



PRESS RELEASE

NATIONAL FORUM ON RADICALIZATION OF PRISONERS AND COUNTERING VIOLENT EXTREMISM IN PRISONS OF KAZAKHSTAN

TODAY, on May 30, Astana hosts the National Forum dedicated to the preventing radicalization of prisoners and countering violent extremism in prisons in Kazakhstan. Penal Reform International in co-organization with relevant government bodies aims to strengthen the capacity of prison staff to prevent violent extremism and to ensure proper management of prisons in crisis situations.

The Forum will present the results of a full-scale study conducted by Penal Reform International, which shows the actual situation within the institutions and possible consequences of the spread of influence both within institutions and beyond. On a global scale, this problem is recognized as a problem of the century and our modernity. The dialogue platform is designed to constructively discuss issues related to methods of countering radicalization of convicts and preventing violent extremism.

"Recently, the issue of the spread of radical Islam in the institutions of the penitentiary system has become very relevant, since it is in places of deprivation of liberty those convicted of religious extremism and terrorism are concentrated. It should be noted that places of deprivation of liberty are a favorable recruiting environment for adherents of violent extremism, in this connection, employees of correctional institutions and criminal executive bodies need to have sufficient professional knowledge and skills in this field of activity", - Azamat Shambilov, Regional PRI Director, said. Today there are more than 400 convicts for extremism and terrorism in the country. From 2012 to 2016, there was a 5-fold increase in those who went abroad to participate in military operations. According to data for May 2017, out of the total number of prisoners – believers' contingent is 3,500 people, of whom 763 are followers of Salafism and more than 90 people remain on radical positions. According to the government, the southern and western regions of the country are the most vulnerable in terms of radicalization to the level that generates terrorism and recruitment of new terrorists. The main target group for recruitment by foreign terrorist militants is young people aged between 14 and 29. The total number of criminal offenses related to extremism and terrorism is as follows: 2014 - 154, 2015 - 317, 2016 - 554. Of these, within the same period, related to extremism - 130, 193, 327 and criminal offenses related to terrorism - 24, 124, 227.

International experts from Great Britain and Jordan, employees of correctional facilities, and representatives of civil society, state bodies, and scientific community, as well as representatives of international organizations will participate in the dialogue. The authors of the study and experts will give significant indicators and qualitative characteristics.

"Ministry of Internal Affairs of the Republic of Kazakhstan and its Criminal Executive System's Department are recommended in cooperation with international and national non-governmental organizations, Spiritual Directorate of the Muslims of Kazakhstan, and special state and law enforcement bodies to develop appropriate by-laws, rules, and regulations regarding the management of militant extremist convicts and introduce them into the practice of the Criminal Executive System," - M.Ch. Kogamov, expert, Doctor of Law, Professor, emphasizes.

At the end of the Forum, a number of practical recommendations will be developed to prevent the spread of the influence of violent extremism and de-radicalization. The Forum will be followed up by two-day meetings and working groups to strengthen the capacity of prison officials in countering this phenomenon.

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**FOR REFERENCE: "CHILDREN AND VIOLENT EXTREMISM"
REVIEW OF PENAL REFORM INTERNATIONAL**

- ✓ It is time for the international standards and guidance around counter-terrorism to better acknowledge that children are engaged in terrorist activities and that all responses must be framed by international standards for children in conflict with the law. Children are vulnerable to radicalisation for a wide range of factors that are not fully understood or researched. They can include marginalisation; lack of access to services such as education and health; poverty; financial inducements; displacement and migration in unstable states; exposure to ideology; and a personal search for identity. The most effective means of reducing the numbers of children who come into conflict with the law in the context of radicalisation is prevention. The UN Committee on the Rights of the Child's General Comment No. 10 draws attention to the need for countries to consider prevention when tackling the issue of child criminality, stating that 'a juvenile justice policy without a set of measures aimed at preventing juvenile delinquency suffers from serious shortcomings'. This is because preventing crime is better for children, their families, their communities and society as a whole.
- ✓ At a global level, there is vast diversity in approaches towards children who commit crime, or are alleged to have done so, reflecting diversities of legal frameworks, domestic and international political agendas and hugely different constructions and perceptions of childhood. No two systems are alike but criminal justice systems for children around the world are a surprisingly accurate mirror reflecting society's perception of who is a 'good' or 'bad' child. Overwhelmingly children in conflict with the law are from the poorest and most marginalised sections of society and there are powerful correlations between poverty, inequality and child offending.
- ✓ Several states have recently amended their laws, or planned to do so, in response to a perceived threat from children who have been or at risk of being radicalised. In 2016, Russia lowered the age of criminal responsibility to 14 for a variety of offences related to terrorism, the rationale being that children are vulnerable to recruitment by terrorist groups and at 14 have the capacity to understand their actions. Kyrgyzstan also has a new draft law which would make terrorism and religious extremism punishable from the age of 14 years. In November 2016, Australia reduced the age at which control orders can be applied to terrorism suspects from 16 to 14.
- ✓ Some countries have established special counter-terrorism courts that do not always meet international standards for independence and impartiality; others grant military courts jurisdiction over terrorism prosecution. This means that far from children being tried in specialised courts staffed with trained personnel with expertise in children's rights, they can find themselves tried in adult, military or specially constituted counter-terrorism courts. In Pakistan, for example, military courts were given powers over terrorism-related cases in the wake of the massacre of nearly 140 school children at an Army Public School in Peshawar in December 2014. The International Commission of Jurists asserts that during 2015, military courts convicted at least 40 people, possibly including children, in opaque, secret proceedings.
- ✓ In Egypt, children over 12 years old should be tried in separate Child Courts. However, the Child Law (2008) states that if they are over 15 they can be tried in the Criminal Court or the Supreme State Security Court, when it is a 'necessity' to be tried alongside an adult co-defendant. In recent years, this provision has been relied upon to process hundreds of children arrested during political protests through adult courts where they have few safeguards such as access to lawyers and social welfare reports. Furthermore, children have been tried in military courts both immediately following the uprising of 2011 and more recently since 2014 when a new decree was issued extending the powers of military courts.
- ✓ In Australia, terrorism cases are heard by state-level Crime Commissions. In 2016, the New South Wales Supreme Court ruled that a 16 year old boy could be summonsed to give evidence to this body in a trial concerning his brother. However, the Supreme Court clarified that this body was not exempt from the rules of natural justice nor from the UNCRC and that it must consider the principle of the best interests of the child when deciding whether to compel children to give evidence.
- ✓ Separation from adults. Children in many jurisdictions are still routinely held in detention alongside adults, which carries a multitude of risks, amongst them the risk of radicalisation. Separation from adults is an essential human right standard and relies upon adequate birth registration and documentation.

Find more in the edition: https://cdn.penalreform.org/wp-content/uploads/2017/03/PRI_Children_and_violentextremism_Briefing.pdf