

Criminal Responsibility for Recruiting Women into Terrorist Organizations

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Abstract

The phenomenon of the recruitment of women into terrorist organizations has become dangerous in terms of the effects arising from them, in order to use these organizations for modern technological means with the difficulty of monitoring and tracking, in addition to the security and legislative challenges to combat this new type of terrorism, as the recruitment of women has received great approval among terrorist organizations. They made it their deadly weapon in the implementation of terrorist attacks in various parts of the world, especially in Iraq and Syria, at the lowest cost and the least possible effort, so they relied on traditional and technological means to recruit them to terrorist groups to implement the terrorist program, taking advantage of the most important segment of society, which poses the seriousness of this phenomenon, which requires Confront them by all means.

Keywords: Recruitment, Women, Terrorism, Organization.

Introduction

The increasing phenomenon of the recruitment of women into the ranks of terrorist organizations to carry out terrorist acts and attacks is a threat to the social phenomena of contemporary Arab and Islamic society, as a threat to international peace and security. What we have recognized as women who represent half of society, in the ability of terrorist groups to move and break that half and recruit hardship or those who carry out their agendas is a threat to the issues facing the Middle East, using its eighth spike as a tool and a means in carrying out the criminal lord, exposing him to brainwashing and satirizing ideas of jihad, and consideration In a way to strategically recruit, to believe in themselves in supporting women, we describe the community that deals with the security forces in a special way, noting that reaching goals here is an easier fact than men in carrying out criminal acts. The recruitment of women by terrorist organizations is no longer limited in a weak data environment or in the social classes that have suffered from difficult subjects TJ Rove as in the past, but they have become overwhelming layers that have not easily recruited women to where it is soon, and this is a use that the women's terrorist organization is a serious sign ; The fact that it mixes the work of the security services after the terrorist organizations sleep in recruiting women and the capabilities to infiltrate and cross the security sites, and inject huge amounts of money spent by terrorism in the implementation of his Lord, and from here in my concern and my concerns from the security and intelligence services in the world as a result of the increasing phenomenon of the recruitment and humiliation of women In the ranks of terrorist organizations, extremist actions, and terrorist attacks.

A fake search

His field of study is of great importance, which is the use of terrorist women's organizations as a means to achieve their criminal goals, and he was able to influence the number of people whether they are natural persons or institutions, and thus, countries have gained practical importance for this study, by developing the ability to define the resort

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Healthy. Motives that made women from all over the world organize this organization, and the study comes in partnership with countries with experience to increase the use of these organizations by various modern means.

Problematic search

That this group of people has been granted special rules and made sure that their protection cannot be attacked or attacked, E such protection has not been granted on SAS a Nha one of the vulnerable groups, what if this group is to some extent involved in the elements of terrorist operations that spread terror Among the population as well as to get them to attract large numbers of young people, can this protection be preserved? What is the position of the criminal law on these acts except Rabih? Are these workers justified for the absence of protection? What are the motives for women joining terrorist organizations? How can a woman destroy jihad? What is the role played by the authorities in the state to reduce the recruitment of women? All these questions, we will try to answer them in the folds of research.

Research Objectives

1. Defining the concept of recruiting women, and distinguishing it from similar concepts.
2. Knowing the means of recruiting women.
3. Addressing the criminal responsibility of female soldiers and those who recruit them.

Research Methodology

We follow in this research the descriptive methodology of Z, which means studying the reality of events and phenomena only and analyzing the content in light of the Iraqi Anti-Terrorism Law No. (13) For the year 2005, which insulted Yale's access to a scorer through a set of studies, analysis and characterization with objective accuracy.

The research plan

We divide our study on two topics, first we take what is recruiting women into the systems of dead terrorists, while we hope in the second topic to touch the responsibility of criminals and female crime, and we finish the conclusion of the study includes the most important conclusions and proposals reached.

What recruitment of women in the T system the dead terrorist

The registration of women as terrorist organizations had a major impact in Iraq and some of the father of Arab countries in other countries such as Syria and Libya. Which called for focusing in this section on clarifying the concept of the recruitment of women and clarifying its characteristics, so that the similar approach was raised, as well as the concepts of the methods used to attract this group in society; So this topic will be divided into three requirements for me, the first of which we take the concept of recruiting women, while we allocate the second to distinguish it from similar concepts, which is the third, so we can use all the means used to employ women, and as A T:

The concept of the crime of recruiting women

Terrorist organizations began employing all age groups of women to spread extremism and believed the terrorist. Therefore, it is necessary to give a clear and explicit definition of the crime of recruitment of women and then their characteristics that distinguish them from other listed crimes, as follows:

Definition for the crime of recruiting women in terrorist organizations

Recruitment is the imposition of mandatory military service by the state on its citizens to achieve military mobilization to make up for any shortage of fighters in wartime. However, recruiting in this research has a broader meaning, as it is defined as "gathering, mobilizing, and forcibly or attracting people for the purpose of joining and joining terrorist groups and whatever their purpose, by preparing them financially and morally to serve these groups, whether local or International (1). Enlistment in terrorist organizations is either optional using the method of intimidation, or is forced by the use of intimidation, poverty, ignorance, and displacement are the main factor in voluntary recruitment, while kidnapping is the most prominent example of forced recruitment. (2) In order to be able to define the recruitment of women as a phenomenon, the women's ministers have found themselves in the islands and sticks that have joined the domestic and international terrorist MAM groups with the aim of promising a physical and moral fat to serve these groups. It can be said that the recruitment of women has several characteristics:

1. The term "female recruitment" is called the phenomenon, which means that it is spreading widely and it may be that it takes up a large area.
2. Terrorist groups use intimidation and intimidation to attract women.

3. Can recruit locally? E is not NH NH takes a large international space. This is because of his criminal seriousness.
4. They are their numbers by the terrorist groups financially and morally before the terrorist operations begin.

Regarding terrorist organizations, as is well known, the organization comes from a group of people united by one goal. As for terrorism, there is no unified definition for it. However, it was known by many writers, we mention them: D. Nabil Ahmed Helmi, describing terrorism as "the use of violence or the illegal threat by a group or state against an individual, group or state that results in the dangers of terrorizing human life or threatening fundamental freedoms, and its purpose is to pressure the group or the state in order to change their behavior towards a subject Moein (3) While Dr. knew Ahmad Jalal Izz al-Din is "systematic and continuing violence with the intent to create a general threat to a state or political group committed by an organized group with the intent to achieve political goals" (4) The Iraqi legislator defines terrorism in the Anti-Terrorism Law No. (13) of 2005 that "every criminal act by an individual or an organized group targeting an individual or group of individuals or groups or official or informal institutions harms public or private property in order to violate the security situation Or stability and national unity, or the introduction of terror, fear and terror among people, or causing chaos to achieve terrorist goals. (5).

Characteristics of the crime of recruiting women into terrorist organizations

It is known that the crime of recruiting fighters in terrorist organizations is an old crime, but the polarization of the category of women has emerged recently and has acquired some characteristics of crimes that were developed due to the methods adopted to implement this crime, and it took multiple dimensions as a crime targeting human thought in the first degree Z, because it is re-educated and transformed in a manner consistent with With terrorist or subversive purposes, it is embodied in psychological wars that have swept most of the world. Among these characteristics, he singled out what distinguishes him from other crimes:

Polarization

It is a group of methods that terrorist groups have followed in order to influence the ideas of women soldiers and Sogan in the camps, but Rabia is to train them in the implementation of terrorist attacks, a process of polarization in three ways:

1. Fifth, the implementation of external plans, because terrorist groups of women have long used the NH in some operations to carry out some operations that are difficult for men to penetrate their goals; And the return of foreign organizations belonging to the West, ISIS can take advantage of the common notion that women do not pose a major threat with regard to terrorist attacks, such as men.
2. The organization's use of the path of Western action is to attract individuals. Consequently, they act as a link between the new extremists and seasoned fighters, and while Western fighters have expressed their desire to return to their homes, the security services must take all necessary precautions to prevent them from harming society ideologically or financially.
3. It revolves around women planning terrorist operations and using them as coordinators through them via the Internet, where they play the role of coordinator between ISIS leadership and individual fighters or small combat cells, and these plans coordinate communication in the virtual world between the leaders who direct the sites of attacks and how they are carried out, and individuals joined the organization, It should be noted that women target polarization groups, usually between the ages of 15 and 35 years. (6).

Knowledge: "The fact that the perpetrator is aware of the circumstances of the crime and its effects and implications for its execution." (7). The method of persuasion: Tate established the employment status as a method of persuasion, seduction, and intellectual influence, in addition to the ability to know that data are not aware of the psycho-social conditions in order to control women, so that they can usually be intellectually prepared in preparation for recruitment into the ranks of terrorist groups (8).

Distinguishing the recruitment of women from similar concepts

It differs from the concept of recruitment in terrorist organizations from other concepts of the other, the concept of volunteer women and military service DA E in the ranks of the army, so it must be clarified, as follows:

First: recruiting women and volunteering women

I consciously meant for women "a set of activities that women undertake to confront the threat of the covenant in the country, whether natural disasters are wars, which can be supported financially or morally" (9) it differs from employing women as follows:

1. Concerning the goal: The volunteers aim to achieve humanitarian purposes by providing relief and relief organizations to assist the volunteers, meaning that the female soldiers are a means to carry out terrorist acts such as killing, sabotage and deception. ..etc.
2. In terms of means: Women have influenced the resorting to conspiracy to methods characterized by FH and the renunciation of violence with the aim of relieving injured aluminum after natural quarries or combat operations, either female soldiers resort to means of violence, intimidation and the use of weapons for the purpose of spreading terror among the population (10).

Second: Recruiting and performing military service for women

Through military service, "women are enrolled in the army to fill the void in army units or for the purpose of equating them with men with rights" (11) it differs from the recruitment of women into terrorist organizations

1. A satisfactory military service is a national duty based on a sense of citizenship between the individual and the state. a. What is the terrorism of the women who commit a bucket on the basis of extremist ideology, and was in prejudice to the prestige of the state in which the guard soldier (12)
2. The affiliation of women to the army of the People's Army for disease of military service aims to protect the territory of the foreign occupation state and to preserve the stability of the country, so the recruitment of women in a state of instability is the stability of the country and its calmness among citizens.

Means of recruiting women into terrorist organizations

Terrorist groups have used Chet Z methods to harvest women in terrorist organizations, and they have electronic means in multiple forms, whether through a major role in Altot that women see due to the spread of capabilities, and how much of the traditional methods used E are not less fake, we will explain this as follows:

Conventional recruitment

The beginnings of the terrorist organizations Rev JQ build on the traditional alos Wael by audio and video, by attracting women in mosques, universities and personal meetings, whether on the roads or in the markets, and giving them books, publications and compact discs (CD) containing sufficient secret ideas, regarding mosques attracts Women where clerics and religious institutions are abandoned, where extremist groups begin their radical path as groups that prioritize by elders or friends, as they seek in those countries to influence society either through its Muslim population, or allow non-Muslim power to convert to Islam, then invite them To jihad in the name of God and to belong to such organizations (14).

Terrorist organizations rely on imams of mosques. Because they see persuasion methods as direct advocates of coaches and some individual advocates practicing professional enthusiasm, irritation, and passion, they abuse the SA for extremist aims of religion, like us like some mosques that are a haven for Salafi jihadists, who choose platforms for spreading hate messages, etc. From ideas, the Salafi preachers who control mosques in Europe stand behind networks to recruit women. (15).

Recruitment mail

Many changes have occurred in developments, with the Internet growing widely throughout the world, and the emergence of the Internet has two aspects, one of which is positive; And this is through rapid contact with the other world and the use of governments by the other, and the other is negative. Stkhaddmth LLC terrorist groups in order to spread their news and terrorist act and try to attract individuals to them, and the emergence of the Internet has become associated with many of the threats that I saw on the world through many terrorist groups, and many terrorist systems and this led to the emergence of the term "electronic terrorism", known In the name of "aggression, intimidation, or material and moral threat emanating from human beings, groups, or individuals, using sources of information and electronic means, from various categories of aggression and images." Corruption (16).From the beginning of two terrorist operations carried out by ISIS in Iraq until 2018, the number of recruits has reached about 600, including 22 British, (40) A to Mane, and (14). Austrian and (63) French, in addition to the presence of women of Arab nationalities such as Saudi Arabia, Libya and Algeria, terrorist groups have been able to recruit them to carry out various terrorist acts (17).And they prepared to organize the factors of success, as it works to attract women, including its use of the attractive information strategy through which sympathy with many organizations, and thus the goals in informing him of the category of women, and this means that he uses modern technology in the media represented by social media, most notably " Tu At t of insurence and you like YouTube and Skype ", then it was based on visual and audio media (18).

Criminal responsibility of female soldiers and the crime of their recruitment

The law does not differentiate between those who were a partner in the terrorist traction ban and those who had the role of pastor J Q in committing them; This is because core terrorist organizations are criminal intellectual organizations, so we find that there are people who are confined to their role in recruiting and recruiting women, and others are aware of the work in carrying out terrorist attacks, and others who have provided support and participation in every roundabout, and these roles do not have what enables the organization to implement His terrorist operations. To fight this issue, we will discuss Rakan's crime to recruit and punish women in the two demands, and as he said:

The A Rakan legal crime of recruiting women in terrorist organizations

This is the crime of the basic pillars, the material angle and the moral pillar:

Corner Material: Dedicated to the cornerstone of the material component of any crime "is the material behavior outside the law that provides for criminalization, i.e. everything that enters into the crime of the entity and has a material nature that it senses and is necessary for the institution, as the law states does not define crimes without a physical corner, so some people call it Article of the crime (19) then, the law does not punish abstract ideas" A "only if they are accompanied by material acts, and the material component of each crime is weakened into three elements: behavior, criminal, and the consequences of (criminal) harm, and the causal relationship.

1. Criminal behavior: the sum of the criminal acts constituting the crime, it is necessary to verify the crime, which may appear in the activity positively, when the perpetrator is deprived of the law, as it may appear in a negative situation, and is achieved when refrain from doing dictation under the law (20) In the field of our research, we find that the criminal conduct of female recruitment is reflected in the text of paragraphs (3 and 4) of Article (2) of the Iraqi Anti-Terrorism Law No. 13 of 2005, which states: Terrorism, as well as contributing to and participating in this act 4: Acts of violence and threats to stir sectarian strife, civil war, or sectarian fighting by arming citizens or getting them to arm each other, incitement, or financing "through the text of the paragraphs above a. We extract the key to the criminal behavior of the material component of the crime of compulsory recruitment, and not actually to recruitment, for example with all activities carried out by terrorist organizations with the goal of pushing women to belong to terrorist groups, about the method and preparing them to work smokers in service and these groups and implement their terrorist goals.
2. Outcome of the offender: The result is the offender also the elements of the physical angle, and it is found from the "effect of pain resulting from the behavior that is punishable by law, and it has been understood as the result of a material reality that has a tangible entity in the external world or is a legal fact" (21) With regard to the crime of recruiting women into terrorist organizations, inasmuch as they have achieved criminal verification or have not been achieved, in other words, the outcome is not required to ascertain a criminal, but enough to be possible; This summary, which was developed by society and not to the public, because the criminal legislator is not only in protecting social interests when it protects them to some extent from the harm done to them, but it also covers Al-Adha Al-Hama from any danger that may befall him or threaten him, that is, the Financial Times included the criminalization and punishment of incomplete aggression On this interest, especially in terrorist crimes, and therefore these crimes take one of two forms: either they are dragged dry or they are a crime of harm (22). This has been achieved constitutes a threat to international peace and security, and threatens the lives of innocent people and their property. Therefore, it is sufficient to achieve crime once criminal behavior is achieved, and without the need to achieve the criminal result, if it leads to killing and wounding many innocent people, and damage to public and private property.
3. The causal relationship (23). The causal relationship is considered the third component of the material component of the crime, because it is the link between criminal behavior and the criminal outcome. If you do not establish a causal relationship, this leads to the lack of a corner material for the operation of Meh and consequently the entire crime falls, and requires verification of the causal relationship in the crime of recruiting women when the damage occurred, with no condition being met when you do not verify the damage.

The corner Moral

Not enough of course the offender accountable for the conduct of that person for a specific criminal offense and the existence of a causal relationship between his behavior and the harmful result ,but should be available corner moral crime to be prosecuted and punishment stipulated in the law against him .The moral pillar has two components :the criminal capacity and the criminal sin.

1. Criminal eligibility: Criminal eligibility is defined as "a set of attributes that a person must possess in order for a crime to be attributed to him as a conscious and willing actor" (24) Criminal capacity, that is, the ability to assume criminal responsibility, is available to female soldiers and those who recruit them when they have awareness and will. (25) There is no criminal responsibility for those who are not qualified to take over, as eligibility qualifies beyond perception or will, or both. [26] As a result of the moral pillar accordingly and therefore there is no responsibility for the insane or young; It lacks the ability to form a criminal perception.

Because their mental perceptions are not complete; which, if he does not lose consciousness, greatly detracts from him. Likewise, for those who hate committing a crime or forcing it into circumstances, it is a fact that it is not their responsibility to deny it the freedom to choose because of the pressure of coercion or the necessity of a will, which made it lose its freedom of choice, which leads to the fall of the moral pillar, and thus the crime as a whole.

1. Criminal iniquity: Criminal iniquity which is also called "criminal sin" is the will of the perpetrator to carry out the component of the crime (criminal behavior), which may take the form of a mayor called criminal intent, or take a picture of the error in the so-called unintended error (27) The last picture is not in recruiting women. Being a deliberate crime occurs if it has a criminal intent. Criminal intent is defined as "directing the electronic events of E. Rada A" that have been punished by law in order to actually know and know the law that criminalizes (28) and it is sufficient to verify the crime of female soldiers in providing general criminal intent (29) which is In connection with a terrorist who is going to do the work of recruiting women using traditional means or modern technology for the purpose of carrying out terrorist acts a criminal law, and the direction of female soldiers will join the terrorist organizations with the knowledge of Bhakaguetha, and to achieve the criminal intention as well, there must be a scientist guilty of that scepter n criminalizing what he does And he punishes him, as the scientific element that punishes the law for the act assumes that he knows the right of the perpetrator, and does not accept him by apologizing for the ignorance of the law (30).

The penalty for the crime of recruiting women

The policy of cracking down on the crime of recruitment by terrorist groups is not only effective in punishing but also more than that, because it must avoid the crime and dry up its sources through preventive monitoring for them, let us face this phenomenon and fighting was required for the efforts of all judicial bodies at the national level to follow This crime. The crimes committed by female soldiers recruited by terrorist groups are crimes that are described as terrorist; Therefore, it is subject to Iraqi Anti-Terrorism Law No. 13 of 2005. Because of its distinctive speed in attracting and influencing young women, an article on deception must be made chasing a person, carrying out suicide attacks or spreading extremist ideas, especially through modern electronic means, and thus they are all crimes Committed by female soldiers in terms of size; Therefore, she has some privacy in the procedures followed, especially with regard to the means of proof, as well as the method of communicating with the case and the crime scene:

In terms of the method used

Usually carrying female soldiers a device package, explosives or dangerous weapons, when arresting security forces to take preventive measures, such as using the sensory Druk means only by making use of the dog's sense of smell to detect the presence of explosives and scientific means such as the use of talented modern detection (31).

In terms of procedural rules

It is Essam's move from a talented and secular investigator to the scene of the crime, investigation and control of weapons and female soldiers, and revamped Tharyin of Achi DONC related to crime that actually helps and benefits (32) it is worth noting that international crime is an effective combination of acts of illegal danger. That affect the international community in general, and the right of the government agencies responsible for them, which are within a non-rule that punishes every country, unless there are agreements between countries in handing over the state in which the effective terrorist fell, and the crime of recruiting women from the danger of crimes against society and humanity, This is different in many rulers on national crimes. The which exists in the state, does not harm extending to other countries, such as the crime of theft, embezzlement, assault, murder or others, and is usually limited to the electronic framework the law of the country in which it occurred, unless it includes Another component of these crimes is committed by organized gangs and participation in shareholders and other countries (33).

The accused of committing a terrorist crime is an international crime, and every country has the right to be held accountable according to the rules of international law or domestic and local law, so as a crime to recruit women, the crime of terrorism is run by Meh international under international jurisdiction also internally, and the criminal court has shown a permanent international boon in the system Only SAS, and this type of crime has a complementary jurisdiction, which will only be the assets of the jurisdiction of the national courts, which is the jurisdiction of the trial of female soldiers and the terror of their soldiers is subject to Iraqi courts, as well as the claims of officials of many European countries not to allow foreign fighters in the ranks of ISIS to return to their country, Some governments or the Republika Srpska have sought to adopt new measures regarding the prosecution of extremists, including what the French government has done to the ten French extremists who have stopped at Syria and Iraq and its whistle will be there according to the laws of that father well, so that France formally abdicates to the Iraqi government To grant jurisdiction in her trial (34).

The punishment is defined as "a punishment determined by law for the crime stipulated in it, for the benefit of the society that was damaged, and imposed by the judge on the perpetrator." [35] And read the texts of the Iraqi Anti-

Terrorism Law No. (13) Of 2005. Being related to terrorist crimes, we have seen that the punishment it imposes is of two types: sanctions other than sanctions and complementary, and we will deal with them by selling:

Penalties the original

The original sentence is "a crime of a Sassi crime determined by law, and therefore sufficient in the cases that were invaded to achieve the purposes of the punishment, which a judge signed on the perpetrator who specified the type and amount within the scope of what was presented, and to authorize alone or supplementary punishment when necessary (36). In our research area, the Iraqi counterterrorism law defines women soldiers who are arrested, two companies, and two corporal punishments represented by death [37] and the negative punishment for freedom represented by life imprisonment (38) as Article 4 came: "Whoever commits death is a principal representative or partner in any of Actions: The terrorist mentioned in the second and third texts of this law, incitement, planning, and financing by anyone who enables the terrorists to bear the crimes stipulated. In this law the original perpetrator is punished. That the painful sentence in prison deliberately concealed any terrorist act or any person who concealed terrorist. It is clear from the Iraqi legislature that it calculates crimes in terms of the seriousness of terrorist crimes, and frequently asked questions about the death penalty and life imprisonment, and the text above is distinguished by a generalization; He did not distinguish between a man and a woman, in both kidneys with criminal responsibility, and did not distinguish between the perpetrator and the partner (39) both of whom are punished with the same punishment; So that this punishment is for female soldiers and people who incite terrorist acts, because criminal participation in the crime of recruiting women is the original faction that women perform, because of what the elements show from crime to existence, as well as the partner who contributed to the crime by urging women to recruit terrorist organizations.

In this regard, she noted that the Supreme Judicial Council of the Iraqi Central Criminal Court in Baghdad had sentenced, in 2018, the execution of (16) arrested Turkish women for their number convicted of joining the organization, (40) as an Iraqi criminal. The court sentenced the French to life imprisonment, "Melina Bougdir, 27 years old, after she was convicted of belonging to ISIS, and cases related to the Central Criminal Court for Terrorism said:" The court found that the evidence obtained was sufficient to try E Dana, Melina Bougdir, to be imprisoned for life for twenty years. Years, according to the anti-terrorism law, which amounts to the death penalty, "and the second French Bougdir was sentenced to life imprisonment in Iraq less than two months after the issuance of a similar old amount (29 years) to the right of a French jihadist belonging to ISIS. A forensic dress and a black cap holding her child on her arm. She defended Bougdir in the French language with the assistance of an interpreter during the same trial saying "I am innocent", and confirmed that Nha had deceived and forced her husband, who threatened her to remove the girl child if she did not go to Syria and Iraq. I am against the ideas of ISIS and do not believe in its religion, "denouncing the actions of her husband, who holds French citizenship (41).

Complementary penalties

Add to Akoub, complementing me with the death of Salvo, with the aim of further deterrence and reform, as well as with the aim of preventing crime in the future, which is not imposed on the convicted person unless explicitly stated by that judge in (42) and in our field of research the penalties embody inclination as defined by the Iraqi legislature in a law Combating terrorism, confiscating all funds and seized materials and removing them criminally or insulting to carry out a criminal act (43). Before concluding, we believe that what female soldiers did in the ranks of terrorists does not lead to clemency towards them; Because most of them have carried out terrorist operations against defenseless individuals and residents, who are fully qualified, and the issue of not being received by their countries, as these countries must take full responsibility for holding these women accountable and also punishing them while Iraq bears the burdens of its children who are mainly ISIS children, then Iraq is not yet bound by all terrorist acts committed against the Iraqi people to bear the burdens of its children, so this was the first of these countries that export terrorism to bear the responsibility for what was issued from their citizens and not give up on this matter.

Conclusion

We came through this study to a number of conclusions and put in the light of several proposals came as follows:

First: Conclusions

1. The main factors for women joining terrorist organizations may be economic, such as poverty or social issues such as flogging and displacement, in addition to other factors related to religious, ethnic or sectarian incitement.
2. We note the Iraqi legislature, which did not provide a definition of the term "recruitment", and did not specify the form whether it was recruited ideologically, psychologically or physically, or whether it includes all forms of recruitment, and this is inconsistent with the principle of criminal legitimacy that requires accuracy and clarity in criminalization and punishment.

3. The recruitment of women is a modern way to use women to intimidate and intimidate them into joining local and international terrorist groups. For the purpose of promising a physical and moral fat to serve these groups.
4. Female soldiers reach easier targets than men in carrying out criminal acts. Therefore, terrorist organizations resort to using them to carry out their terrorist attacks.
5. If what the terrorist recruits did in the rows is not called for amnesty. Because most of them carried out terrorist operations against unarmed individuals and civilians.
6. The recruitment of women constitutes a threat to international peace and security, as well as a threat to internal security.
7. The recruitment of women by terrorist organizations is no longer limited in a limited way in the environment of weak data or social classes that have suffered from the difficult article J Rove, but they have become overwhelming classes where it was not easy to recruit women soon.

Proposals

1. Activating the role of educational, cultural and religious institutions in educating women about the danger of coordination behind the ideas of terrorist groups to reduce the possibility of their temptation and exposing them to the recruitment process and using them in the implementation of terrorist attacks. It is also necessary to urge families to educate and pursue their daughters.
2. Providing the information technology units with modern equipment. In order to follow the movements of terrorist organizations and thwart their plans. It is necessary to review the capabilities of our regular forces and review their accomplishments in fighting terrorism.
3. Sanctions imposed by the UN Security Council on countries that encourage terrorism and the recruitment of women.
4. The necessity of strengthening international cooperation to confront the phenomenon of women's recruitment into terrorist organizations. This is done by criminalizing this phenomenon by not taking any measures, neither the desire nor the law to belong to the soldiers, and proceeding to a dangerous criminal containment.
5. Encouraging countries to cooperate with each other and with Iraq to hand female soldiers over to the country where the crime was committed so that they can be tried in accordance with their laws.
6. Close Iraq's borders with other countries, and place more checkpoints on the borders.

References

- 1- Ibrahim, Akram Nashat, (2008), General Rules in the Comparative Penal Code², nd edition, Al-Sanhoury Library, Baghdad, pp. 298.303 ,
- 2- Bahjat ,Amani, (2015), "Information Security :Enabling Legislation against Cyber Crime in the Region," The Case of the Region, No. 19, The Regional Center for Strategic Studies in Cairo, Egypt, p. 76.
- 3- Hosni ,Mahmoud Naguib, (1973), Explanation of the Penal Code - General Section, 3rd Edition, The Arab Renaissance House, Cairo, p. 289.
- 4- Helmy, Nabil Ahmed, (1988), International Terrorism in accordance with the rules of public international law, 1st edition, Dar Al-Nahda Al-Arabia, Egypt, p. 35.
- 5- Al-Haidari, Jamal Ibrahim, (2012), Al-Wafi explaining the provisions of the general section of the Penal Code, 1st edition, Al-Sanhoury Library, Baghdad, p. 309 .
- 6- Al-Khalaf, Ali Hussein, and Al-Shawi, Sultan Abdul Qadir, (2010), General Principles in the Penal Code, 2nd edition, Al-Atak for Book Industry, Cairo, Egypt, pp. 138-139. 415 ,
- 7- Khalil, Safwan Maksoud, (2019), International Criminalization of Child Recruitment in Armed Conflict, No. 2, Volume 16, University of Sharjah Journal of Legal Sciences, United Arab Emirates, p. 283.
- 8- Al-Dulaimi ,Abdul-Razzaq Muhammad, (2010), Propaganda and Terrorism, 1st edition, Jarir House for Publishing and Distribution, Jordan, p. 90.
- 9- Messenger, Khalil Ibrahim, and Ahmed, Kamel Alwan, (1982), Principles in Psychology, without publishing house, Baghdad , p. 96.
- 10- Sorour, Ahmed Fathi, (1980), The Mediator in the Criminal Procedure Law, Arab Renaissance House, Cairo, p. 494.
- 11- Sorour, Ahmed Fathi, (1981), The Mediator in the Penal Code - General Section, Part 1, without a publishing house, Cairo, p. 524.
- 12- Selim, Hanan Ahmed, (2015), media campaigns through the new media, Faculty of Information, Cairo, Egypt, p. 34.
- 13- Sawyer, Sufyan, (2011), Information Crime, Master Thesis in the Faculty of Law and Political Science, Abi Bakr Belkaid University, Tlemcen, Algeria, pp. 23-24.
- 14- Alia, Samir, (2002), Explanation of the Penal Code - General Section (Comparative Study), University Foundation for Studies, Publishing and Distribution, Beirut, p. 298.
- 1- 15th- Izz al-Din, Ahmad Jalal, (1986), Terrorism and Political Violence, Freedom House, Cairo, Egypt, p. 49.

- 15- Odeh ,Reham, (2014), the use of social media by the youth movement to end the Palestinian division, Middle East issues, No. 29, Arab Politics Magazine, Arab Center for Research and Policy Studies, Doha, Qatar, p. 4 .
- 16- Mahmoud ,Dari Khalil, (2002), The Simple in Explaining the Penal Code - General Section, 1st edition, without a publishing house, Baghdad, pp.79 ,67 ,62 .
- 17- Mustafa, Mahmoud Mahmoud, (1983), Explanation of the Penal Code - General Section, 10th Edition, Dar Al-Nahda Al-Arabia, Cairo, p. 416.
- 18- Musa, Sherine Ali (2015), websites e Newsletter)a study On Concepts and Credibility), 1st floor, Dar the world Al-Arabi, Cairo, Egypt, p. 87.
- 19- Al-Naqbi, Saeed Bahbouh, (2011), The Criminal Response to Terrorism, First Edition, Dar Al-Nahda Al-Arabiya, Cairo, p. 16.
- 20- Al-Youssef, Abdul-Aziz, (2003), the modern concept of crime prevention and delinquency, symposium on "Recent Trends in Citizen Awareness of Crime Prevention Methods", 1st edition, Naif Arab Academy for Security Sciences, Riyadh, Saudi Arabia, p. 10.

Sites of the E .Internet

1. Al-Azhar (2020), ISIS Use of Social Media, The Buzz Observatory website to combat extremism, available at: <http://www.azhar.eg/observer/details>
2. Bayrakdar, Abd Al-Sattar, (2018), Central Criminal Court rulings, article available on the Al-Jazeera site directly at: <http://mubasher.aljazeera.net/news>.
3. Al-Hariri, Jassim Younis (2014), Terrorism Online, article available on the Middle East Online website: <https://middle-east-online.com>.
4. Ruwaih, Abd al-Amir, (2018), ISIS widows recounting how their husbands deceived them during their trial, an article available on the news network, at: <https://m.annabaa.org/arabic/violenceandterror / 16039>.
5. Al-Saadani, Ali Hassan, (2013), Military Strategy and World Military Doctrines, No. 4257, Civil Dialogue Foundation publications, Topic: Terrorism, War and Peace, available at: <http://www.ahewar.org/ debat / show.art .asp>.
6. Fayed, Nora Bandari Abdul Hamid, The Role of Social Media in Recruiting Members of Terrorist Organizations (ISIS Case Study), The Arab Democratic Center for Strategic Economic and Political Studies, available at: <https://democrac.de>
7. Muhammad, Jasim, (2019), European ISIS - Causes of Extremism and Recruitment among Extremist Groups, European Center for Counter-Terrorism and Intelligence Studies, p. 2, Available at: <https://wp.me/p8HDP0-bZX>.
8. Muhammad, Hussam, (8 201), Recruiting Terrorists via Social Media, p. 18, available at: <http://www.carjj.org/sites/default/files/events/>.

Laws

- Iraqi Penal Code No. (111) of 1969 amended.
- Iraqi Anti-Terrorism Law No. (13) Of 2005 .

- 1-]Fayed, Nora Bandari Abdul Hamid, The Role of Social Media in Recruiting Members of Terrorist Organizations (ISIS Case Study), The Arab Democratic Center for Economic and Political Strategic Studies, available at: <https://democracyac.de>.
- 2- Khalil, Safwan Maqsood, (2019), International Criminalization of Child Recruitment in Armed Conflicts, No. 2, Volume 16, University of Sharjah Journal of Legal Sciences, United Arab Emirates, p. 283.
- 3- Helmy, Nabil Ahmed, (1988), international terrorism in accordance with the rules of public international law, first edition, Dar al-Nahda al-Arabia, Egypt, p. 35.
- 4- Ezz El-Din, Ahmed Jalal (1986), Terrorism and Political Violence, Freedom House, Cairo, Egypt, p. 49.
- 5- Article (1) of the Iraqi Anti-Terrorism Law No. (13) For the year 2005.
- 6- Muhammad Jasim (2019), European Female Propaganda - Causes of Extremism and Recruitment among Extremist Groups, European Center for Counter-Terrorism and Intelligence Studies, p. 2, Available at the email link: <https://wp.me/p8HDP0-bZX>.
- 7- Sawyer, Sufyan, (2011), Information Crimes, Master Thesis, Faculty of Law and Political Science, University of Abi Bakr Belkaid, Tlemcen, Algeria, pp. 23-24.
- 8- Al-Azhar (2020), ISIS Use of Social Media, The Tinnitus Site Monitor for Countering Extremism, available at: <http://www.azhar.eg/observer/details>.
- 9- Salim, Hanan Ahmed, (2015), Media campaigns through the new media, Faculty of Information, Cairo, Egypt, p. 34.
- 10- Salim, Hanan Ahmed Hamad, previous source, p. 34.

- 11- Musa, Sherine Ali (2015), Websites Bulletin (Study on Concepts and Credibility), First Floor, Arab World House, Cairo, Egypt, p. 87.
- 12- Musa, Sherine El-Mai, previous source, p. 87.
- 13- Al-Dulaimi, Abdul-Razzaq Muhammad, (2010), Propaganda and Terrorism, First Edition, Jarir Publishing and Distribution House, Jordan, p. 90.
- 14- Bahjat, Amani, (2015), "Information Security: Enforcing Legislation against Cyber Crime in the Region", The State of the Region, No. 19, Regional Center for Strategic Studies in Cairo, Egypt, p. 76.
- 15- Odeh, Reham (2014), using social media by the youth movement to end the Palestinian division, Middle East issues, No. 29, Arab Politics Magazine, Arab Center for Research and Policy Studies, Doha, Qatar, p. 4.
- 16- Al-Saadani, Ali Hassan, (2013), Military Strategy and World Military Doctrines, No. 4257, Civilization Dialogue Foundation publications, Topic: Terrorism, War and Peace, available at: <http://www.ahewar.org/debat/show.art.asp>.
- 17- Mohamed, Hossam, (2018), Recruitment of Terrorists via Social Media, p. 18, available at: <http://www.carjj.org/sites/default/files/events/>.
- 18- Bahjat, Amani, previous source, p. 76.
- 19- Al-Khalaf, Ali Hussain, and Al-Shawi, Sultan Abdul Qadir, (2010), General Principles in the Penal Code, Second Edition, Al-Ataq for Book Production, Cairo, Egypt, pp. 138. 139.
- 20- Article (28) of the Iraqi Penal Code No. (111) of 1969 and its amendments.
- 21- Hosni, Mahmoud Naguib, (1973), Explanation of the Penal Code - General Section, Third Edition, Dar Al-Nahda Al-Arabia, Cairo, p. 289.
- 22- Serious crimes mean "crimes that do not cause tangible harm, but carry a threat to the interests protected by law", such as the crime of inciting sects against division and fighting and other crimes that, even if they do not cause tangible material harm, except The gravity of their actions is dangerous. So that it acted in its infancy. Because if it is adhered to, it will lead to very huge results. Harm crimes are aimed at "crimes that have tangible effects of crime", Kazhaq human spirit in murder. Mahmoud, Dary Khalil, (2002), The Simple in Explaining the Penal Code - General Section, First Edition, without a publishing house, Baghdad, p. 79.
- 23- The causal relationship aims to "verify the existence of a link between criminal behavior and the harmful result, such as the association of the disease with the cause or cause of the cause so that it proves that the criminal behavior committed by the perpetrator is the one that led to the occurrence of the criminal result." Mahmoud, Dary Khalil, previous source, p. 62.
- 24- Alia, Samir, (2002), Explanation of the Penal Code - General Section (Comparative Study), University Foundation for Studies, Publishing and Distribution, Beirut, p. 298.
- 25- Perception or distinction means "a person's will or ability to understand the nature of his character and assess its consequences." Messenger, Khalil Ibrahim, and Ahmed Kamel Alwan, (1982), Principles in Psychology, without a publishing house, Baghdad, p. 96. Whereas the will or freedom of choice is defined as "a person's ability to direct himself or to refrain from a specific act", Mustafa Mahmoud Mahmoud (1983), Explanation of the Penal Code - General Section, First Edition 0, Dar Al-Nahda Al-Arabia, Cairo, p. 416.
- 26- Article 60 of the amended Iraqi Penal Code (111) of 1969 states that "he is not criminally responsible who, at the time the crime was committed, lacked awareness or will...".
- 27- Sorour, Ahmed Fathi, (1981), The Mediator in the Penal Code - General Section, Part One, without a publishing house, Cairo, p. 524.
- 28- Al-Haidari, Jamal Ibrahim, (2012), Al-Wafi explains the provisions of the general section of the penal code, Hezbollah. 1, Al-Sanhouri Library, Baghdad, p. 309. The Iraqi legislator defined the criminal intent in Article (33/1) of the Penal Code by saying: "The criminal intention is to direct the perpetrator of his will to commit the act constituting the crime, with the aim of the outcome of the crime. That occurred or any other criminal result."
- 29- The general criminal intent is achieved by the will of the perpetrator, the criminal result, and the knowledge of the perpetrator, meaning that the intention is the same. Because of the criminal intent of the crime, terrorists have the intention to destabilize and secure the state in order to achieve terrorist goals, spread terror and fear in the hearts of citizens, and create an atmosphere of internal insecurity in the state.
- 30- Mahmoud, Dary Khalil, previous source, p. 67.
- 31- Al-Naqbi, Saeed Bahbouh, (2011), The Criminal Response to Terrorism, First Edition, Dar Al-Nahda Al-Arabiya, Cairo, p. 16.
- 32- Al-Youssef, Abdul-Aziz, (2003), the modern concept of crime prevention and delinquency, symposium "Modern Trends in Educating Citizens on Crime Prevention Techniques", first edition, Naif Arab Academy for Security Sciences. Riyadh, Kingdom of Saudi Arabia, p. 10.
- 33- Sorour, Ahmed Fathi, (1980), the Mediator in the Code of Criminal Procedure, Arab Renaissance House, Cairo, p. 494.
- 34- Muhammad, Hussam, previous source, p. 18.

- 35- Ibrahim, Akram Nashat, (2008), *General Rules in the Comparative Penal Code*, Second Edition, Al-Sanhouri Library, Baghdad, p. 298.
- 36- Ibrahim, Akram Nashat, previous source, p. 303.
- 37- Article (86) of the Iraqi Penal Code No. (111) of 1969 provides for an amendment: "The death penalty is the hanging of a death row."
- 38- Article (87) of the Iraqi Penal Code No. (111) of 1969 amended: "Imprisonment is the deposit of a convict in one of the legally designated penal institutions for this purpose for a period of twenty years if it is life and the periods indicated in the sentence if it is temporary. Temporary is more than five to fifteen years unless the law stipulates otherwise, and the total penalties for deprivation of liberty may not exceed twenty-five years in all cases. If the law requires a period of imprisonment, consider this as a temporary prison. Punitive. See Articles (47-50) of the Iraqi Penal Code No. (111) of 1969 and its amendments.
- 39- Judge Bayrakdar, Abd al-Sattar said: "The Central Criminal Court issued rulings after the court found that it belonged to the terrorist organization ISIS and also recognized marriage to ISIS operatives, providing logistical assistance to the organization's members and assisting them in carrying out terrorist operations, and that all rulings Appeal before the Court of Cassation. "Bayrakdar, Abdul Sattar, (2018), Central Criminal Court rulings, article available on the Al Jazeera website directly at: <http://mubasher.aljazeera.net/news>. The Iraqi Central Criminal Court also sentenced more than 300 foreign jihadists to death or life imprisonment, the majority of whom are women from Turkey and the former Soviet republics. Ruyih, Abdul Amir, (2018), ISIS widows recount how their husbands deceived them during their trial, the article is available on the network News at: <https://m.annabaa.org/arabic/violenceandterror/16039>.
- 40- Al-Hariri, Jassem Younis (2014), *Terrorism Online*, article available on the Middle East Online website: <https://middle-east-online.com>.
- 41- Al-Khalaf, Ali Hussain and al-Shawi, Sultan Abdul Qadir, previous source, p. 415.
- 42- Article (6/2) of the Iraqi Anti-Terrorism Law No. (13) of 2005.