



GCTF
GLOBAL COUNTERTERRORISM FORUM

Rome Memorandum on Good Practices for Rehabilitation and Reintegration of Violent Extremist Offenders

Introduction

Governments have been increasingly focused on developing more effective strategies to reduce the appeal of terrorism and limit the pool of potential recruits. By better understanding the radicalization process and why people become terrorists, and more broadly, the underlying conditions conducive to terrorism, it is possible to formulate the steps to take to counter violent extremist ideologies.

As part of the effort to counter violent extremism in all of its forms and manifestations, there is an increasing focus on prisons¹ for several reasons. First, absent the appropriate and necessary safeguards, prisons may provide a ‘safe haven’ where terrorists can network, compare and exchange tactics, recruit and radicalize new members, and even direct deadly operations outside the prison. Second, most imprisoned extremists will eventually be released. In order to reduce the likelihood that these individuals will return to terrorism after their release, it is essential to find ways to help them disengage from violent activities.

Finally, while prisons have at times been environments where violent extremism has festered, the prison setting can also present opportunities for positive change – serving as a place where the tide of violent radicalism can be reversed. Prisoners live in a controlled environment, where the negative influences from their past which pushed them toward violent extremism can be minimized. They can instead be surrounded by persons who encourage them to pursue a more positive path. There are examples of individuals who entered prison as extremists, were rehabilitated and were then released as enthusiastic messengers against violent extremist philosophies.

In recognition of the fact that prisons can be incubators for violent extremist ideology or be institutions for reform, a number of governments from different regions have established prison-based rehabilitation programs. These programs are

¹ For purposes of this document, “prisons” is meant to refer not only to prisons themselves but to other civilian institutions where offenders might be incarcerated, such as pre-trial detention centers. The focus of these good practices on civilian prisons is in line with the GCTF’s focus on civilian counterterrorism activities.

designed to rehabilitate violent extremists and reintegrate them back into society with a reduced risk of recidivism. This increase in the number of programs is a promising development and one that should be further encouraged, given the global and increasingly diffuse and decentralized nature of the threat. However, it is critical that States engaged in these efforts share information about their efforts with other interested States. While a one-size-fits-all approach is unlikely to work, knowing what other States have tried, whether at the national or local level, may be useful. Learning more about what has succeeded and what has failed and why can offer valuable lessons for governments as they work to build or improve their own programs.

Although programs must be tailored to the local conditions, cultures, and legal traditions, GCTF members have identified a series of non-binding good practices that can potentially serve as the foundation for States' policies and programs. All States are thus encouraged to consider the following list of recommended principles and good practices should they seek to strengthen existing or develop new programs or policies in this field, while recognizing that implementation of these practices must be consistent with applicable international law, as well as national law and regulations, taking into account the varied histories, cultures, and legal systems among States. As noted by the United Nations Counterterrorism Committee Executive Directorate in its Global Implementation Survey on the implementation of resolution 1624, rehabilitation programs "need to be considered carefully in view of their direct impact on fundamental rights, including the right to freedom of thought, conscience, religion and opinion, as well as the right to fair treatment in accordance with the rule of law."

This is an issue of great interest to GCTF members. The GCTF's Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector (Rabat Memorandum) encourages countries to "ensure that convicted terrorists are appropriately punished and develop policies for their incarceration and reintegration," noting that "an effective system for incarcerating convicted terrorists is a critical part of an effective criminal justice response to terrorism." The Rabat Memorandum goes on to state that "such a system should...prevent further radicalization of prisoners, prevent terrorist activities from being directed or supported from within the prison system, and provide for the deradicalization and reintegration of prisoners into society where possible and thereby reduce recidivism." The GCTF's Southeast Asia Working Group has also covered this subject, with the inaugural meeting in March 2012 in Semarang, Indonesia, focused on the "Management and Custody of Terrorist Detainees in Prison." Finally, the GCTF's CVE Working Group contributed to the development of the below good practices.

These good practices are based, *inter alia*, on discussions in two expert workshops organized by the UN's Interregional Crime and Justice Research Institute (UNICRI) and the International Centre for Counter-Terrorism – The Hague (ICCT), as part of the international initiative these organizations are leading on this subject.² This list of GCTF good practices is not intended to be exhaustive. The GCTF may choose to expand or modify it to take into account States' experiences in these areas, subject to the approval of the GCTF's members.

A. Defining Goals and Objectives

- *Good Practice Number 1: In developing a rehabilitation program, it is important to first clearly define the program's goals and objectives and identify indicators of success and failure.* In developing a successful rehabilitation program, the first questions that need to be answered are what the goals of this program, and how success can be defined and measured. Measurable objectives could be formulated that define which actors are involved in the initiative, what the desired results are, how progress is measured, and which specific outcomes are expected as a result of the intervention. In defining the goals and objectives for a rehabilitation program, countries could first conduct a comprehensive risk and threat assessment. Perhaps most important is defining from the outset whether the goal of the program is to change the views or merely the behavior of the inmates (deradicalization vs. disengagement). A rehabilitation that aims for the latter is likely to be more successful in achieving its goals, but this approach may be less effective in the long-term in reducing the appeal of violent extremist ideologies and reducing the potential for further violence and terrorism. A second question for countries to consider, as appropriate, is whether the program will focus on lower and mid-level violent extremists or those in leadership (i.e. individual or collective disengagement) or both. Focusing on the leadership may have a more significant impact in the longer term, but may be more difficult to achieve. As appropriate, States could also consider establishing a broad set of metrics to gauge success, particularly those that help determine the longer term effectiveness of the program. Recidivism has been the most commonly used statistic to judge the success of the programs. While this is clearly an important measure, there are several limitations. Not all re-offenders will be caught and prosecuted, and there are

² As part of this initiative, in February 2012, the ICCT and UNICRI produced a good practices document on rehabilitation and reintegration of violent extremists which reflected the input of more than 30 of the leading experts in the field from a range of relevant disciplines, including corrections, aftercare specialists, law enforcement officers, psychologists, victim advocates, and religious scholars. This paper is available at <http://www.icct.nl/download/file/ICCT-Background-Paper-Rehab-Core-Principles-&-Good-Practices.pdf>

also many cases where countries lose track of the individuals who have been through these programs. As appropriate, States could consider developing a wider set of metrics which look not only at whether those individuals who have participated in the programs are caught reoffending, but also on whether they are serving as a negative influence on others to join the terrorist cause, and on the extent to which they have successfully reintegrated back into society.

B. Prison Context

- *Good Practice Number 2: Good prison standards and practices can offer an appropriate starting point for building an effective, safe and smoothly operating rehabilitation program.* Counter-extremism and rehabilitation programs have the best chance of succeeding when they are nested in a safe, secure, adequately resourced, and well operated custodial setting where the human rights of prisoners are respected. It is important that there is a clear legal basis and procedural framework for detention which complies with human rights and international law obligations and clearly delineates the institutions and agencies involved, as well as their respective roles, responsibilities and powers in this area. Prison officials must respect judicial decisions regarding incarceration, and ensure that inmates are not subject to extra-judicial punishment. The *UN's Standard Minimum Rules for the Treatment of Prisoners* (1957) is a good starting point. As stated in the Rabat Memorandum, “the principles and philosophy” espoused in the UN standards provide a “useful and flexible guide that countries should use when deciding what conditions of confinement are appropriate for prisoners.”³ Some countries face problems of prison overcrowding, lack of resources, and deficient services. In developing effective responses, it is important to try to address these types of problems. Good management also improves the safety of facility staff and other prisoners. Properly managing terrorists and other high risk criminals reduces the opportunities for escape, conspiratorial misconduct, and inappropriate or dangerous external communications. Improving the prison environment also can help ensure that prisons do not become incubators of radicalization. Interactions with prison staff who are engaging in humane and positive behavior towards the inmates can create cognitive dissonance and openings for changes in thinking and behavior.

³Though as noted in the rules themselves “it is evident that not all of the rules are capable of application in all places and at all times.” Therefore, some of the suggested rules may need to be modified in order to protect against those who seek to continue their terrorist acts from inside prison.

Good Practice Number 3: An important first step can be developing an effective intake, assessment & classification system for new inmates. The important first steps in correctional management begin when a new inmate enters the prison facility. Target populations of rehabilitation programs could thus be narrowly and unambiguously defined according to set criteria. Knowing as much as possible about the inmate's personal background, criminal history, personality traits, and ideology is important for making sound classification decisions and in designing effective individual rehabilitation programs. Studies have shown that there are a wide variety of motivations and factors that have pushed individuals towards violent extremism. Understanding why individual inmates have gone down the path of violent extremism is critical to the design of their rehabilitation program and should be an integral part of the intake and assessment process. Accurate, on-going assessment of individual needs and risks is an important element in rehabilitation. While these types of risk assessment protocols can be administered at the outset – and can be used to shape the initial classification decisions regarding individual inmates -- it is particularly important that this be done on an ongoing basis. In fact, the assessments performed later in the process may be more accurate as correctional officers will have had more time to interact with and observe the inmate. Readministering risk assessment protocols at regular intervals is important to inform risk assessment and management decisions including placement, program progression and security classification. The results of these periodic assessments will also assist prison officials in estimating the impact of the intervention strategies, detecting changes in prisoner attitudes, and deciding whether the particular intervention strategies need to be adjusted. The bottom line is that different categories of prisoners may require different intervention strategies according to the risk indicators identified in the course of their assessment.

- Rehabilitative programs could also be tailor-made to fit the unique characteristics of individual inmates. For example, convicted terrorists may need a different type of program than individuals incarcerated for non-terrorism offenses who are suspected of having violent extremist views. A different approach may also be required for long-term versus short-term inmates, and for extremist leaders versus followers. For instance, whereas rehabilitative efforts for low-risk prisoners might involve extensive engagement of fellow inmates and external communities, programs for high-risk prisoners may need to be adapted to a more extensive security context and may require less involvement of third parties. Similarly, some

individuals might radicalize or improperly influence other inmates, including non-terrorists. In some cases, it might be appropriate to segregate such individuals by assigning them to separate housing units in order to deny violent extremists the opportunity to influence vulnerable prisoners in the general population. In addition, prisons could also assess during the intake process which individuals are suitable candidates for rehabilitation programs and which are not. Rehabilitation and reintegration programs have a greater chance of success when inmates are willing participants. Since some individuals may be reluctant or unwilling to cooperate, relevant national institutions can make careful evaluations of who should be included in these programs and assess the necessary prerequisites according to relevant, fair and transparent criteria.

- *Good Practice Number 4: States could carefully consider how inmates going through the rehabilitation programs are housed, and whether they should be segregated from or integrated into the general prison population.* Based on individual assessments, States could consider whether the prisoners going through rehabilitation programs should be integrated in the ordinary inmate population or whether they should be housed in separate prison facilities. Separating this group from the general population could make them easier to manage and reduces the risk of malignant influencing. Moreover, necessary resources including extra security measures and training for instructors and specialist personnel may only be needed in a limited number of locations. However, there are also downsides to segregation, and countries should carefully weigh these various factors before making a decision to proceed. In some cultures, integrating extremist offenders among other categories of inmates may prevent the formation of tight groups and confronts extremists with alternative perspectives and ideas that might contribute to their de-radicalization. What works best may differ per State, and may depend on the various factors like the size of the inmate population and the individual characteristics and needs of the inmates involved in the rehabilitation programs. Special arrangements may have to be made to supervise visits for high security prisoners in order to reduce the passing of contraband and inappropriate messages. While in some States inmates are frequently moved to different institutions to deal with structural overcrowding, frequent transfers can disrupt rehabilitation efforts. Thus, transfers could be limited and effectively managed to minimize their impact on the rehabilitation and reintegration process.

Good Practice Number 5: Ensure, as appropriate, that all relevant staff are professionally trained and educated to deal with the complexities of reintegration or rehabilitation efforts. Prison and other officials who are professionally involved with violent extremist offenders could be appropriately trained and educated to understand and deal with the complexities of reintegration and rehabilitation efforts. Prison staff and professionals involved in rehabilitation programs could be trained to distinguish signs of radicalization, communicate in a way that is constructive and avoids conflict, and respond appropriately to a potential extremist threat.

Good Practice Number 6: States could consider, on a case by case basis and taking into account relevant domestic and international law, the introduction of specific control mechanisms with regard to the inmates' communication, both within and outside the prison. Prison officials could consider, where necessary and appropriate, limiting or restricting contact between the general population and specific segments of the prison population, especially dangerous violent extremist prisoners. Prison officials could also, as appropriate, monitor and in some circumstances control the inmate's communication with persons outside the prison or visitors coming to the prison, without prejudice to the inmate's legal defense rights. This may apply to family visitors, telephone calls, mail or email. There have been a number of documented cases where prisoners have planned and directed deadly terrorist operations from inside prison. Prison officials will want to detect, deter, and disrupt all communications that would benefit the terrorists' objective. It is important, however, that the restrictions placed by the prison officials on inmate communications be in accordance with the level of threat, and applicable domestic and international law, including the International Covenant on Civil and Political Rights.

C. The Role of Different Actors in Prisons

- *Good Practice Number 7: Rehabilitation programs could incorporate a broad range of cross-disciplinary experts, with close coordination among the relevant departments and personnel involved.* With the wide range of motivations and factors that may have pushed individuals towards violent extremism, prison rehabilitation is a complex undertaking, one that ideally includes a range of different types of experts incorporated into the programs. As discussed at greater length below, psychologists, social workers, religious scholars, aftercare experts, and even family members and

communities may all have a role to play in a successful rehabilitation program. Other personnel, such as correctional officers and law enforcement agents also may be interacting with the inmates during this sensitive time period. It is important that all of these efforts be carefully planned, structured, and coordinated to maximize the effectiveness of the program, and ensure that all of those involved with the inmates are imparting consistent messages to the inmates.

- *Good Practice Number 8: Psychologists can play a key role in the rehabilitation process and could be fully integrated into these programs.* Psychologists can help identify factors in the social context and psychological make-up that made the individual vulnerable to militant ideology and the motivational factors that contributed to his or her decision to engage in terrorist activity. This information helps to inform the classification process and to design an individualised rehabilitation plan for a prisoner. Psychologists can be specially trained to do this type of work.
- *Good Practice Number 9: As the personnel in most frequent contact with the inmates, it is important that prison officers understand and are carefully attuned to the rehabilitation process, even if they are not directly responsible for its delivery.* It is particularly important that prison officials and supervising officers avoid actions that undermine the rehabilitation process. Officers could receive the necessary training on professional conduct, prisoner rights, inmate rules and responsibilities, and how to supervise prisoners by employing firm, fair and consistent techniques. It would be helpful for prison staff to have a thorough understanding of and appreciate the important role they play to support the rehabilitation process.
- *Good Practice Number 10: States could consider integrating the appropriate scholars into the rehabilitation process.* Scholars, including religious experts, can play an important role in the rehabilitation process. In the case of allegedly religiously inspired terrorism, a number of the incarcerated violent extremists who cite religion for their actions have a shallow knowledge of the religion by which they were supposedly inspired. Properly trained scholars could be encouraged to engage in extensive dialogue with the inmates and potentially raise doubts about their views on the acceptability of the use of violence. A religious expert who comes from the same tribal, ethnic, and linguistic groups of the terrorists is often more effective than those from different segments of the community. However,

since these scholars might become targets for terrorists, States should consider taking steps to ensure their safety throughout this process.

- *Good Practice Number 11: Law enforcement officers who are interviewing inmates during the rehabilitation process could receive specialized training and coordinate these activities closely with the rehabilitation professionals.* Law enforcement officials may need to interview selected inmates on various counter-terrorism related matters, perhaps even while the inmate is still completing the rehabilitation process. As with the prison officers, law enforcement officials may (consistent with investigative needs) want to avoid inadvertently interfering with the rehabilitation progress inmates are making. Law enforcement officers could receive training that enables them to navigate this delicate area successfully. Rehabilitation practitioners and those who collect information from inmates could regularly coordinate their activities at both the managerial and individual levels and de-conflict the interactive techniques that may be used in parallel within a prison. The scheduling of interviews and programming activities, for example, could be carefully considered, weighing both the operational needs and the possibility of engendering confusion for the prisoners.
- *Good Practice Number 12: Victims and victims' advocates can be powerful voices and States could consider including them in rehabilitation programs, where appropriate.* The victims of terrorist violence can be powerful voices within rehabilitation programs. If approached correctly, there may be the potential for victim-perpetrator contact to contribute to the physical and psychological well-being of the victims. It also might be beneficial for the perpetrators. Hearing first-hand how their violence tragically impacts ordinary citizens might evoke a mind-shift in violent extremist inmates. Moreover, dialogue between inmates and victims and their advocates may reduce psychological tension and may contribute to the inmate's successful rehabilitation. It is important to carefully consider when, how, and which victims are introduced, so that inmates are most receptive to their messages and perhaps more importantly so that potential negative side-effects for the victims are minimized – since re-victimization is a real and tragic phenomenon.
- *Good Practice Number 13: Former violent extremists can be influential with those going through the rehabilitation process and could be included where possible and appropriate.* Reformed extremists, particularly those who have been through the rehabilitation process themselves, may be

influential with inmates participating in these programs. The testimonials of former terrorists can be dramatic evidence of the benefits of change. These former violent extremists can be carefully vetted and selected. The writings of former operatives and supporters who have turned away from terrorism are also a powerful testament to how misguided its ideology is, and could be incorporated into the rehabilitation dialogue. However, since these former extremists might become targets for violent retaliation, States could consider taking steps to ensure their safety throughout this process.

- *Good Practice Number 14: Charismatic members of the community can also help inspire change and could be included in rehabilitation programs where possible and appropriate.* Celebrities and other influential personalities from the community can also help inspire change among prisoners. The motivational themes and public service messages they deliver can be quite captivating and effective. Where possible and appropriate, they can be integrated into the rehabilitation programs. However, since these community members might then become targets for violent retaliation, States could consider taking steps to ensure their safety throughout this process.

D. Reintegration Components

- *Good Practice Number 15: Rehabilitation efforts could include cognitive skills programs.* In addition to mental health support, States could consider developing cognitive programs that assist offenders in defining the issues that pushed them towards violent extremist behaviors in the first place and subsequently in formulating objectives and identifying and implementing solutions.
- *Good Practice Number 16: Rehabilitation programs could include basic education courses where possible and appropriate.* Basic education, including literacy courses, math, history and civics, can open a world of understanding for prisoners and end their reliance upon other persons who tell them what to think. Improving the prisoner's educational abilities will increase their self-esteem, self-confidence, opportunities, and status within their communities. Education is often a direct antidote to the malign, violent extremist messages from their terrorist past.
- *Good Practice Number 17: Rehabilitation programs could include vocational skills training and employment assistance where possible and*

appropriate. To successfully reintegrate into society, it is critically important that the inmate be employable and able to support his or her family. Employment can reduce the need and the appeal to rejoin a terrorist group and can facilitate the former inmate's reintegration into society. As such, vocational skills training and employment assistance could be important components of a rehabilitation program. Installing liaison between the prison service and employment services could be beneficial in matching the vocational skills training of the returning inmate to the employment market of the community and country.

- *Good Practice Number 18: States could encourage their prison authorities to consider finding ways to recognize the achievement of inmates in rehabilitation programs.* Prison authorities may wish to recognize the achievement of inmates who have completed education and vocational training programs with certificates or graduation ceremonies. These courses and certificates should not necessarily be provided by the governments, given the stigma this could carry; governments could instead encourage non-governmental organizations and institutions to provide these types of training opportunities to inmates, as appropriate. This practice may give the inmate a sense of accomplishment and underscore the importance of what they have done to turn their lives around. Awarding certificates for graduation also may shed a positive light on their incarceration by highlighting positive milestones, instead of focusing on the punitive aspects of their prison time. Moreover, at different stages in the rehabilitation trajectory, prisoners could be required to certify that they have met certain educational, vocational, assessment and experience requirements as a prerequisite to obtain more freedom or privileges.

- *Good Practice Number 19: States could consider the use of incentives for inmates participating in rehabilitation programs, as appropriate.* Including incentives for inmates going through rehabilitation programs could help move the individual towards more pro-social behavior, and ease his or her transition back into society. These incentives can be carefully considered, and given with great care. There are a range of incentives that states could offer to inmates when they participate cooperatively in rehabilitation programs, including: enhanced visitation with family members; increased recreational activities; and other additional privileges or benefits while incarcerated. States could consider revoking these incentives and privileges in the case of violations of prison rules and codes of conduct or evidence of

involvement in criminal activity during incarceration, while adhering to applicable human rights obligations.

- *Good Practice Number 20: States could consider developing aftercare programs, working in close partnerships with civil society organizations and communities, to enable the treatment to continue after the inmate has left the prison setting.* For a rehabilitation program to be successful, States can consider continuing the treatment after the inmate has left the prison. Developing a robust and effective aftercare and reintegration program, which can include on-going educational, vocational skills training, and rehabilitation programs to facilitate the inmate's transition back into society, demonstrates a continuing good will and provides an important support structure for the inmate at a potentially challenging time.
- *Good Practice Number 21: Consideration for protective measures could be given when there is credible information that a reformed violent extremist may face threats to his or her life, or the lives of family members, during or upon release from custody.* Some rehabilitated terrorists may be at risk of retaliation when transitioning back into society. Pre-release questionnaires could inquire if there are 'threats to life' issues facing the individual or family members. Where such risks exist, States could consider the possibility of relocating the former inmate and the family to safer areas. The individual and family members could also be counseled on precautionary safety measures and security practices designed to reduce future risks.
- *Good Practice Number 22: Formal or informal, parole-like monitoring post-release can be an effective method to deter or interrupt recidivism.* Close supervision and guidance can support and reinforce any pre-release agreements or contracts the inmate has agreed to upon release. Monitoring also can provide data that can be used to determine the effectiveness of rehabilitation programs.
- *Good Practice Number 23: Families could be integrated where possible and appropriate into rehabilitation programs.* Families play an integral role in the success of rehabilitation programs and are particularly instrumental after release in keeping the inmate from returning to a life of terrorism. As such, rehabilitation programs could include inmate family members. This will help the family understand and be sympathetic to what the inmate is going through and be more readily able to provide a supportive environment for the inmate once he or she is released. There are cases where family members

have contributed to the violent orientation of the inmate, and States could carefully weigh the family members' involvement in these situations based on a risk assessment – though there might be benefits to including such family members in the process in any case.

- *Good Practice Number 24: Fostering a welcoming and positive community environment for the inmate post-release is critical to long-term success.* Beyond an inmate's immediate family, the broader community is also important in setting the inmate on a path towards successful reintegration. This is particularly true in countries where tribes and clans play a significant role in communities. Having a positive, welcoming environment for the inmate – where the former inmate is accepted back into the community and where neighbours are helping ease their transition – is critically important. Encouraging community members to do informal post-release monitoring and counselling can reduce the possibilities for recidivism.

E. Looking to Other Relevant Fields

- *Good Practice Number 25: As States design rehabilitation programs, they could look, as appropriate, to other relevant fields beyond terrorism for lessons learned.* A great deal can be learned from looking at a wide variety of experiences with demobilization of violent extremist movements, including gangs, sects, and politically motivated movements. In doing so, the challenge lies in moving beyond merely recognizing and acknowledging differences and similarities, and to identify and select the key principles that may be transferrable and implementable across contexts – and which can be useful for the development and implementation of future rehabilitation initiatives.

Conclusion: Capacity Building

The good practices outlined in this document are intended to inform and guide countries as they develop programs designed to rehabilitate and disengage incarcerated violent extremists or to address more general issues relating to prison radicalization. The good practices also can be used to shape any bilateral or multilateral technical or other capacity-building assistance that is provided in this area. The GCTF, through its relevant working groups, will play a key role in facilitating such assistance, both in connecting States interested in receiving

assistance with those who are in a position to provide it and in mobilizing needed resources and expertise.

Developing these types of programs can be quite costly, as they may require new facilities and extensive training for the professionals involved in the program, among other expenses. In addition, the capacity building itself can be expensive, because the technical assistance teams could potentially have experts from a range of disciplines, and be on site for an extended period of time. As the GCTF has already demonstrated, it can help in raising funds for these types of efforts.

Consistent with the GCTF's objective of reinforcing and complementing the work being done by the UN and other multilateral bodies, GCTF members are encouraged to support and take advantage of the UNICRI-led initiative on violent extremist rehabilitation/disengagement that includes a capacity building component. UNICRI is assembling cross-disciplinary teams of independent experts, who can provide the full range of guidance and assistance to countries in this critical area.

States are encouraged to submit offers of and requests for assistance to the GCTF Administrative Unit. The GCTF Administrative Unit will share requests for and offers of assistance with the other GCTF members in a timely fashion (unless, of course, a State has requested confidentiality regarding its request).

The GCTF recognizes that there is no obligation on any State to provide or receive assistance. Such offers or requests should be based on the sovereign decision of each State based on its legal system, priorities, needs and circumstances.