



# JUSTRAC

JUSTICE SECTOR TRAINING, RESEARCH  
& COORDINATION PROGRAM

*Exploring the Relationship between the Rule of Law and Violent  
Extremism in the Middle East*

A Justice Sector Training, Research and Coordination (JUSTRAC)  
Symposium

JUSTRAC is a Cooperative Agreement between the  
Rule of Law Collaborative at the University of South Carolina and the  
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## Executive Summary

Countering violent extremism (CVE) has emerged as an increasingly important part of foreign policy in recent years. Official sources articulate CVE as distinct from counter-terrorism (CT), but they offer few clear definitions of “violent extremism,” a concept on which CVE is based. Some sources do offer definitions of “violent extremism,” or of “violent extremist,” but do not distinguish those concepts clearly from “terrorism.” At the same time, however, official sources do clarify how *countering* violent extremism and *counter*-terrorism are different from each other. In general, CVE strategies tend to place more emphasis on the prevention of radicalization than do CT strategies, and CT strategies tend to focus more narrowly on kinetic, disruptive activities aimed at preventing or stopping violence committed by those who are already radicalized. While CVE focuses on the *causes* of radicalization, however, there is much debate regarding what those causes are. Attempting to identify the “root” cause(s) of violent extremism may be a misguided approach, given the widely varying and highly personalized circumstances surrounding radicalization in different contexts, but many sources cite a number of factors relevant to rule of law that contribute to violent extremism. Those factors include, among others, political or economic marginalization, oppression at the hands of state actors, the constriction of space for civil society, corruption, social inequalities, important policy decisions imposed by external authorities, and poor administration of justice. These factors are prevalent in the Middle East and North Africa (“the region”), but they are not unique to the region. In cases where these problems are severe, violent extremist groups appeal to local communities by promising to rectify these problems and offer public services effectively where state institutions have failed to do so. In particular, violent extremist groups sometimes purport to provide their own forms of justice, a prospect that can be especially attractive to people who are dissatisfied with their own government’s administration of justice.

Symposium participants were divided into three Working Groups, each of which engaged in discussions focused on a different thematic area (“Greater Fairness and Accountability in Formal Institutions,” “Enhancing Inclusive Governance and Promoting Human Rights,” and “Vulnerable Populations and Redress Mechanisms to Alleviate Injustices”). A set of recommendations based on the discussions of the Working Groups—41 recommendations total—appear at the end of this report. The recommendations cover a wide range of topics, such as political will, institutional culture, donor relations with countries in the region, corruption, human rights practices, and others.

## Background

From June 1 to 3, 2016, the Rule of Law Collaborative (ROLC) at the University of South Carolina, and the Bureau of International Narcotics and Law Enforcement Affairs (INL), U.S. Department of State, held the fifth Justice Sector Training, Research, and Coordination Program (JUSTRAC) symposium and the third JUSTRAC symposium outside of the United States, at the JW Marriott Marquis Hotel, Dubai, United Arab Emirates. The symposium, “Exploring the Relationship between Rule of Law and Violent Extremism in the Middle East,” brought together U.S. and foreign government officials, academics, rule of law practitioners, and representatives of a range of NGOs—all leading experts in their fields—to discuss the relationship between rule of law and violent extremism in the Middle East in a series of closed-door sessions. ROLC Director Joel Samuels and Consul General Paul Malik of the U.S. Consulate General in Dubai delivered opening remarks. In thematic panels and plenary sessions, participants discussed the following topics:

- Countering violent extremism and strengthening the rule of law in the Middle East
- How failing to adhere to the rule of law can lead to violent extremist responses
- How violent extremist movements use rule of law-based grievances for recruitment
- Promoting greater human dignity in reform efforts
- How civil society can assist rule of law institutions to counter violent extremism
- How to empower formal institutions to counter violent extremism
- Violent extremism, governance, and rule of law

Participants were divided into Working Groups that focused on specific issues in smaller breakout sessions. Each Working Group produced a set of recommendations based on its discussions, and those recommendations appear at the end of this report. The Working Group topics were:

- Greater Fairness and Accountability in Formal Institutions
- Enhancing Inclusive Governance and Promoting Human Rights
- Vulnerable Populations and Redress Mechanisms to Alleviate Injustices

This report highlights selected points of discussion from the symposium and details the recommendations from the Working Groups. All remarks are off the record and appear without attribution. See the Appendix for a copy of the program.

This report was prepared by ROLC Research Coordinator Kiel Downey.

## The Challenge of Defining CVE

Language from official sources reflects a growing policy emphasis on countering violent extremism (CVE) in recent years. For example, in 2011, the White House released “Empowering Local Partners to Prevent Violent Extremism in the United States,”<sup>1</sup> which it described as “the first national strategy to prevent violent extremism domestically.”<sup>2</sup> The United Nations has expressed its commitment to CVE, for example in United Nations Security Council Resolution 2178 (UNSCR 2178): “*Recognizing* that addressing the threat posed by foreign terrorist fighters requires comprehensively addressing underlying factors, including by [...] countering violent extremism [...]”<sup>3</sup> The Home Office of the United Kingdom outlined a similar strategy in the October 2015 publication “Counter-Extremism Strategy.”<sup>4</sup> Other examples, such as the February 2015 White House Summit on Countering Violent Extremism<sup>5</sup> and the May 2016 “Department of State & USAID Joint Strategy on Countering Violent Extremism,”<sup>6</sup> further reflect growing attention to CVE.

Some sources articulate CVE as distinct from counter-terrorism (CT), but they offer few clear definitions of “violent extremism,” the basis of any understanding of CVE. For example, UNSCR 2178 acknowledges a link between violent extremism and terrorism without defining violent extremism: “violent extremism [...] can be conducive to terrorism, sectarian violence, and the commission of terrorist acts [...]”<sup>7</sup> To take another example, the U.S. Department of Homeland Security’s “Factsheet: A Comprehensive U.S. Government Approach to Countering Violent Extremism” defines CVE without defining violent extremism: “The term ‘Countering Violent Extremism’ refers to efforts focused on preventing all forms of ideologically-based extremist violence, to include prevention of successful recruitment into terrorist groups.”<sup>8</sup>

Some sources do offer definitions of “violent extremism,” or “violent extremist.” For example, USAID has defined “violent extremism” as “advocating, engaging in, preparing, or otherwise supporting ideologically motivated or justified violence to further social, economic and political objectives.”<sup>9</sup> The U.S. Department of Justice’s National Institute of Justice has defined “violent extremists” as “those who support or commit ideologically motivated violence to further political, social or religious goals.”<sup>10</sup>

Despite the existence of these definitions of “violent extremism,” official sources do not always draw clear distinctions between “violent extremism” and “terrorism.” For example, UNSCR 2178 notes that violent extremism “can be conducive to terrorism.”<sup>11</sup> The White House’s “FACT SHEET: The White House Summit on Countering Violent Extremism” states that “Violent extremist threats can come from a range of groups and individuals, including domestic terrorists and homegrown violent extremists in the United States, as well as terrorist groups like al-Qaeda and ISIL.”<sup>12</sup> An analysis from ETH Zurich’s Center for Security Studies asserts that “there are no internationally accepted definitions for either ‘terrorism’ or ‘violent extremism.’”<sup>13</sup>

Official sources do clarify, however, how *countering* violent extremism and *counter-terrorism* are different from each other. In general, CVE strategies tend to place more emphasis on the prevention of radicalization than do CT strategies, and CT strategies tend to focus more narrowly on kinetic, disruptive activities aimed at preventing or stopping violence committed by those who are already radicalized. For example, the U.S. Department of Homeland Security distinguishes CVE from CT by explaining that CVE is “distinct from disruptive actions which focus on stopping acts of terrorism by those who have already subscribed to violence.”<sup>14</sup> The U.S. Department of State and USAID highlight CVE’s focus on *precursors* to radicalization:

For the purposes of this strategy, CVE refers to proactive actions to counter efforts by violent extremists to radicalize, recruit, and mobilize followers to violence and to address specific factors that facilitate violent extremist recruitment and radicalization to violence. This includes both disrupting the tactics used by violent extremists to attract new recruits to violence and building specific alternatives, narratives, capabilities, and resiliencies in targeted communities and populations to reduce the risk of radicalization and recruitment to violence.<sup>15</sup>

As such, CVE is often referred to as a “soft” counterpoint to the “hard” tactics of CT,<sup>16</sup> focusing on such strategies as counter-narratives, human rights protection, community justice, and anti-corruption activities, among others.

### **Causes of Violent Extremism**

While CVE focuses on the *causes* of radicalization, there is much debate regarding what those causes are. Multiple symposium participants argued that attempting to identify the “root” cause(s) of violent extremism is a misguided approach, as violent extremism is highly context-specific, and a wide variety of factors can contribute to its rise. One symposium participant noted, for example, that any of the following can contribute to violent extremism:

- Deficits in accountable and inclusive governance
- Conflict
- Socioeconomic deprivation
- Grievances among youth in youth-heavy populations

USAID’s 2009 “Guide to the Drivers of Violent Extremism” offers a complementary view, noting a wide variety of factors that can contribute—in many cases indirectly—to violent extremism, ranging from macroeconomic conditions and individuals’ income levels to perceptions of state legitimacy.<sup>17</sup> The Guide notes, among others, a set of drivers that resonate in the context of rule of law:

- Denial of basic political rights (“political exclusion”) and civil liberties.
- Highly repressive regimes that engage in gross violations of human rights.
- Endemic corruption and impunity for well-connected elites.
- The presence of safe havens, poorly-governed or ungoverned areas.
- Pre-existing, protracted and violent local conflicts that can be exploited by violent extremist organizations seeking to advance their own agendas.
- State sponsorship of violent extremist groups.
- Discredited regimes with weak or non-existent oppositions.<sup>18</sup>

Multiple symposium participants noted that many of these drivers are relevant in the context of the Middle East and North Africa (“the region”). Some participants argued that the experience of repression at the hands of state actors in the wake of the 2011 uprisings across the region has facilitated the rise of violent extremism, and, accordingly, one participant explained that violent extremists often portray their violent tactics as a fight against injustice. To take a specific example, one participant noted that the Libyan Islamic Fighting Group (LIFG), many of whose members were imprisoned under the Gaddafi regime, was now experiencing a resurgence—in particular an increase in youth recruitment—in the Eastern part of Libya. Participants also noted that international donors, including the United States, have hindered progress in CVE by prioritizing security and military solutions in the region, reinforcing the status quo. Participants noted the following as factors that contribute to violent extremism in the region:

- The lack of political representation
- “Rule by law”
- Decisions affecting the lives and security of people in the region that are made *outside* the region
- Abuses by the police
- Corruption
- Social inequalities
- The prioritization of other people’s security and rights over those of people in the region
- Inaccessible, slow, and inefficient justice systems
- A lack of state willingness to provide justice
- Criminalization of dissent

Such factors are not unique to the region, however. More than one symposium participant recounted the history of conflict in Northern Ireland, for example. In that context, one participant explained, the police force was not representative of the local population and was tasked with a mandate that extended beyond traditional law enforcement to the preservation of state security. These factors created a social divide between the police and local communities, contributed to abuses at the hands of the police, and motivated the Irish Republican Army to fight even more. Another symposium participant noted that the problems of violent extremism in the Middle East and North Africa are a result of *authoritarianism*—which is present in other places around the globe—as opposed to religious factors specific to the region.

## **Violent Extremist Groups and Alternative Forms of Justice**

In cases where rule of law deficiencies are particularly severe, violent extremist groups appeal to local communities by promising to rectify these problems and offer social services effectively where state institutions have failed to do so. One symposium participant noted, for example, that the Islamic Salvation Front (FIS) provided social services in Algeria when the government did not. To take another example, in Iraq and Syria, ISIS offers a wide range of services to those under its control, including land, housing, water, electricity, and education.<sup>19</sup>

As part of this strategy, violent extremist groups sometimes purport to provide their own forms of justice, a prospect that can be especially attractive to people who are dissatisfied with their own government’s administration of justice. Multiple symposium participants noted that ISIS, for example, appeals to potential recruits in part by portraying itself as egalitarian, harmonious, brotherly, meritocratic, and inclusive, a message designed to serve as a counterpoint to grievances about rule of law deficiencies in the region. According to one participant, these portrayals are part of a broader set of “justice-based narratives” that are “very effective” in advancing ISIS’s basic goal: “to convince Muslims that their states are morally and politically bankrupt, and their caliphate is the only legitimate government on Earth.”

To support these justice-based narratives, ISIS administers a technically sophisticated set of its own justice sector institutions, such as a police force, courts, and prisons.<sup>20</sup> According to Charles C. Caris and Samuel Reynolds, ISIS court rulings “are likely to engender negative sentiments within the population in the long term, [but] in the short and medium term they may be relatively popular.”<sup>21</sup> Caris and Reynolds add that, “ISIS courts are often less subject to corruption than more secular courts.”<sup>22</sup> Moreover, ISIS’s justice infrastructure extends to some areas in which formal justice sector institutions of the state have minimal reach, thus establishing some version of law and order over an absence of law and order.<sup>23</sup>



## Recommendations

Symposium participants were divided into three Working Groups, each of which provided a set of recommendations focused on a different issue area. The three Working Groups focused on the following topics:

- **Working Group A:** Greater Fairness and Accountability in Formal Institutions
- **Working Group B:** Enhancing Inclusive Governance and Promoting Human Rights
- **Working Group C:** Vulnerable Populations and Redress Mechanisms to Alleviate Injustices

Sets of recommendations from the three Working Groups follow below. The recommendations are numbered for reference only; they do not necessarily reflect an order of priority.

### *Working Group A: Greater Fairness and Accountability in Formal Institutions*

1. **All stakeholders should begin from a specific definition of “violent extremism.”** As discussed earlier in this report, policymakers do not share a common, clear definition of “violent extremism,” the most fundamental concept on which “countering violent extremism” rests. As a result, CVE can take on a variety of forms, at times resembling CT and at times broadening its scope to the point of diluting its meaning.
2. **All stakeholders should recognize that security and justice sector deficits are a political issue, not simply a technical issue.** An attempt to reform the security or justice sector is in essence an attempt to change the balance of power in a given country. As such, actors with entrenched interests in the status quo will resist these efforts. Thinking of security or justice sector reform in purely technical terms, such as the number of police trained or the amount of money spent on programming, fails to capture political incentives or disincentives for change.
3. **All stakeholders should recognize that change takes time and that institution building should be incremental.** As a result of their complex and political nature, any meaningful CVE efforts or rule of law reform will require time, occurring over years and even generations. Countries should recognize that meaningful security cooperation will not happen in the short run. Reformers should take steps to insulate state employees from assimilation into old systems, such as informal institutional cultures, and should train and mentor those employees. Supervisors should take care to ensure unit cohesion and personnel assignments that bolster reform efforts.
4. **Donors should build trust with countries in the region.** When interacting with countries in the region, donors should adopt a problem-solving approach and deliver results over time. Such an approach will pay dividends when conflict resolution is necessary.
5. **Donors and recipient countries should always focus on making reform a joint effort between governments, between government and society, among government agencies, and between counterpart government institutions of both countries.** Reform requires the support of *all* relevant stakeholders, and such a network of support requires cooperation and communication among all these stakeholders.

6. **Countries should add accountability, benchmarking, and conditionality to existing security cooperation mechanisms.** The prioritization of security and military solutions can hinder progress in strengthening rule of law. One participant noted a 2014 RAND Corporation study as a useful reference for security cooperation mechanisms.<sup>24</sup>
7. **Donors should focus on countries with political entry points.** There is a strong sense of competition within the region, and if one country successfully takes on a new initiative that contributes to CVE, other countries in the region are likely to follow suit and even take the initiative further. In this context, negotiations should begin with the common interest, not with disagreements, although country differences and disagreements should be discussed openly. Countries suggested include Jordan, Tunisia, and Morocco. One participant noted specifically that the United States should provide a workable anti-corruption program for Iraq, as Iraq is the starting point for ISIS.
8. **At the same time, donors should continue to engage in countries that lack political entry points.** Losing focus on any countries in the region, including countries without natural political entry points, increases the risk of allowing grievances to translate into violent extremism.
9. **Countries outside the region should move beyond bilateralism and explore multilateral and indirect methods through which to engage countries in the region.** Some countries in the region will be resistant to bilateral pressure from outside the region but will be more receptive to messages from inside the region.
10. **In supporting reforms in the region, the United States should work to build a meritocracy within state institutions, rather than impose a politically motivated agenda.** Reforms that are politically motivated might fail to address key problems with state institutions in countries in the region, and those countries know when a reform agenda is politically motivated, which undermines bilateral efforts to build trust.
11. **State actors should identify their core priorities and mission with regard to CVE efforts.** Public input regarding expectations is crucial, as is communication within and among state institutions. It is important for state institutions to clarify their priorities, roles, and limitations, as well as to craft clear, tailored, accessible messages to external audiences (the public) and internal audiences (high- and low-level state officials). Messages that include an emphasis on both the normative and instrumental benefits of CVE, increasing fairness and accountability, and respecting human rights are the most likely to engender support.
12. **State actors should make efforts to change behavioral incentives within formal institutions.** Such efforts should address formal organizational and decision-making structures and include formal metrics, such as institutional metrics, individual metrics, internal metrics, and metrics that incorporate feedback from civilians, e.g., anonymous scorecards. Law enforcement institutions should reform evidentiary standards that prioritize confessions, so as to reduce the incentive for coercive interrogations. Behavioral change efforts should also address informal aspects of state institutions, such as institutional culture, value systems, and ethics. Law enforcement institutions should train police officers in the elimination of corruption and discrimination, and they should adopt internal anti-corruption mechanisms, such as whistleblower protection plans.
13. **In evaluating success, state actors should allow for failures and anticipate performance indicators.** For example, justice sector institutions should record and report “clearance

rates”—a measure of the percentage of cases that are “cleared,” which can vary in methodology from institution to institution<sup>25</sup>—and expect that reported crime might increase as community trust in law enforcement institutions increases.

- 14. All stakeholders should prioritize a conflict resolution approach to criminal justice when possible.** State actors and international donors should identify openings for and obstacles to conflict resolution, and they should prioritize risk assessment over security efficiency. In an effort to stem future radicalization, justice sector institutions should prioritize rehabilitation in the criminal justice system. In settings where rights abuses by state authorities have contributed to grievances that lead to violent extremism, it is especially important for justice sector institutions to take a conflict resolution approach—as opposed to a punitive approach—to law enforcement, to the extent possible. To that end, law enforcement institutions should train police officers in conflict de-escalation tactics.
- 15. Justice sector institutions should adopt a “3+1” Accountability Framework.** This framework includes three internal mechanisms and one external mechanism of accountability. The internal mechanisms are accountability *within* the institutions themselves, such as internal police controls; accountability to executive authorities, such as the overseeing ministries; and an independent governmental source of accountability, such as parliament, the judiciary, or a human rights commission. The external mechanism of accountability includes accountability to the media, civil society, and the public.
- 16. Law enforcement institutions should select and assign personnel in ways that foster ties to local communities.** For example, police officers should represent their local communities and have ties to those communities. At the same time, however, institutions should take steps to prevent local favoritism and the use of community ties to engage in corrupt behavior. For example, officers who assess fines should not also be the ones responsible for collecting those fines.
- 17. All stakeholders should build human rights protection into all CVE efforts.** Doing so is important in and of itself, it will enhance governments’ credibility and create a perception of legitimacy, and it will help to build trust between governments and civil society.
- 18. All stakeholders should work to protect the human rights of police officers.** Police officers are entitled to human rights protections, and in order to cultivate trust in community-police relationships, it is important to protect the rights of the officers who serve those communities. Law enforcement, particularly supervisors, can model procedural justice by following guidelines to protect the human rights of officers.
- 19. State actors should avoid using criminal legislation as the primary response to violent extremism.** Legislative, security-oriented, and political mechanisms for CVE are not substitutes for one another. Avoiding overreliance on legislation as a strategy for CVE creates space for conflict resolution approaches and reduces the chances of abuse by law enforcement officials. Legislation—both in recipient and donor countries—that criminalizes “material support” to violent extremists should carve out safe harbors for civil society organizations that seek to de-radicalize, disarm, or reintegrate extremists back into society.
- 20. All stakeholders engaged in CVE should tap into other discourses.** “Countering violent extremism” is not the first or only context, method, framework, or policy label for addressing terrorism, conflict, or government legitimacy. “CVE” is a narrow label applied to a complex set of interwoven issues, and examining those issues through other lenses can help reformers

identify solutions to violent extremism. Likewise, all stakeholders should be sensitive to potential negative implications or counterproductive effects of applying the label “CVE” to an institution or program. Alternative discourses to consider include:

- Gang violence
- Crime
- Conflict resolution
- Security sector reform
- Disarmament, demobilization, and reintegration
- Human rights
- Transitional justice
- Procedural justice
- Crisis management

**21. State actors should sensitize prosecutors to proportional prosecution.** Punishments that are tailored to the nature and severity of crimes will help promote a conflict resolution approach to CVE and build trust in justice sector institutions.

**22. When speaking about violent extremism, state actors should avoid incendiary and freighted terms.** Terms such as “Islamist,” “radical,” or “jihadist” are often used vaguely or inaccurately, and some movements actually use these terms to describe themselves.

**23. All stakeholders should acknowledge the root causes of violent extremism and avoid treating political and socioeconomic issues as criminal justice problems.** Among the factors contributing to violent extremism are poor community-police relations, abuses by state authorities, marginalization, and disenfranchisement. A criminal justice system is not a panacea for these problems; it is not designed to improve community-police relations or eliminate all forms of discrimination from a society. In situations where political or socioeconomic grievances fuel violent extremism, solutions to the problem require changes from beyond the criminal justice system.

**24. State actors and civil society organizations should institutionalize public engagement platforms.** Addressing the root causes of violent extremism requires trust between the public and state institutions, and institutionalized mechanisms for public engagement are important for ensuring communication and the building of trust.

*Working Group B: Enhancing Inclusive Governance and Promoting Human Rights*

25. **All stakeholders should understand and appreciate the need to engage with violent or radical actors.** CVE tends to criminalize ideas rather than violence, and criminalizing behavior that falls short of violence, e.g., suspicious communications, in an effort to prevent future violence is problematic. It not only presents a risk to rule of law, but also has an overall chilling effect on the activities of civil society and researchers who are trying to engage with and understand violent groups in the region.
26. **All stakeholders should craft solutions to violent extremism that focus on creating more civil society space, open debate and dialogue, research leading to evidence-based policies, and education.** This approach has a greater chance of reducing or defusing extremism before violence occurs.
27. **The U.S. Congress should hold public hearings encouraging debate on CVE as an approach and should exercise its oversight capabilities to monitor the use of CVE-CT funds.** CVE creates another mechanism for governments in the region to crack down on political dissent, and too often, the CT-CVE community focuses on countering terrorist tactics rather than on developing a long-term vision for inclusive governance and human rights. For these reasons, the CVE paradigm is problematic and needs to be questioned. To the extent that CVE is a reality of the current policy space and continues to be used, however, any funds that are allocated for CVE, both domestically and internationally, should be subject to conditions, e.g., Leahy-style vetting, including public transparency and accountability requirements.
28. **The provision of basic services, such as health, education, and good governance, are worthy of investment in and of themselves and should not be used as tools of CVE.** CVE brings a security lens to non-security issues, i.e., education, rule of law, and health, which can lead to situations where people such as medical care providers are asked to monitor their patients for signs of radicalization.

*Working Group C: Vulnerable Populations & Redress Mechanisms to Alleviate Injustices*

- 29. All stakeholders should undertake rule of law interventions in a multidisciplinary way.** Rule of law interventions should be linked to society as a whole and its needs, and they should identify both direct and indirect stakeholders.
- 30. All stakeholders should take an inventory of rule of law actors and potential partners in the region.** Rule of law actors do not know all the organizations that are working on these issues.
- 31. Actors inside and outside of the Middle East and North Africa should find a common language to discuss rule of law that resonates in the region.** Resistance to rule of law sometimes occurs because rule of law is perceived as a Western ideal imposed on the region. One symposium participant suggested an international Islamic conference on rule of law, perhaps using the Prophet Muhammad’s model of the social contract as a starting point for discussions about rule of law and including a discussion of Islamic law. Some symposium participants argued that this approach was problematic, however, because it frames Islam as an obstacle to the rule of law, instead of authoritarianism as an obstacle to the rule of law.
- 32. All stakeholders should ensure that interventions are locally designed and that solutions and implementation are carried out through an inclusive, participatory, and locally driven process that involves multiple stakeholders.** Rule of law reform occurs within a complex political system composed of multiple stakeholders. For reforms to be sustainable, all stakeholders must view them as legitimate and support them.
- 33. All stakeholders should give greater support to protect an independent media that is able to report on grievances.** Giving local people a voice through the media helps alleviate grievances and is an important part of the negotiation and information sharing process between those people and government.
- 34. Donors and state actors should support more experimental and longitudinal research to better inform programmatic interventions.** The relationship between rule of law and violent extremism is not completely clear, and such research could help to fill critical gaps in understanding.
- 35. All stakeholders should strengthen civil society’s knowledge of rule of law and how to engage on rule of law issues.** Reforms will not take root without the support of civil society, such as human rights protectors and rule of law advocates, and only an informed civil society can engage other actors effectively to initiate meaningful reforms.
- 36. International donors should help create space for civil society organizations, especially those with a human rights and rule of law focus, to operate.** Donors can advocate on behalf of civil society organizations, apply diplomatic pressure to countries that try to constrict space for civil society organizations, and help those organizations build their own capacity and ensure their own sustainability.

- 37. People inside and outside of the region should engage in people-to-people diplomacy with people in the region.** Many different groups of people inside and outside of the region share similar grievances or have grievances with one another, and it is important for different groups to support and strengthen citizen justice processes to reconcile families and communities, as well as to empower people to address grievances at the community level. These mechanisms should be available to all people.
- 38. Actors outside the region should recognize that rule of law and CVE strategies will not always align with the foreign policy interests of countries in the region.** State actors might not always be receptive to rule of law or CVE initiatives within their countries, particularly if they view those initiatives as conflicting with short-term security or other foreign policy interests. Actors outside the region should be careful to discern politically opportune times to engage countries in the region on rule of law and CVE issues.
- 39. Actors outside the region should recognize that some state actors in the region will resist a strong rule of law approach because they fear it will erode their power.** Rule of law reform is inherently political, and state actors who believe they benefit from a weak rule of law will resist efforts to strengthen the rule of law in their countries, particularly when those efforts are linked to foreign actors. In addition, competing political voices and interests within the region complicate this dynamic.
- 40. All stakeholders should avoid the desire to prioritize short-term gains over long-term gains.** Because violent extremism threatens security, there is often a temptation to focus on short-term gains, i.e., punishing the perpetrators of violence and ensuring peace. Donor funding cycles can also provide impetus to demonstrate short-term gains in CVE programming. Stakeholders should not forget, however, that the root causes of violent extremism are long-term, entrenched political and socioeconomic issues that require long-term solutions.
- 41. When engaging in rule of law or CVE interventions, donors should take care to ensure that those interventions adhere strictly to international standards.** Interventions that fail to adhere strictly to international standards risk undermining their own legitimacy and eroding local support. Donors from outside the region should be especially careful, as any failures to adhere to international standards will compound perceptions that rule of law or CVE interventions represent foreign ideas imposed on the region.

## Endnotes

- <sup>1</sup> The White House, “Empowering Local Partners to Prevent Violent Extremism in the United States,” August 2011. [https://www.whitehouse.gov/sites/default/files/empowering\\_local\\_partners.pdf](https://www.whitehouse.gov/sites/default/files/empowering_local_partners.pdf). Last accessed 27 July 2016.
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- <sup>6</sup> U.S. Department of State and USAID, “Department of State & USAID Joint Strategy on Countering Violent Extremism,” May 2016. <https://www.state.gov/documents/organization/257913.pdf>. Last accessed 27 July 2016.
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## Appendix: Symposium Program



### *Exploring the Relationship Between the Rule of Law and Violent Extremism in the Middle East*

A Justice Sector Training, Research and Coordination Symposium  
The Rule of Law Collaborative at the University of South Carolina  
JW Marriott Marquis Hotel, Dubai, United Arab Emirates  
June 1-3, 2016

The discussion on countering violent extremism has gained increasing importance in the public discourse in many countries in recent years. While it is increasingly clear that a state’s lack of adherence to rule of law principles can create grievances that may contribute to violent extremism, the relationship of violent extremism to the rule of law has not been adequately addressed. Recognizing that many factors contribute to violent extremism of individuals, a state’s robust adherence to the rule of law can help to provide a pathway to defuse grievances and avoid violence. As self-evident as this relationship might seem, few forums have focused on the relationship between the rule of law and violent extremism and how these affect one another.

This invitation-only, workshop-style symposium seeks to examine how state-based formal institutions—particularly those charged with upholding the rule of law, such as police, courts and corrections—can contribute to the kinds of grievances that are associated with violent extremism. The symposium will also examine avenues for constructive institutional reform within the context of violent extremism. Participants will consider how injustices, both large and slight, can feed into violent narratives used by extremists and how more inclusive approaches towards governance may increase public trust. Finally, the participants will focus on the unique issues faced by vulnerable populations in the Middle East, including the need for greater accountability and the protection of human dignity.

Composed of experts and stakeholders from the Middle East and beyond, the symposium will seek to generate specific recommendations for reform from thematic working groups that will address current themes impacting the rule of law and countering violent extremism.

## Day I

08:00 Registration

08:45 Welcoming Remarks

09:15 Plenary: Countering Violent Extremism & Strengthening the Rule of Law in the Middle East

The opening session will focus on the relationship between adherence to a robust and comprehensive rule of law and the grievances that may encourage violent extremism. This session will also examine how fairer and more inclusive governments can help to avoid the kinds of cumulative grievances that may lead to violent extremism.

10:00 Session I: Slings and Arrows: How Failing to Adhere to the Rule of Law Can Lead to Violent Extremist Responses

This session will examine the spectrum of grievances rooted in the injustices committed by formal institutions. These injustices include, but are not limited to, systemic corruption, human and civil rights abuses, political repression, discrimination and marginalization, and arbitrary and capricious application of the law. This session will also consider how such injustices may contribute to a rise in violent extremist responses and specific circumstances or conditions that may accelerate these developments.

11:30 Lunch

13:00 Session II: Push and Pull: How Violent Extremist Movements Use Rule of Law-Based Grievances For Recruitment

This session will explore how violent extremist movements invoke rule of law-based injustices as part of their appeal in targeted messaging to various constituencies, including women, disaffected youth and religious minorities.

14:30 Coffee Break

14:45 Working Groups Convene

Focusing on the topical concerns of rule of law and countering violent extremism, the thematic Working Groups, which will include all symposium participants, will convene to generate specific recommendations for reform.

**Working Group A:** Greater Fairness and Accountability in Formal Institutions

**Working Group B:** Enhancing Inclusive Governance and Promoting Human Rights

**Working Group C:** Vulnerable Populations and Redress Mechanisms to Alleviate Injustices

16:30 Reception

## Day II

09:00            Session III: The Road to Reform: Pathways for Promoting Greater Human Dignity

This session will examine how to facilitate a meaningful and sustainable adherence to the rule of law by focusing on the promotion of human dignity. Panelists will focus on human rights violations—large and small—as well as how affronts to human dignity can play a role in reinforcing violent extremist movements.

10:30    Session IV: Outside In: How Civil Society Can Assist Rule of Law Institutions to Counter Violent Extremism

This session will consider the role that civil society can play in enhancing more holistic governance. Panelists will focus on coordinating civil society actors, the role that faith-based organizations can play, and how other institutional actors help ensure flexibility and institutional accountability.

12:15            Lunch

13:30    Session V: Ways Forward: How to Empower Formal Institutions to Counter Violent Extremism

This session will examine how formal institutions can become more effective mechanisms for addressing the kinds of cumulative grievances that may lead to violent extremism.

15:00    Plenary: Violent Extremism, Governance & Rule of Law: Exploring the Tensions

15:45            Working Groups Reconvene

The Working Groups will incorporate the day’s panel discussion into their ongoing sessions and distill a set of recommendations.

17:00    Adjourn

### Day III

09:00            Working Groups Reconvene

The Working Groups will culminate their meetings by trying to achieve a consensus on a set of practical recommendations for the issues they have been charged with handling.

11:00            Working Groups Report Recommendations to the Plenary

This final session will offer an opportunity for the Working Groups to present their findings to the larger plenary of participants and speakers for adoption by the entire group of Symposium attendees.

12:30            Closing Lunch