf) [accessed 7 August 2017].

<sup>86</sup> Interview with HAKI Africa, in Mombasa, Kenya (March 17, 2017) (interview notes on file with authors).

<sup>87</sup> Interview with UN Women, in Nairobi, Kenya (March 16, 2017) (interview notes on file with authors).

<sup>88</sup> Interview with AWAPSA – AFRICA, in Mombasa, Kenya (March 18, 2017) (interview notes on file with authors).

<sup>89</sup> Interview with UN Women, in Nairobi, Kenya (March 16, 2017) (interview notes on file with authors); Interview with HAKI Africa, in Mombasa, Kenya (March 17, 2017) (interview notes on file with authors).

<sup>90</sup> Eugene Okumu, *Kenya: 15 NGOs Deregistered On Suspicion of Funding Terrorism*, AllAfrica.Com, 16 December 2014, available at <http://allafrica.com/stories/201412161350.html> [accessed 7 August 2017].

<sup>91</sup> Armin Rosen, *Kenya is responding to the latest al-Shabaab attack in a way that could make the country's terror problem worse*, BusinessInsider.Com, 8 April 2015, available at

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<http://www.businessinsider.com/kenya-just-shut-down-somali-owned-money-transfer-companies-2015-4> [accessed 7 August 2017].

<sup>92</sup> Id.

<sup>93</sup> Interview with Coastal Education Center, Mombasa, Kenya (March 18, 2017) (interview notes on file with authors).

<sup>94</sup> Interview with HAKI Africa, in Mombasa, Kenya (March 17, 2017) (interview notes on file with authors).

<sup>95</sup> Id.

<sup>96</sup> Id.

<sup>97</sup> Interview with AWAPSA – AFRICA, in Mombasa, Kenya (March 18 2017) (interview notes on file with authors); Interview with HAKI Africa, in Mombasa, Kenya (March 17, 2017) (interview notes on file with authors).

<sup>98</sup> Interview with Coastal Education Center, Mombasa, Kenya (March 18, 2017) (interview notes on file with authors).

<sup>99</sup> Interview with RUSI, in Nairobi, Kenya (March 15, 2017) (interview notes on file with authors).

<sup>100</sup> Interview with HAKI Africa, in Mombasa, Kenya (March 17, 2017) (interview notes on file with authors).

<sup>101</sup> Interview with AWAPSA – AFRICA, in Mombasa, Kenya (March 18 2017) (interview notes on file with authors).

<sup>102</sup> Global Communities Partners for Good, accessed on 8 May 2017, *available at* <https://www.globalcommunities.org/kenya-tuna-uwezo> [accessed 7 August 2017].; Interview with in Nairobi, Kenya (March 14, 2017) (interview notes on file with authors).

<sup>103</sup> Finn et al., *Youth Evaluations of CVE/PVE Programming in Kenya in Context*, 2016, *available at* <http://journals.sfu.ca/jd/index.php/jd/article/viewFile/62/52> [accessed 7 August 2017].

<sup>104</sup> Anthony Langat, *Muslim leaders are trying to change the way Kenya fights terrorism*, PRI.org, 23 August 2015, *available at* <https://www.pri.org/stories/2015-08-23/muslim-leaders-are-trying-change-way-kenya-fights-terrorism> [accessed 7 August 2017].

<sup>105</sup> Id.

<sup>106</sup> *United Nations Development Assistance Framework for Kenya 2014-2018*, *available at* <https://www.unops.org/SiteCollectionDocuments/Information-disclosure/UNDAFs/Kenya-UNDAF-2014-2018.pdf> [accessed 7 August 2017].

<sup>107</sup> Interview with UN Women, in Nairobi, Kenya (March 16, 2017) (interview notes on file with authors).

## UNITED STATES COUNTRY PROFILE

The United States has long been engaged in funding and implementing PCVE around the world. However, the implementation of such programs within its own borders has been more recent and subject to various concerns from a civil liberties and human rights perspective. In 2011, for example, the White House introduced a PCVE program exclusively focusing on Muslim communities in Los Angeles, Boston and Minneapolis. The program was met with objections and resistance both from Muslim communities and from civil society organizations who were concerned that programs targeting Muslims would result in increased surveillance and harassment.

Despite these concerns, Muslim communities have not outright rejected PCVE programs. In fact, communities have sometimes implemented their own versions of PCVE programs without accessing government funds or resources, in an effort to maintain independence.

Engagement of women has not been prioritized in current PCVE initiatives, though women have been participants and administrators in the programs. This may be because women in the U.S. are seen as benefitting from greater levels of equality than in most other countries, or because women continue to constitute a minority of recruits and participants in violent extremism. Few federal programs contain an explicit focus on women. Regardless, women's roles in PCVE have not been significantly explored as a consideration.

This profile discusses programs managed and funded by both the United States government and by civil society to prevent and counter violent extremism. Because the United States government has engaged in more expansive programming than Tunisia and Kenya and because researchers have been able to access details on this programming, this profile will spend more time on United States government-backed efforts than those in Tunisia and Kenya.

## RELEVANT INTERNATIONAL OBLIGATIONS

United States law generally differentiates between self-executing treaties (which immediately upon ratification become a part of United States domestic law) and non-self-executing treaties (which require further Congressional action to be incorporated into United States law). Some human rights treaties are self-executing while others are not.

The United States is a member of the Organization of the American States ("OAS") and, therefore, of the Inter-American Commission on Human Rights ("IACHR"). Human rights obligations are generated by the OAS Charter, the American Declaration of the Rights and Duties of Man, and the American Convention on Human Rights.<sup>1</sup> The United States is both a party to the Charter and the Declaration but not the Convention. Thus, the United States is subject to the American Declaration and the Commission but it does not submit to the authority of the Inter-American Court of Human Rights and has not ratified any other OAS treaties.

In 1980, the United States signed the Convention on the Elimination of All Forms of Discrimination Against Women (“CEDAW”), an international treaty adopted by the United Nations General Assembly.<sup>2</sup> The treaty calls upon states to eliminate discrimination of women in all areas of life, including political life, employment, healthcare, and education. Despite signing the treaty, the United States is one of seven nations that has not ratified the treaty, thereby not consenting to be bound by the treaty.<sup>3</sup> Primary concerns over the United States’ adherence to CEDAW are around access to reproductive and healthcare options, particularly abortion.<sup>4</sup>

The United States has signed and ratified the International Convention on the Elimination of All Forms of Racial Discrimination (“ICERD”) and the International Covenant on Civil and Political Rights (“ICCPR”). It has also signed the International Covenant on Economic, Social and Cultural Rights (“ICESCR”). The Committee on the Elimination of All Forms of Racial Discrimination recommended that the definition of racial discrimination used in state and federal contexts be reviewed.<sup>5</sup> The Committee for the Elimination of Racial Discrimination highlighted the incidence of rape and sexual assault, particularly among Native women and migrant domestic workers, as well as healthcare disparities between African American women and other demographic groups.<sup>6</sup>

The United States is a party to the Convention Against Torture.<sup>7</sup> The Committee Against Torture provided a number of recommendations in its 2010 report, including allowing United Nations Rapporteur’s access to Guantanamo Bay to investigate allegations of torture. The Human Rights Committee has also been concerned about the surveillance of private communication of individuals by the United States government without proper independent oversight.<sup>8</sup> The Human Rights Committee and the United Nations High Commissioner for Human Rights expressed concerns over the loose definitions of terrorism used by the United States, and the lack of constitutional courts adjudicating crimes labeled terrorism.<sup>9</sup> Further, the Human Rights Committee recommended the implementation of a National Human Rights Institution to coordinate adherence to human rights treaties at the state, national, and local levels.<sup>10</sup>

## HISTORY AND CURRENT STATE OF VIOLENT EXTREMISM IN THE U.S.

### THE MUSLIM AMERICAN COMMUNITY

According to population estimates from 2015, Muslims make up 1 percent of the United States population, and comprise 10 percent of the legal immigrants in the United States.<sup>11</sup>

According to a 2014 study by the Congressional Research Service, while 75 percent of Americans in the United States express confidence in the Federal Bureau of Investigations (“FBI”), only 60 percent of Muslim Americans have the same confidence in the agency.<sup>12</sup> Muslims report being subject to invasive searches while driving and at airport security checkpoints, which leads to a sense of alienation from law enforcement agencies.<sup>13</sup> This unique and targeted focus on Muslim Americans in the context of PCVE programs is thought to further lend to alienation.<sup>14</sup>

This sense of mistrust has likely been worsened by undercover surveillance programs, such as the FBI initiative that paid individuals to pose as new Muslim converts at mosques to befriend Muslims, in order to provide intelligence on the community. The most notorious of these cases, Operation Flex, in California, resulted in the Muslim community reporting an FBI agent back to the FBI as a potential terrorist threat to America.<sup>15</sup> Similarly, the mass surveillance program implemented by the New York Police Department in the tri-state area collected information about 26 ethnic groups that were associated with Islam over several years, but yielded no information related to terrorism or extremism.<sup>16</sup>

Similarly, the Counter Intelligence program (“COINTELPRO”) of the 1970’s monitored many African American groups, including civil rights organizations like the National Association for the Advancement of Colored People, and religious and political groups like the Nation of Islam.<sup>17</sup>

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## INTELLIGENCE AGENCIES AND COUNTERTERRORISM

For decades, United States intelligence agencies have monitored groups deemed potential threats through the FBI, the Central Intelligence Agency (“CIA”), and the more recent Department of Homeland Security (“DHS”). The DHS was formed in 2002 to unite 35 intelligence-gathering agencies in one federal department and collects information using public-private partnerships and through the use of fusion centers.<sup>18</sup> The Federal Bureau of Investigation, which operates out of the Department of Justice, provides domestic intelligence, and leads the Joint Terrorism Task Force.<sup>19</sup> The Department of Justice also manages United States Attorneys Offices.<sup>20</sup>

The Foreign Intelligence Surveillance Act (“FISA”) was passed in 1978 to regulate incursions by intelligence gathering departments after the Church Committee identified illegal practices that violated civil liberties like privacy and free speech.<sup>21</sup> However, after the attacks on September 11, 2001, the FBI expanded its portfolio to include terrorism prevention, in addition to its established law enforcement directive, and began to contribute to “proactive domestic surveillance.”<sup>22</sup>

This agency shift was coupled with new legislation, including the USA Patriot Act (“Patriot Act”), the Homeland Security Act and the Intelligence Reform and Terrorism Prevention Act.<sup>23</sup> Many of these acts were meant to bring together existing intelligence organizations in order to share information and personnel, as well as to integrate enforcement from the state to federal level.<sup>24</sup> The sharing of information also reflected a new approach to terrorism, in which intelligence organizations attempt to pinpoint and prevent attacks before they occur.<sup>25</sup> For instance, the Patriot Act expanded the definition of terrorism to include domestic terrorism, and as a result, the government has more power to investigate and gather intelligence in domestic contexts.<sup>26</sup>

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## VIOLENT EXTREMISM IN THE UNITED STATES

United States government programs use the FBI's Countering Violent Extremism office's definition of violent extremists as "individuals who support or commit ideologically motivated violence to further personal, political or social objectives, sometimes without direction from or influence by a foreign actor."<sup>27</sup> Government agencies recognize the following factors for violent extremism: politics, religion and economics.<sup>28</sup> Government agencies have also identified conditions that may facilitate involvement in violent extremism such as exposure to social media sites used for recruiting by extremist groups.<sup>29</sup>

The United States National Counter Terrorism Center has categorized the primary ideologies responsible for attacks in the United States: anarchism, Islamic Extremism, Eco terrorism and Right Wing Extremism. Eco terrorists and Right Wing Extremists committed 8 percent of extremist attacks between 1995 and 2011.<sup>30</sup> Twelve percent of attacks during this time period were attributed to Islamic Extremists.<sup>31</sup> According to the FBI's record of terrorist attacks, from 1980–2005, 6 percent of incidents were "attributable to Muslims."<sup>32</sup>

The National Consortium for the Study of Terrorism and Responses to Terrorism reports that 80 percent of terrorist incidents in the United States from 1970–2013 were carried out by "nonaffiliated individuals," the Earth Liberation Front, and the Animal Liberation Front. During the 2000's, less than 2 percent of attacks were from groups that claimed to be affiliated with fundamentalist Islam.<sup>33</sup>

As noted earlier in this report, one of the difficulties in recording data in terrorist attacks is a lack of definitions; the FBI uses domestic terrorism and violent extremism interchangeably, affecting the ways in which such cases are prosecuted.<sup>34</sup> One particular point of focus has been on Al Qaeda and Al Qaeda inspired militants, and more recently in preventing individuals from traveling to or receiving instruction from the Islamic State (also, "ISIS," "ISIL" or "Daesh"), otherwise known by its Arabic acronym Dawla al-Islamiya fil Iraq wa'al Sham.<sup>35</sup>

The United States' intelligence and law enforcement agencies continue to be interested in the Muslim community to prevent both domestic terrorism crimes, as well as recruitment to foreign extremist organizations. The current emphasis is on preventing American participation in ISIS.<sup>36</sup> Worldwide an estimated 20,000 fighters have gone to Iraq and Syria to fight. Approximately 150 Americans have attempted, some unsuccessfully, to reach the region.<sup>37</sup>

In another estimate, of the 3.3 million Muslims in America, only 250 have gone overseas to join foreign fighter groups. This represents only 0.0075 percent of the Muslim-American population.<sup>38</sup> This is far less than France, where 0.036 percent of the Muslim-French population has attempted to join foreign fighter groups, or Tunisia, where 0.054 percent (or 6,000 Muslims out of 11 million) has done the same.<sup>39</sup> American Muslims who have traveled abroad to participate with extremist organizations have been found to not be active participants in the Muslim American community, and do not frequent mosques or



Muslim social centers.<sup>40</sup> Moreover, there is no city or community in the United States with a significant concentration of Muslims who have gone abroad to join fighter groups.<sup>41</sup>

While the number of American Muslims who joined foreign fighter groups dropped by 40 percent in 2016, the number of right wing and White Nationalist militia groups has grown.<sup>42</sup> The Southern Poverty Law Center, which tracks hate groups, has reported that militia groups have grown over 600 percent between 2008 and 2012.<sup>43</sup> The number of followers on twitter that right wing groups have been able to accrue also grew by 600 percent between 2012 and 2016.<sup>44</sup>

## HISTORY AND CURRENT STATE OF WOMEN'S RIGHTS IN THE U.S.

### HISTORY OF WOMEN'S RIGHTS

The equal rights of women are not provided for in the United States' founding documents. The Declaration of Independence states: "We hold these truths to be self-evident, that all *men* are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness" (emphasis added).<sup>45</sup>

The freedom of religion for all is guaranteed by the Bill of Rights. The Establishment and Free Exercise Clauses of the First Amendment state, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."<sup>46</sup> The First Amendment also provides a legal basis for challenging state regulation of expression, including practice, association, and belief.<sup>47</sup>

Women's basic rights have been advanced through various statutes, constitutional amendments and court interpretations of women's constitutional rights. Between 1777 and 1807, women's right to vote, which had been practiced in some of the early American colonies, was revoked by all states.<sup>48</sup> Starting in 1839, states began passing the Married Women's Property Act, allowing women to own and control their own property, a change from the inherited British common law of coverture where the husband upon marriage subsumed a woman's rights and property.<sup>49</sup> Women were granted the right to vote by the 19th constitutional amendment in 1919, after decades of lobbying.<sup>50</sup> Women were historically denied equal access to education and professions, such as medical school and law school.<sup>51</sup> The first women admitted to medical school were not admitted until 1915.<sup>52</sup> The first women governors were not elected until 1925, and the first woman federal judge was not appointed until 1928.

The Equal Rights Amendment, a constitutional amendment that would prohibit discrimination against women, was first proposed in 1923, and stated, "[m]en and women shall have equal rights throughout the United States and every place subject to its jurisdiction." In 1972, Congress approved of the Equal Rights Amendment that stated "[e]quality of rights under the law shall not be denied or abridged by the United States or

by any State on account of sex.”<sup>53</sup> To take hold, the amendment had to be ratified by 38 states, but by 1982 failed to pass by three states.<sup>54</sup> The Equal Pay Act was passed in 1963, the first federal law that prohibited discrimination on the basis of sex, followed by the Federal Civil Rights Act of 1964 which protects women in employment, and Title IX in 1972 which guarantees equal access in education and athletic resources to both genders.<sup>55</sup> In 2009 the Lily Ledbetter Fair Pay Act was passed by President Obama, lifting time restrictions on the period to file complaints of discrimination related to compensation.<sup>56</sup>

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## CURRENT STATUS OF WOMEN IN THE UNITED STATES

Increasing participation of women in policymaking on national security issues has been one strategy to developing responsive national security systems. Amy Pope, former Deputy Homeland Security Advisor on the White House National Security Council, has stated that the participation of women in leadership roles provides additional perspectives to agency decisions, more details about experiences unique to women, and a higher level of legitimacy for programs that target women.<sup>57</sup>

Though women now make up half of the workers in the United States, indicators of women’s status in the United States are below men’s in many categories. The United States ranks 65th in global wage equality according to the World Economic Forum, with women paid 78 percent of what men are paid in similar job positions.<sup>58</sup> This disparity becomes greater for women of color; black women are paid 64 percent and Latina women paid 56 percent compared to white men in similar positions.<sup>59</sup> Fifty-six percent of women born outside of the United States participate in the labor force.<sup>60</sup> In 2016 women held fewer than 20 percent of seats in the National House of Representatives and the Senate.<sup>61</sup> The United States is still one of 32 countries that does not have an explicit gender equality guarantee in its Constitution.<sup>62</sup> Gender disparities in economic status and employment vary by state, with lower income states reflecting the largest disparities.

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## GOVERNMENT RESPONSES TO VIOLENT EXTREMISM

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### UNITED STATES GOVERNMENT APPROACH TO COUNTERING VIOLENT EXTREMISM

The distinction drawn by the United States government between counterterrorism programs and PCVE programs is that the latter lack “law enforcement suppression.”<sup>63</sup> Counterterrorism programs target an individual once an individual has decided to engage in violence, known as “mobilization.”<sup>64</sup> An alternative definition is that counterterrorism targets “violent or illegal action taken on the basis of radical or extremist beliefs,” whereas PCVE focuses on “radicalization,” described as “the process of acquiring and holding radical or extremist beliefs.”<sup>65</sup>

Despite having no process to define an individual’s path to violent extremism, the White House Strategy includes identifying “warning signs” that someone is “recruited or radicalized to violence” and disseminating those signs to family members and friends in targeted communities.<sup>66</sup> A guide released by the National Counter Terrorism Center

ranks communities and individuals on risk and protective factors such as neighborhood safety, cohesiveness among community members, “experiences of loss,” and “general health.”<sup>67</sup> However, no studies are cited to back up the use of these factors within the study or the level of correlation between the listed factors and violent extremism.

For this reason, and acknowledging the stigma PCVE programs may carry, government agencies implement PCVE programs using existing social services, including public health, mental health, and educational agencies.<sup>68</sup> The federal government cites three models for their approach to violent extremism: (1) the Comprehensive Gang model; (2) the Safe Schools/Healthy Students Initiative; and (3) the Building Communities of Trust Initiative.<sup>69</sup>

The government approach to PCVE posits that certain individuals are more susceptible to violent extremism and acknowledges that they cannot currently predict which individuals fall into this category. This is seen as an obstacle that can be overcome using additional data and resources in a local context.<sup>70</sup> The DHS stated in 2016 that it would create a research agenda through a searchable library selectively available to domestic and international partners by October 2017.<sup>71</sup> The National Institute of Justice and the Department of Homeland Security are providing funding grants for additional research into the topic.<sup>72</sup> Since 2012, \$14 million has been provided in grant funding to universities, research institutes, and hospitals for 28 projects related to domestic radicalization.<sup>73</sup>

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## PCVE AND CIVIL LIBERTIES

In 2003, the Department of Homeland Security began to conduct public outreach through its Office for Civil Rights and Civil Liberties. While the initial outreach was to communicate avenues of redress for potential violations of civil liberties, recent PCVE programs have been coordinated through The Office for Civil Rights and Civil Liberties (CRCL) and the DHS Community Engagement Section.<sup>74</sup>

Following media reports of bias in PCVE training, a Government Accountability Office Report was created on Countering Violent Extremism related training, provided to 28,000 state and local entities between 2010 and 2011.<sup>75</sup> These trainings focused primarily on cultural competency or violent extremism, rather than community engagement.<sup>76</sup> Many of the programs use terms interchangeably when they refer to different concepts: “Islamic culture” is often conflated with “Middle Eastern Culture,” “Arab-Americans” are construed as “Muslims,” and “Arabic Culture” is conflated with “Islam.”<sup>77</sup>

Leadership in Counterterrorism aims to, among other things, familiarize officers with various types of United States domestic terrorist groups and educate them on the historical development of violent Islamic extremism. This course is taught in a symposium format and includes sessions on Middle Eastern culture and basic Islamic beliefs.<sup>78</sup>

Several complaints have been filed alleging the trainings or trainers made statements that were untrue or discriminatory. Some complaints were accepted as valid and particular guest speakers were disinvited from the program.<sup>79</sup> One of the complaints was over material provided to all 4,400 members of the Joint Terrorism Task Force, which

stated, “Sunni Muslims have been prolific in spawning numerous and varied fundamentalist extremist terrorist organizations. Sunni core doctrine and end state have remained the same and they continue to strive for Sunni Islamic domination of the world.”<sup>80</sup> The FBI reviewed the statement and determined, “the materials to, among other things, conform to constitutional principles, adhere to the FBI’s core values, be tailored to the intended audience, and focused to ensure message clarity.”<sup>81</sup>

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**2011 PREVENTING VIOLENT EXTREMISM STRATEGY**

In 2011, the United States launched a formal PCVE strategy titled *Empowering Local Partners to Prevent Violent Extremism in the United States* (the “White House plan”).<sup>82</sup> The program focuses on the threats by “Al Qa’ida and affiliate networks”<sup>83</sup> through interventions by local officials and communities using resources from the federal government to create PCVE capacity. The program is led by Attorney Generals and implemented through federal agencies, the DHS, FBI, the United States Agency for International Development, the National Counterterrorism Center, and the Departments of Defense, Justice, Education, Health and Human Services, and Labor.<sup>84</sup>

The 2017 fiscal year budget for the Department of Justice program is \$4 million for research, \$6 million for local PCVE models, \$2 million for technical assistance, and \$3 million for demonstration models of these projects in which law enforcement partner with local stakeholders.<sup>85</sup> The Department of Homeland Security has \$50 million to respond to threats of violent extremism, which includes PCVE programming.<sup>86</sup> The Department of Homeland Security also appointed a full time PCVE coordinator. Grant programs that are not specific to PCVE are provided through the DHS Urban Areas Security Initiative and the DOJ Community Oriented Policing Services Program.<sup>87</sup>

The goals of the program have been listed as: “(1) enhancing engagement with and support to local communities that may be targeted by violent extremists; (2) building government and law enforcement expertise for preventing violent extremism; and (3) countering violent extremist propaganda while promoting our ideals.”<sup>88</sup>

**Table 1. Alignment of Priority Action Areas and Lines of Effort**

<b>Enhancing engagement with and support to local communities</b>	<b>Engagement and Technical Assistance</b>
	<b>Interventions</b>
<b>Building government and law enforcement expertise for preventing violent extremism</b>	<b>Research and Analysis</b>
	<b>Engagement and Technical Assistance</b>
<b>Countering violent extremist propaganda while promoting our ideals</b>	<b>Communications and Digital Strategy</b>
	<b>Engagement and Technical Assistance</b>

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The activities explicitly taken on by the federal government are research funding, best practice development, issuing grants and building connections with stakeholders.<sup>90</sup> Civil liberties are cited as a priority.<sup>91</sup>

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## CHALLENGES IN DEFINING AND IDENTIFYING VIOLENT EXTREMISM

Without clear models for what constitutes violent extremism, it is difficult to implement an assessment program to track the effectiveness of PCVE efforts.<sup>92</sup> In his closing remarks at the Summit on Countering Violent Extremism, former President Barack Obama stated, “by ‘violent extremism,’ we don’t just mean the terrorists who are killing innocent people. We also mean the ideologies, the infrastructure of extremists—the propagandists, the recruiters, the funders who radicalize and recruit or incite people to violence.”<sup>93</sup>

Defining violent extremism has been an ongoing challenge for PCVE programs in other countries, such as the United Kingdom, where the number of outreach efforts may be tallied, but not the effect of the efforts.<sup>94</sup> Standardizing any metrics will also be a challenge given the different programs implemented and approaches taken for each. The DHS plans to review their 2016 strategy every three years, starting in 2019, to determine what successful programs are and what improvements should be made and to develop metrics to measure these factors in 2017.<sup>95</sup> However, variance in approaches and a lack of consistent definitions are likely to make this a challenge.

The goal of the DHS-lead program is to target religious leaders, civil society, and youth using social media and community interventions to prevent “individuals who support or commit ideologically-motivated violence to further political goals”.<sup>96</sup> The White House provided no definitive model by which people become engaged in violent extremism, noting “there is not [a] single pathway to violent extremism.”<sup>97</sup> The White House stated that to counter violent extremism is to “disrupt efforts to recruit, radicalize and mobilize followers” by addressing conditions and reducing factors that contribute to violence.<sup>98</sup> The program calls for integration of PCVE into existing programs such as public safety and violence prevention.<sup>99</sup>

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## PCVE AND INTELLIGENCE GATHERING

The White House plan explicitly states that PCVE efforts do not include intelligence gathering or investigations for criminal prosecution.<sup>100</sup> However, as part of federal research into PCVE, the federal government has indicated they will make open-source datasets for government departments to broaden understanding of behaviors related to violent extremism.<sup>101</sup>

An additional portion of this program is the utilization of “fusion centers,” which are two or more government agencies that exchange resources and information to “detect, prevent, investigate and respond to criminal and terrorist activity.”<sup>102</sup> Owned and run by state and local government entities, fusion centers receive and share classified and unclassified information from federal partners.<sup>103</sup> Among their capabilities are to “build grassroots intelligence and analytic capabilities” and “providing threat analysis.”<sup>104</sup> Fusion centers have become “all hazard” centers, which also monitor organized crime, immigration and natural disasters.<sup>105</sup> The White House plan includes coordination between fusion centers, local law enforcement and communities to help identify “suspicious activity” and for the protection of civil rights and liberties in the process.<sup>106</sup> There are no uniformly adopted

standards for the operation of fusion centers, and currently only 16 of 58 have adopted the voluntary Fusion Center Guidelines promulgated by the federal government.<sup>107</sup> Without these provisions, it is unknown if fusion centers are abiding by statutes like the 1974 Privacy Act, which protects against the collection of information for citizens who have not committed a crime.<sup>108</sup>

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## BOSTON, LOS ANGELES AND MINNEAPOLIS PILOT PROGRAMS

In 2013, former Attorney General Eric Holder announced the PCVE grant targeting Muslim communities and in March 2014 the selected cities of Boston, Los Angeles and Minneapolis were announced as pilot programs.<sup>109</sup> Each city was selected to test different approaches: a social-level approach in Minneapolis aimed at the large Somali-American population; community-engagement in Los Angeles; and individual interventions in Boston.<sup>110</sup> The goal of the pilot program is to pilot a number of the DHS initiatives, evaluate their effectiveness, and expand the program to other prioritized cities and regions in the United States.<sup>111</sup>

Each of the initial cities was provided a framework by the United States Attorney's office that reflected input from community and government stakeholders. The framework is to be used as a flexible set of guidelines, with goals and solutions, to assist in the implementation of each city's program.<sup>112</sup> One notable program recommendation is delivery of social services to participating individuals. These include language and civics classes, culturally sensitive education, mental health services, and youth programs.<sup>113</sup> In 2017, the DHS will provide a self-assessment to communities to understand the threat of violent extremism in their communities, with the results used by the community partners and the DHS.<sup>114</sup>

These PCVE programs have been criticized for lack of funding, lack of coordination, and lack of buy in by targeted communities.<sup>115</sup> Some have noted that negative community reactions have been caused by the government's failure to solicit input from stakeholders that reflect the Muslim community's racial and economic diversity.<sup>116</sup> The community outreach done was criticized for focusing on the most well-connected Muslims rather than marginalized segments of the population, like those who would require government aid for mental services.

Intelligence agencies involved in the program have both asked for additional resources, and have not had formal mechanisms on how to coordinate with each other.<sup>117</sup> The lack of programming focusing on any other groups, particularly right wing nationalist groups, further contributes to the perception of the program as biased and ineffective for the overall goal of preventing violent extremism.

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## THE BOSTON FRAMEWORK

The framework for the Boston program emphasizes "prevention and intervention" and is aimed at building the resilience and capacity of communities to discourage members to become involved in violent extremism.<sup>118</sup> The framework identifies seven problems it

seeks to address, such as alienation of youth, distrust between authorities and Muslim communities, lack of knowledge about Islam in mainstream American culture, and the use of social media in recruitment.<sup>119</sup> For each of the seven “problems” identified, proposed solutions are listed. For example, problem 1 is the fact that alienated and disaffected youth are particularly vulnerable to recruitment by violent extremist organizations. Some potential solutions are offered include working with schools and faith based organization to assist youth in developing critical and conflict resolution skills, developing programs to promote civic engagement, and increasing mental health services for youth.<sup>120</sup> Programs are meant to be integrated in environments apart from law enforcement, such as academic and social work environments, and coordinated by the United States Attorney’s Office for the District of Massachusetts.<sup>121</sup>

Despite engagement of academia and other non-government sectors, the program was met with some dissent. The Executive Director of the Islamic Society of Boston Cultural Center (“ISBCC”)<sup>122</sup> refused to sign on to the program because the PCVE programs singled out the Muslim community and reinforced stereotypes about the American Muslim community as inherently violent, rather than providing social services to all demographics within the city who would benefit from them.<sup>123</sup>

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## THE LOS ANGELES FRAMEWORK

The Los Angeles framework begins by emphasizing civil rights and civil liberties, and specifies the three pillars of the program as “prevention, intervention, and interdiction.”<sup>124</sup> Prevention is oriented towards the community, intervention for the individual, and interdiction for disrupting a “criminal threat.”<sup>125</sup> Again the PCVE framework centers on American Muslim populations.

The first Department of Homeland Security Office for Strategic Engagement was established in Los Angeles in conjunction with the city’s Human Relations Commission in 2008.<sup>126</sup> This later became the Interagency Coordination Group, consisting of the Sheriff’s Department, Los Angeles Police Department, Human Relations Commission, the United States Attorney’s Office, and the Federal Bureau of Investigation, California Department of Justice, United States Citizenship and Immigration Service, the Transportation Security Administration, and the Los Angeles County Department of Mental Health.<sup>127</sup>

Working with non-governmental agencies, Los Angeles has also conducted town hall meetings, community awareness briefings and training seminars for hate crimes and domestic violence. Private sector partners have engaged social media to advocate against violent extremism. The framework acknowledges that civic society-oriented programs do not exclusively advance goals of PCVE programs, rather they strengthen communities overall. The framework acknowledges the difficult dynamics between civil society and Muslim American groups and law enforcement, due to the stigma attached to the program, and the risk of surveillance.<sup>128</sup> However, the framework reiterates that the program should be “community driven” in its implementation.

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## THE MINNEAPOLIS-ST. PAUL FRAMEWORK

The framework in the twin cities of Minneapolis-St. Paul notes that the large number of Somali immigrants are peaceful but also sets forth the timeline of recruitment of young Somali Minnesotans by Al-Shabaab, the Somali military group designated as a terrorist organization.<sup>129</sup> The United States District Court of Minnesota has thus far convicted twenty Somalis on terrorism charges.<sup>130</sup> The framework aims, like the Los Angeles framework, to be community driven, relying on existing relationships like the Hennepin County Sheriff Office’s relationship with the Somali Advisory Council, the St. Paul Police Department’s community engagement team, and federal youth advisory boards with Somali youth.<sup>131</sup>

After a period of community feedback, the root causes of “radicalization” (a term never defined in the framework) were identified as: disaffected youth, identity crisis, community isolation, lack of opportunity, and a disconnect between youth and religious leaders.<sup>132</sup> The model adopted to address PCVE is “engagement, prevention and intervention,” adopted from public safety models like the Gang Reduction Model.<sup>133</sup> “Engagement” seeks to increase relationships between law enforcement and youth, by increasing the number of personnel oriented towards the community. “Prevention” aims to increase resources provided to the Somali American population, and “intervention” targets schools and the greater community with youth workers.

Below is the Minneapolis framework for building community resilience included in proposal:



**DEVELOPMENT OF THE BUILDING COMMUNITY RESILENCE FRAMEWORK**



134

**PROGRAMMATIC CONCERNS OF PCVE PROGRAMS**

Each of the above frameworks begins by summarizing anticipated critiques—the singling out of Muslims, potential weakening of civil liberties for Muslims, and increase in securitization of those communities. However, each framework has still been the subject of criticism by civil society organizations on those very grounds. The primary challenge appears to be the implementation of these programs by law enforcement, despite attempts to create more community policing models within these authorities. The Congressional Research Service evaluated the 2011 and 2014 White House PCVE Plans and identified that the processes by which Muslim American groups were being selected were opaque, with no comprehensive list of currently operating grant programs.<sup>135</sup> This was seen as contributing to the impression that PCVE programs were for intelligence gathering purposes. Further, there were no guidelines on the intervention models provided in any

of the programs for at-risk individuals, or definitions for violent extremist narratives, making it difficult for coordinating agencies to implement proposed programs.<sup>136</sup>

Two of the frameworks above reference women specifically. The Los Angeles framework states that the third challenge in implementation is “expanding and enhancing engagement efforts with women and youth so that stronger partnerships and leadership can be developed within those groups.”<sup>137</sup> The Minneapolis-St. Paul framework suggests utilizing “mothers” to be an intervention individual in the program.<sup>138</sup> These are the only mentions of women specifically as program leaders, participants or targets.

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## MUSLIM-COMMUNITY DESIGNED PCVE PROGRAMS

As mentioned above, apart from United States government lead programs, Muslim civil society groups have developed their own models with varying levels of collaboration with the federal and local government.

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### WORDE MONTGOMERY COUNTY

World Organization for Resource Development and Education (“WORDE”) is a community led private-public PCVE program in Montgomery County, Maryland. Montgomery County Executive Office of Community Partnerships executed the program through its Faith Community Working Group. At its start, the program was funded by the county and received additional funding from the Department of Justice through the Community Oriented Policing Services grant program. The program focused on an “early-warning system” which trains community members and law enforcement to “identify” individuals at-risk for violent extremism and facilitates interventions through faith centers and social service organizations.<sup>139</sup>

WORDE focused on a gang prevention model, utilizing five risk factors: economic deprivation, political grievances, psychological factors, social factors, and lack of education. Taking a more nuanced approach than many government models, the organization does not present “a single profile of what makes someone a terrorist,” in particular referencing the lack of empirical studies that conclusively demonstrate a “radicalization” path.<sup>140</sup>

Another program associated with the WORDE model is the Crossroads Program, which explicitly targets residents “from the Middle East, South Asia and North/East/West Africa.” Offering culturally sensitive counseling, the program gives a “treatment plan” for ideological, psychological, economic and sociological risk factors. The Crossroads Program utilizes pre and post quantitative and qualitative assessments in conjunction with the University of Maryland.

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### MPAC SAFE SPACES

The Muslim Public Affairs Council (“MPAC”) has provided its own PCVE framework in its toolkit titled “Safe Spaces.” The toolkit seeks to offer a community alternative to the “heavy handed law enforcement counterterrorism tactics”.<sup>141</sup> As MPAC represents

members of the Muslim American community, it believes it is best situated to address the concerns of the American Muslim community.<sup>142</sup>

The toolkit itself provides a two-step intervention model, prevention and intervention. The Prevention prong emphasizes the development of “safe spaces” within Muslim American communities, in particular for Muslim youth, where any topic, including those that may be considered taboo, can be discussed openly. This safe space should also provide opportunities for political participation, adult mentorship, interfaith partnerships and digital literacy. The steps detailed for the intervention portion of the toolkit include securing legal counsel, developing an evaluation team, conducting an assessment of potential situations, and finally calling law enforcement if necessary. The toolkit includes limited guidelines on state duty to protect laws, other organizations to contact, and religious sources for countering violence.<sup>143</sup>

The program is adopted voluntarily by community groups and Islamic Centers, and facilitates programs deemed necessary to the community. The program focuses on psychosocial needs of individuals within the Muslim community, often younger individuals, but not exclusively so.<sup>144</sup>

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## EDVENTURES NEXT GEN

Gen Next Foundation, based in Newport Beach, California, was founded by a group to fight terrorism online. Gen Next works with online programs like Google for the “redirect method.” The redirect method redirects searchers on websites like YouTube to anti-ISIS messages when the service detects someone is seeking out information related to the group.<sup>145</sup> For example, if an individual searches for an ISIS-related video, a suggested video will appear in which young people discuss the brutal conditions under a Daesh controlled territory.<sup>146</sup>

## OPPOSITION TO PCVE PROGRAMS

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### SECURITIZATION OF THE MUSLIM COMMUNITY

In some European countries, government officials have begun to reassess and dismantle community targeting PCVE programs that have been implemented for a decade. The high costs associated with prevention programs and the difficulty in assessing their effectiveness have made them less appealing to law enforcement authorities. As an alternative, an individual-focused intervention model has become more popular, since it is far easier and cheaper to target an individual than entire communities.<sup>147</sup> The language of “safeguarding” has been adopted rather than “prevention” or “countering.”<sup>148</sup> Similarly, the term “countering violent extremism” itself has been questioned. Some, like Duke University Professor Jayne Huckerby, find that the term is associated with a policy of securitization, rather than community resiliency or peace-building initiatives.<sup>149</sup> Huckerby argues that building community is the true goal of PCVE programs, a goal which current PCVE indicators and markers do not appropriately measure.<sup>150</sup>

Despite the commitments made by the PCVE designers to “a commitment to work through an inclusive process that will not polarize communities,” the White House’s Countering Violent Extremism program was not well received by Muslim Americans or civil society groups.<sup>151</sup> The Brennan Center for Justice, a well-respected public policy and law institute, stated that such programs are based on insufficient evidence that markers used to identify radicalization are empirically justified.<sup>152</sup> Furthermore, it is not guaranteed that those who harbor “radical” thoughts will follow through with them or that those who commit terrorism do so for ideological reasons.<sup>153</sup> Since there is no linear pathway to extremism, it is difficult to identify when behavior is indicative of risk factors, or normal, particularly in adolescents.<sup>154</sup> Further, there is no data to suggest that Muslim-American violent extremists have a distinct demographic profile.<sup>155</sup>

In contrast, the targeting of Muslim populations has been noted to overlap with and undermine community cohesion work by stigmatizing this particular community.<sup>156</sup> Increasing hate crimes against Muslims has heightened concern of stigmatization and marginalization for Muslim communities.<sup>157</sup> That current PCVE government programs target Muslim groups exclusively is arguably discriminatory, since right wing militia groups are actually responsible for the majority of violent extremism.<sup>158</sup> The existing community outreach elements of the programs appear token to some, rather than substantive program components.<sup>159</sup> Further, according to nationwide surveys, 55 percent of Muslim men and 42 percent of Muslim women find that no Muslim-American organization “represents their interests.”<sup>160</sup> Finding local organizations with which to effectively partner is difficult where such organizations have not made sufficient inroads into the larger Muslim community in America.

Farah Pandith, former Special Representative to Muslim Communities the United States Department of State, described the dilemma as, “[d]ay in and day out we're trying to build a community, saying you're part and parcel of the American fabric. You are an American citizen. I raise my girls and say they have the same rights as others. The fact is, when you're going to come present a program and say it's specially geared to prevent growing extremism in the Muslim community, you're by default saying my community is more predisposed to extremism. It sets people off.”<sup>161</sup>

As one government accountability report suggests, outreach appears to be more effective when the Muslim community initiates it and when local government authorities, like a Mayor’s office, collaborate instead of the federal government.<sup>162</sup> However, the success of the collaboration is also dependent on the history and relationship between the implementing agency and the community. Programs like the New York Police Department’s surveillance of Muslim communities, which were defended by Michael Bloomberg, were seen as damaging to outreach efforts conducted by the FBI.<sup>163</sup>

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## CIVIL LIBERTIES OBJECTIONS TO PCVE PROGRAMS

As noted in a Congressional Research Service Report on Countering Violent Extremism, the White House's Strategy to bolster counter-narratives to violent extremism inevitably means PCVE will be sifting through acceptable and unacceptable narratives and ideologies.<sup>164</sup> It is unclear whether the PCVE strategy will require a creation of a counter-narrative by federal authorities rather than selecting among current strategies.<sup>165</sup> A DHS objective for the end of 2017 was to work with community partners to distribute "community generated content that counters violent extremism narratives."<sup>166</sup> Further, it is difficult to understand how the program will be implemented with no clear definition of an extremist "narrative."<sup>167</sup>

Moreover, these programs do not create boundaries between intelligence gathering and community support, allowing for intelligence collected from PCVE programs to be later used in criminal prosecution.<sup>168</sup> The use of government informants in previous programs has created an impression that PCVE programs are part of a broader entrapment effort.<sup>169</sup> Informants within the Muslim community are often active in community dynamics, offering hypothetical violent schemes that would not otherwise be in circulation within a community.<sup>170</sup>

Civil liberties advocates have pointed out the tension in PCVE programs. Maher Hathout of the Muslim Public Affairs Council, for example, noted, "[p]eople cannot be suspects and partners at the same time."<sup>171</sup> Similarly, the 2011 Government Accountability Office report describes the tension when U.S. Attorneys both act as community liaisons while maintaining their roles as chief prosecutors in terrorism cases.<sup>172</sup> In a survey of United States Attorneys taken in 2016, 44 percent of offices received training on community outreach and engagement for PCVE and one third of United States Attorney's offices provided local authorities training on outreach to communities for PCVE efforts.<sup>173</sup> This is contrasted with 71 percent of United States attorney's offices that have conducted outreach and engagement against extremism related to ISIS and Al Qaeda for local communities.<sup>174</sup> Ninety-six percent of United States Attorney's Offices collaborated with the FBI for outreach efforts, but 94 percent of offices received no additional funding to implement outreach and engagement programs.<sup>175</sup>

Quintan Wiktorowicz, the White House advisor who formerly oversaw government PCVE policy, told *Politico*, "[i]f you think about the roles and responsibilities of United States Attorneys, they can't possibly take on that function in a really robust way."<sup>176</sup> Todd Gallinger of the Council of American Islamic Relations stated, "[p]rosecutors: They get gold stars for not being amazing community liaisons; they get gold stars for putting people in jail."

Evidence indicates that the FBI has already used "mosque outreach" sessions for intelligence gathering. Files on mosque outreach documents have been heavily redacted, but still indicate that the meetings document the identities of congregants, their religious views and affiliations, travel histories and the physical locations and layouts for the mosques visited.<sup>177</sup>

Civil liberty groups argue that similar programs could be utilized to stymy other unpopular groups, including activists and protestors. PCVE programs could be employed to gather intelligence on their activities, restricting first amendment practices of free speech and gatherings.<sup>178</sup> Even the identified first step of radicalization in the PCVE program, adoption of beliefs and association with like-minded people, is a protected first amendment activity.<sup>179</sup> Consistent with this concern, the American Civil Liberties Union filed a Freedom of Information Access injunction in February 2016 for more information about civil liberties and equal protection safeguards in PCVE programs.<sup>180</sup>

As a result of these objections, some Muslim community groups have been resistant to participating in PCVE programs. University chapters of the Muslim Students Associations have hired “anti PCVE Campaign Managers” and the Council of American Islamic Relations has directed mosques to not participate with the implementation.<sup>181</sup> The California chapter of the Council for American Islamic Relations cited concerns with the lack of transparency for the White House PCVE program. The five questions surrounding the program include why the three cities were selected as targets and how much money will be allocated to these programs besides the explicit grant programs.<sup>182</sup>

Since the Trump administration, four community groups that had previously applied for federal funding under PCVE programming have subsequently refused the grants. Much of the new opposition is in response to the Trump administration rhetoric focusing on Muslims as a unique extremist threat.<sup>183</sup> If the strategic implementation plan requires that groups are receptive and cooperative with law enforcement, the level of opposition, lack of transparency and unanswered critiques means the current program is likely unsustainable and unlikely to proceed successfully utilizing the necessary range of community partnerships.

## PROGRAMS PROMOTING GENDER EQUALITY AND INVOLVING WOMEN AS STAKEHOLDERS

Within this problematic context, women have not been a focus of government run programming or civil society managed responses. As noted by WORDE, this may be reflective of the integrated presence of women within United States programming.<sup>184</sup> The integration of women in the Department of Homeland Security, as Attorney Generals, and as community liaisons exists without explicit policies promoting their participation. Though programs funded by the United States government have a focus on Muslim communities, no program focuses on gender as a factor in their implementation. It is arguable that the focus of such programming has been on disaffected male youth directly rather than familial and community relationships involving women or the increasing recruitment of women in violent extremist organizations. Regardless, United States programs make little effort to explore the role of women in PCVE and so have missed an important opportunity to promote women’s equality and more effectively advance PCVE goals.

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<sup>1</sup> Encyclopedia.com, *American Declaration of the Rights and Duties of Man and the American Convention on Human Rights*, available at <http://www.encyclopedia.com/international/legal-and-political-magazines/american-declaration-rights-and-duties-man-and-american-convention-human-rights> [accessed 5 August 2017].

<sup>2</sup> Luisa Blanchfield, *The U.N. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW): Issues in the U.S. Ratification Debate*, Congressional Research Service, 2 (June 28, 2011), available at <https://fas.org/sgp/crs/row/R40750.pdf> [accessed 7 August 2017].

<sup>3</sup> Id.

<sup>4</sup> Id. at 18.

<sup>5</sup> Human Rights Council, *United National General Assembly*, Ninth Session Universal Periodic Review, 3, November 1 2010, available at [http://lib.ohchr.org/HRBodies/UPR/Documents/session9/US/A\\_HRC\\_WG.6\\_9\\_USA\\_2\\_United%20Stat](http://lib.ohchr.org/HRBodies/UPR/Documents/session9/US/A_HRC_WG.6_9_USA_2_United%20States%20of%20America_eng.pdf) es%20of%20America\_eng.pdf [accessed 5 August 2017].

<sup>6</sup> Id. at 9.

<sup>7</sup> UN General Assembly, *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, 10 December 1984, United Nations, Treaty Series, vol. 1465, p. 85, available at, <http://www.refworld.org/docid/3ae6b3a94.html> [accessed 7 August 2017].

<sup>8</sup> Ninth Session Universal Periodic Review, *supra* note 5 at 10.

<sup>9</sup> Id. at 12.

<sup>10</sup> Id. at 4.

<sup>11</sup> Besheer Mohamed, *A New Estimate of the U.S. Muslim Population*, Pew Researcher Center (Jan 6, 2016), available at <http://www.pewresearch.org/fact-tank/2016/01/06/a-new-estimate-of-the-u-s-muslim-population/> [accessed 7 August 2017].

<sup>12</sup> Jerome P. Bjelopera, *Countering Violent Extremism in the United States*, Congressional Research Service 7-5700 R42553, 29 (Feb 19,2014), available at <https://fas.org/sgp/crs/homesecc/R42553.pdf> [accessed 7 August 2017].

<sup>13</sup> Elizabeth Miller, Jessica Toliver, David Schanzer, *Promising Practices for Using Community Policing to Prevent Violent Extremism*, Triangle Center on Terrorism and Homeland Security (2016).

<sup>14</sup> Id.

<sup>15</sup> Paul Harris, *The Ex-FBI Informant with a Change of Heart*, *The Guardian* (March 20 2012), available at <https://www.theguardian.com/world/2012/mar/20/fbi-informant> [accessed 7 August 2017].

<sup>16</sup> Adam Goldman and Matt Apuzzo, *NYPD: Muslim Spying Led to No Leads, Terror Cases*, *Associated Press* (Aug 21, 2012), available at <https://www.ap.org/ap-in-the-news/2012/nypd-muslim-spying-led-to-no-leads-terror-cases> [accessed 7 August 2017].; American Civil Liberties Union, *Raza v. City of New York Legal Challenge to NYPD Muslim Surveillance Program*, (Oct 28, 2016), available at <https://www.aclu.org/cases/raza-v-city-new-york-legal-challenge-nypd-muslim-surveillance-program?redirect=national-security/raza-v-city-new-york-legal-challenge-nypd-muslim-surveillance-program> [accessed 7 August 2017].

<sup>17</sup> Margari Aziza Hill, *Logging it All: CVE and the Schisms in the Muslim Community*, *The Islamic Monthly* (Mar 4 2015), available at <http://theislamicmonthly.com/logging-it-all-cve-and-schisms-in-the-muslim-community/> [accessed 7 August 2017].

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<sup>18</sup> Johnathan Masters, *Militant Extremists in the United States*, Council for Foreign Relations (Feb 7, 2011), available at <http://www.cfr.org/terrorist-organizations-and-networks/militant-extremists-united-states/p9236#> [accessed 7 August 2017].

<sup>19</sup> Id.

<sup>20</sup> Id.

<sup>21</sup> Id.

<sup>22</sup> Id.

<sup>23</sup> Id.

<sup>24</sup> Id.

<sup>25</sup> Id.

<sup>26</sup> Uniting and Strengthening American by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA Patriot Act), 8 U.S.C. 1101 (2001).

<sup>27</sup> United States Attorney's Office District of Massachusetts, *A Framework for Prevention and Intervention Strategies*, Justice.gov, 1 (Feb 2014), available at <https://www.justice.gov/sites/default/files/usao-ma/pages/attachments/2015/02/18/framework.pdf> [accessed 7 August 2017].

<sup>28</sup> Id.

<sup>29</sup> Id. at 3.

<sup>30</sup> Ken Soffer, Molly Bernstein, *17 Years After Oklahoma City Bombing, Right-Wing Extremism Is Significant Domestic Terror Threat*, Center for American Progress, (Apr 19 2012), available at <https://thinkprogress.org/chart-17-years-after-oklahoma-city-bombing-right-wing-extremism-is-significant-domestic-terror-805653857c40#.6w3zfbbre> [accessed 7 August 2017].

<sup>31</sup> Id.

<sup>32</sup> Federal Bureau of Investigations, *Terrorism 2002-2005, FBI CounterTerrorism Division* (2002).

<sup>33</sup> Erin Miller, *Patterns of Terrorism in the United States, 1970-2013, National Consortium for the Study of Terrorism and Responses to Terrorism* (Oct 2014).

<sup>34</sup> Johnathan Masters, *supra* note 18.

<sup>35</sup> Lorenzo Vidino and Seamus Hughes, *Countering Violent Extremism in America, Center for Cyber and Homeland Security*, 8 (June 2015).

<sup>36</sup> Fred McConnell, *Australian PM Says He'll Now Use Daesh*, *The Guardian* (Jan 12, 2015), available at <https://www.theguardian.com/world/2015/jan/12/tony-abbott-say-hell-now-use-daesh-instead-of-isil-for-death-cult-but-why> [accessed 7 August 2017].

<sup>37</sup> Tami Abdollah, Philip Marcelo, *Some Muslims See Profiling in U.S. Anti-Terror Program*, NBC Southern California, (Apr 20, 2015), available at <http://www.nbclosangeles.com/news/local/Obama-Muslims-Countering-Violent-Extremism-SoCal-civil-liberties-300678641.html> [accessed 7 August 2017].

<sup>38</sup> Robert. L Mckenzie, *Countering Violent Extremism in America: Policy Recommendations for the Next President*, Brookings Institution (Oct 18, 1016), available at <https://www.brookings.edu/research/countering-violent-extremism-in-america-policy-recommendations-for-the-next-president/> [accessed 7 August 2017].

<sup>39</sup> Id.

<sup>40</sup> Id.



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<sup>41</sup> Id.

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<sup>48</sup> Professor Cunea, *A Timeline of Women's Legal History in the United States*, Georgetown University, 1998, available at <http://wlh.law.stanford.edu/wp-content/uploads/2011/01/cunea.timeline.pdf> [accessed 7 August 2017].

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- <sup>68</sup> United States Attorney's Office District of Massachusetts, *supra* note 27 at 2.
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- <sup>77</sup> *Id.* at 50, 51, 56.
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<sup>95</sup> U.S. Department of Homeland Security, *supra* note 71 at 3, 14, available at [https://www.dhs.gov/sites/default/files/publications/16\\_1028\\_S1\\_CVE\\_strategy.pdf](https://www.dhs.gov/sites/default/files/publications/16_1028_S1_CVE_strategy.pdf) [accessed 7 August 2017].

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<sup>110</sup> Vidino and Hughes, *supra* note 35 at 1.

<sup>111</sup> U.S. Department of Homeland Security, *supra* note 71 at 12.

<sup>112</sup> United States Attorney's Office District of Massachusetts, *supra* note 27 at 3.

<sup>113</sup> Id. at 5.

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<sup>119</sup> Id. at 9.

<sup>120</sup> Id. at 11-13.

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<sup>133</sup> Id.

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<sup>136</sup> Id. at 3.

<sup>137</sup> Los Angeles Interagency Coordination Group, *supra* note 124 at 10.

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<sup>150</sup> Id.

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<sup>179</sup> Mike German, *Debunked NYPD Radicalization Report Just Won't Die*, *American Civil Liberties Union* (Feb 11, 2013), available at <https://www.aclu.org/blog/debunked-nypd-radicalization-report-just-wont-die?redirect=blog/national-security-religion-belief/debunked-nypd-radicalization-report-just-wont-die> [accessed 7 August 2017].

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<sup>182</sup> Council on American Islamic Relations California, *L.A. Based Organizations' Statement on Federal Government CVE Programs*, (Nov 2011), available at <http://ca.cair.com/losangeles/2014/11/l-a-based-organizations-statement-on-federal-governments-counteracting-violent-extremism-programs/> [accessed 7 August 2017].

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# PROGRAM PROFILES MAPPING

## Program Profiles

Organization	Program	Country	Who funds?	Type of program	Program description	Program goal	Admin level	Years active	Benefits for participants/ recipients?	Are women hindered, if so, how?	Potential concerns regarding the programs
Humanity, Activism, Knowledge Integrity (HAKI) Africa	Women's Initiative for Their Empowerment (WIFE)	Kenya	International donor agencies, Norway	Direct intervention	Brings "women left behind" together to give them psychological support and reintegrate them in their communities, and to train them to engage with "at-risk" individuals	Providing psychosocial support	National NGO	Nascent	Psychological counseling	Expected to surveil their households	Prompting backlash, instrumentalizing women
African Women Advancing Peace and Security in Africa (AWAPSA)	Friends Without Borders	Kenya	Institute of Peace (USIP); International Civil Society Action Network (ICAN)	Community dialogue	Brings Christian women and Muslim women from Madhush together for dialogue	Providing moderate education, presenting counter-narratives	International NGO	Nascent			
African Women Advancing Peace and Security in Africa (AWAPSA)	Women and law enforcement program	Kenya	USIP, ICAN	Community dialogue, community policing	Brings women and law enforcement together for dialogue	Improving state/security relations, detection	National NGO	Nascent		Expected to surveil their neighborhoods	Gender stereotyping
Ministry of Interior	Nyumbwa Kumi	Kenya	Kenya	Community dialogue, community policing	Groups households together to discuss various safety challenges and to participate in their resolution	Improving state/security relations	National Government	Defunct		Expected to surveil their neighborhoods	Prompting backlash
AWAPSA, HAKI Africa	"Raise Our Voices," radio, social media	Kenya	USIP, ICAN	Media campaign	Asks women to share their stories and experiences with male family members who have left to fight in Somalia, and who have returned from fighting in Somalia, and of life without their male family members	Presenting counter-narratives	International NGO	Established			Prompting backlash, gender-stereotyping
AWAPSA, Coastal Education Center	Women Against Violent Extremism (WAVE)	Kenya	USIP	Direct intervention	Provides trauma counseling and economic opportunities to "women left behind" and to women targeted by law enforcement	Providing psychosocial support, developing professional skills	International NGO, National NGO	Established	Counseling, safe spaces, "economic opportunities"	Puts focus on women to identify violent extremists who may wish to recruit them	
AWAPSA, HAKI Africa, Minihit Africa	Youth mentorship program	Kenya	Unclear	Direct intervention	Provides youth mentorship	Providing psychosocial support	International NGO	Established	Counseling	Puts focus on women to identify violent extremists who may wish to recruit them	
AWAPSA, Building Resilience Against Violent Extremism (BRAVE)	Media campaign	Kenya	Unclear	Media campaign	Asks women who have been victims of or involved with violent extremism to speak about their experiences	Presenting counter-narratives	National NGO	Established		Puts focus on women as mothers and family members to identify early warning signs of violent extremism	Prompting backlash
Coastal Education Center	"Call Back Home," a documentary	Kenya	USAID	Media campaign	Shares information on the recruitment of youth to violent extremist organizations	Presenting counter-narratives	National NGO	Established			Prompting backlash
Royal United Services Institute (RUSI)	Peer mentorship	Kenya	European Union, member states, United Nations	Direct intervention	Puts former criminals with youth mentees, around two years older than them in age	Providing psychosocial support, presenting counter-narratives	International NGO	Established	Mentorship		Marginalizing women and girls
RUSI	Inter- and intra-faith programs	Kenya	European Union, member states, United Nations	Community dialogue	Facilitates community discussions about spiritual and ethnic differences	Providing psychosocial support, presenting counter-narratives	International NGO	Established			Instrumentalizing women and girls
RUSI	Youth activities	Kenya	European Union, member states, United Nations	Direct intervention, youth engagement	Provides activities for at-risk youth in low-income Somali neighborhoods	Providing psychosocial support	International NGO	Established	Resources such as community space to hold activities and organized after school programs, sometimes in the RUSI offices		Marginalizing women and girls, gender-stereotyping
HAKI Africa	Young women counseling program	Kenya	International donor agencies, Norway	Direct intervention	Counsel "at-risk" women	Providing psychosocial support, presenting counter-narratives	National NGO	Nascent			Prompting backlash
Union des Tunisiens Indépendants pour la Liberté (UTIL)	Family interventions in prisons	Tunisia	Unclear	Direct intervention	Brings parents to visit their children in custody abroad	Reintegration	National NGO	Unclear			Instrumentalizing women, gender-stereotyping
UTIL	Web TV programming	Tunisia	Unclear	Media campaign	Publishes "Web TV" programming, in the form of debates and lessons on Islam and Tunisian history, and testimonials by family members of foreign fighters	Presenting counter-narratives, providing moderate education	National NGO	Nascent			Instrumentalizing women, gender-stereotyping

U TTL	<i>Youth center rehabilitation</i>	Tunisia	Unclear	Direct intervention, youth engagement	Will provide youth programming in the 630 currently defunct young centers around Tunisia; each center is expected to have a trained monitor, many of whom are expected to be women	Presenting counter-narratives; providing psychosocial support; detecting violent extremism	National NGO	Nascent	Programming and events	Instrumentalizing women
Union National des Femmes Tunisiennes (UNFT)	<i>Rural women's development</i>	Tunisia	Some funding from the Ministry of Women's Affairs	Development program	Provides job skills training and material and economic assistance to rural women and girls	Providing psychosocial support	National NGO	Unclear	Vocational training (e.g., bookkeeping), material assistance (e.g., clothes, furniture), sporting events	Prompting backlash
International Institute of Human Development (IHD)	Women for Peace (W4PS), Media Campaign	Tunisia	No funding from USAID	Media campaign	Asks women to record and share stories about how terrorism has impacted their lives	Presenting counter-narratives	National NGO	Nascent	In one instance, a community imam spoke out against one woman who shared her story.	Prompting backlash
IHD	W4PS, Peace Ambassador Training	Tunisia	No funding from USAID	Other	Will select two men and two women from each region as "peace ambassadors" to train and to aid in developing a region-specific extremism strategy	Capacity building	National NGO	Nascent		
IHD	<i>Youth engagement</i>	Tunisia	N/A	Direct intervention, youth engagement	Would bring teens together in workshops to write anti-extremism songs, satire, and slogans	Presenting counter-narratives; providing psychosocial support	National NGO	Aspirational	Social events, activity	
IHD	1325 Training	Tunisia	No funding from USAID	Other	Educates women in the police force about their rights and obligations under Resolution 1325; encourage them to seek promotion	Capacity building	National NGO	Nascent	Vocational training	Prompting backlash
United Nations Development Program (UNDP)	<i>Community policing</i>	Tunisia	Unclear	Community policing	Will provide community policing workshops for local security forces; rehabilitating office buildings into "model stations" that the Ministry of the Interior may replicate in the future	Improving state/security relations	International NGO	Nascent		
UNDP, Ministry of Human Rights	<i>Human and youth blogger conference</i>	Tunisia	Unclear	Community dialogue	Brought together popular youth bloggers and humans in a day-long conference	Presenting counter-narratives; providing moderate education	International NGO	Completed		
Human Rights Watch	"No to Terrorism, Yes to Human Rights" Campaign	Tunisia	Unclear	Media campaign	Highlighted the potentially negative effects of heightened security measures against ordinary Tunisians	Improving state/security relations	International NGO	Completed		Prompting backlash
United Nations Office on Drugs and Crime	<i>Police reform</i>	Tunisia	Unclear	Other	Working with police to, inter alia, discourage a "confession culture" and its attendant due process violations	Improving state/security relations	International NGO	Established		
Faith Community Working Group	<i>World Organization for Resource Development and Education</i>	United States	County and Department of Justice	Gang Prevention, Community Policing	Uses a gang prevention model to train community members and law enforcement to "identify" individuals at-risk for violent extremism and creating interventions through faith centers and social service	Preventing individuals from joining extremist groups; community building	National NGO			
Gen Next Foundation	<i>"Redirect Method"</i>	United States	Unclear	Internet prevention	Uses the "redirect method" to ensure that when people search on sites such as Google or YouTube for extremist groups they are redirected to pages that speak out against those groups	Education and Prevention	National NGO			
Faith Community Working Group	<i>Crossroads Program</i>	United States	Unclear	Prevention and Treatment	Uses the "Wordle" Model to target residents from the Middle East, South Asia, and Africa to give them culturally sensitive counseling	Treatment and Prevention			Treatment tailored to their experience and background	