

# Proactive Measures: Countering the Returnee Threat

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Articles & Testimony

**Governments across the Middle East and far beyond are already changing their policies to address the problem of jihadist returnees from Syria, highlighting the scope and seriousness of the threat.**

**F**ears that foreign fighters traveling to Syria might return home once the conflict is over and engage in terrorism have prompted an unprecedented level of proactive measures by countries around the world. In the past, many countries only changed their laws after an attack occurred, but this time around many states are trying to get ahead of the issue.

Compared to the number of foreigners who fought against the United States in Iraq or the Soviets in Afghanistan, the number of foreigners fighting in Syria has exceeded both of those cases -- and in less than half the time. Around 9,000 individuals from more than 80 countries have joined the fight against the Asad regime, with the majority coming from the Arab world and Western Europe. U.S. intelligence officials told the *Los Angeles Times* in February that at least 50 Americans had joined the fight in Syria, and FBI director James Comey recently stated that the number of Americans who had either traveled to Syria or tried to do so had grown by a few dozen since the beginning of 2014.

The United States was one of the first to designate Jabhat al-Nusra, Al Qaeda's branch in Syria, as a terrorist organization. Some European Union (EU) countries, as well as Canada, Australia, and Britain, have followed suit. The United States has also used sting operations to stop individuals from joining the fight. Australia has used laws already on the books that allow it to revoke individuals' passports to prevent its citizens from going to fight in Syria in the first place and to prevent those who have already gone from getting back into the country. In the EU, the Netherlands has banned certain individuals from returning home, used ankle bracelets to track those who have

returned from Syria, and ruled that preparing to travel to Syria to participate in jihad is a crime. In Germany, three different Salafist organizations have been banned for providing recruitment networks for groups fighting in Syria, and one German official has proposed setting up a network of telephone hotlines and counseling centers to enable friends and relatives to report radicalized young men as a sort of early warning system. Some EU countries have also discussed cutting off individuals' access to government benefits such as healthcare and other social services if they've participated in the jihad in Syria.

One way Britain has tried to combat the recruitment of its citizens is by removing recruitment material from the Internet. Between January and March 2014, Britain had 8,000 "takedowns" of online content -- a sudden and dramatic increase, considering there were only 21,000 takedowns conducted over the previous four years combined. The Foreign and Commonwealth Office has also been putting money into a social media program aimed at deterring British citizens from traveling to Syria to fight. In addition, the British police recently announced that they will be partnering with charitable organizations in a campaign to prevent young people from going to Syria. As reported by the *New York Times*, "Officers plan to hand out leaflets at British ports warning of the risks of traveling to Syria, and officers plan to advise people who want to support humanitarian efforts in Syria to avoid traveling there and to donate to nonprofit organizations instead." Just last week, the House of Commons Home Affairs Committee issued a detailed report recommending a number of new policy initiatives aimed at dealing with the returnee threat; these included revoking the passports of British citizens fighting in Syria, sending "spotters" to countries that border Syria to identify British citizens at risk of crossing the border to fight (a program currently used to track soccer hooligans in foreign countries), and coordinating with mental health practitioners to help returning fighters cope with the violence they've experienced. And according to the *New York Times*, the House of Lords on Monday "passed legislation that allows the government to strip terrorism suspects of their citizenship even if it renders them stateless."

Britain's counterparts in France launched a new counter-radicalization program in October 2013, and they recently announced an expansion of the program with 20 additional measures, including a plan to stop minors from leaving France without parental consent; increased surveillance of Islamist websites that recruit fighters; and, similar to the program proposed in Germany, a system to encourage parents to identify and report suspicious behavior in their children.

Smaller countries like Bosnia, Finland, and Azerbaijan are also considering strengthening their anti-terrorism laws. Bosnia recently passed a law that imposes a sentence of up to ten years for any citizen who fights or recruits others to fight in a conflict abroad. Finland's parliament has begun to debate strengthening their terrorism laws to include making it a criminal offense to receive training to commit acts of terror. In Azerbaijan, an amendment has been introduced to increase penalties for involvement in international terrorism, financing of terrorism, and using any form of media for extremist purposes.

Most countries in the Arab world are also concerned and are taking steps in anticipation of potential problems. Saudi Arabia has done this before, opening a rehabilitation center in Riyadh in 2007 for all Al Qaeda members serving prison sentences. Beyond opening additional rehabilitation centers to serve those who fight in Syria, the Saudis have increased preventive measures in several other ways: in early February 2014, the government issued a royal order declaring that any citizen who fights in conflicts abroad will face between three and twenty years in jail. A month later, the Saudis released a royal decree designating Jabhat al-Nusra and Al Qaeda in Iraq (better known these days as the Islamic State of Iraq and Syria, or ISIS) as terrorist organizations.

To help deter further recruitment of Saudi citizens by groups in Syria, the Saudis also promoted a disillusioned returned Saudi fighter, Sulayman Sa'ud Subai'i, on the television program Humumana ("Our Concerns"). In the show, Subai'i explained that the Syrian jihad is not as glamorous as it is portrayed in the media and online and decried a

number of offensive practices he saw various rebel groups in Syria engaged in, including what he referred to as "the weaponization of takfir" among the different rebel groups. (Takfir is an Islamic term that refers to the act of labelling another Muslim as a non-Muslim, which in this context then implies that one can now kill that person.)

In Kuwait, where much of the financing for extremists in Syria has originated or been routed through, members of parliament passed a bill in early April 2014 to combat money laundering and funding of terror groups that carries a potential sentence of up to 20 years in prison. Similarly, Turkey passed an anti-terrorism finance law in February 2013 in order to maintain compliance as a member of the Financial Action Task Force, a money-laundering watchdog organization comprised of 36 members. The new law allows the state to freeze the financial assets of terrorists without a court order; however, Turkey's enforcement of these laws remains very poor. More recently -- and perhaps more effectively -- Turkey also changed its policy related to issuing tourist visas. Starting in mid-April 2014, tourists wanting to travel to Turkey must obtain a visa ahead of time and cannot simply get one at the airport once they arrive in Turkey. Turkey has also administratively authorized a no-entry list for over 3000 individuals based on information received from Interpol, other countries, and individuals' families. In addition, the country has started building a fence along parts of its border with Syria.

Major fighting along Jordan's borders since the conflict in Syria began combined with the fact that a number of Jordanians have gone to fight in Syria prompted Jordan to update its 2006 Anti-Terrorism Law: amendments include a clause that criminalizes the act of joining or attempting to join jihadi groups abroad and recruiting or attempting to recruit for these groups. The law also explicitly criminalizes using "information technology, the Internet or any means of publication or media, or the creation of a website, to facilitate terrorist acts or back groups that promote, support or fund terrorism."

In Lebanon, where violence has spiked tremendously due to the spillover effects of the Syrian conflict raging next door (including several bombing incidents carried out by Al Qaeda-affiliated groups), laws have remained unchanged thanks to a 10-month period of political deadlock that has prevented the formation of a government. Instead, law enforcement personnel have beefed up their domestic enforcement efforts, including dramatically increasing the number of arrests and preemptively detonating cars they suspect of being rigged with explosives.

Taking a less bellicose approach, the Tunisian government has established a mechanism for individuals who have gone to Syria but have not killed anyone to be integrated back into society through an amnesty program. Ridha Sfar, a deputy minister in Tunisia's interior ministry, described it as "a forgiveness and repentance law which was previously enacted in countries like Algeria and Italy," and said that the policy applied to "[a]ny Tunisian who does not have blood on his hands." Morocco is also looking into a reintegration process for those who do not pose a security risk. Currently, the Moroccan government is using administrative powers to delay the issuance of passports to those it suspects intend to travel to Syria to fight; however, this measure is unlikely to be successful since of the Moroccans that have traveled to Syria, 81% were previously unknown to Moroccan security forces.

Broader multilateral approaches are also being taken to mitigate this issue. In February 2014, the Global Counterterrorism Forum (GCTF) -- an international organization created by the United States and Turkey in 2011 with 30 member countries and partnerships with several other international organizations -- launched the "Foreign Terrorist Fighters" Initiative. Led by the Netherlands and Morocco, the Initiative "will include two expert meetings and the development of good practices that could be adopted by the GCTF at the ministerial level." At the opening meeting, participants discussed the challenges posed by foreign fighters and the ways different countries and organizations are already dealing with the issue. For instance, some states have begun utilizing Interpol yellow notices -- designed to locate missing persons -- to disseminate information about suspected foreign fighters.

Only time will tell how effective all of these policies will prove to be at mitigating the threat of foreign fighters returning home from Syria. The fact that countries across the region and far beyond are already making such

changes indicates the seriousness of the threat posed by the proliferation of violence well beyond Syria's borders. Foreign fighters present such a complex problem that prospects for failure are likely. Multilateral counterterrorism mechanisms instituted after 9/11 mean that the United States and the international community do not have to build capabilities and relationships from scratch. Yet even as additional programs and policies are implemented and strengthened, the fact remains that it only takes one successful attack for these policies to be deemed insufficient. Attacks have already occurred in the Middle East, where security is precarious due to domestic instability, and attacks have quietly been thwarted in western countries as well.

The United States must remain vigilant at home and continue to take a leadership role abroad, encouraging best practices and helping foreign governments craft policies to address the threat. In particular, the United States needs to apply further pressure on certain key countries, such as Turkey, which is the main point of entry into Syria for foreign fighters and whose borders are still notoriously easy for fighters to cross, and Kuwait, which remains the "epicenter of fundraising for terrorist groups in Syria."

Meanwhile, the source of the problem -- the Syrian conflict itself -- has become what the *Economist* describes as a "bloody stalemate" with no end in sight.

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