



NATO Parliamentary Assembly

COMMITTEE ON  
THE CIVIL DIMENSION OF SECURITY

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CHALLENGES IN ADDRESSING  
HOME-GROWN TERRORISM

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GENERAL REPORT

***Joëlle GARRIAUD-MAYLAM (France)***  
***General Rapporteur***

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## I. INTRODUCTION

1. Terrorism has been a constant feature of modern history. It has taken on various forms including far right or separatist movements in Europe that were often characterised by the use of explosives in public places or by targeting prominent personalities. Yet, with the rise of violent jihadism the terrorist threat has reached a new level of barbarism and destruction. There is little hope that this danger will recede in the foreseeable future. A number of confused and/or violent individuals in Western societies have taken seriously the call of the so-called Islamic State (formerly known as the Islamic State of Iraq and al-Sham – ISIS, also referred to as Daesh) in addition to 18 other armed terrorist organisations to join the “jihad” (or Holy War). The shocking terrorist attacks in Paris in January 2015 have been labelled Europe’s 9/11. These attacks have propelled the issue of terrorism back to the forefront of Europe’s political agenda. The advances of ISIS and other ISIS or al-Qaeda-inspired militant groups in Africa and Asia have greatly alarmed the Euro-Atlantic community. Prior to the developments, it was widely believed that these groups, unlike Bin Laden’s al-Qaeda, had essentially local agendas and did not pose a direct threat to Western societies.

2. The *Charlie Hebdo* attack proved this is not the case and has prompted intelligence services, analysts and policy makers to focus increasingly on the threat of jihadi terrorist attacks perpetrated by individuals who were born and/or raised in the West. This type of terrorism has become a concern particularly due to the increasing number of Westerners joining militant jihadist movements and the operatives’ close familiarity with the societies they are targeting. The security of the Euro-Atlantic community can thus be affected by the participation of their own radicalised citizens in conflicts such as the Syrian civil war, Iraq, Somalia or Nigeria, especially if they subsequently return home. This is what is referred to as the “blowback” problem. While this problem is not new *per se*, there are a number of new factors which include: the extent to which Syria features as a destination for alleged jihad, the huge numbers of individuals who have travelled there, and the threat they pose upon their return. Groups like ISIS or al-Qaeda in the Arabian Peninsula (AQAP) can evidently inspire individuals to conduct attacks outside of the Middle East and North Africa (MENA) region; and if these attacks are committed by individuals who have received training from a terrorist group and have access to weapons, this attack is likely to be more sophisticated.

3. The scope of the challenge, however, goes beyond the returning fighters phenomenon. Some domestic terrorists have had only indirect contact with militant groups in Africa or the Middle East or, in some cases, no contact at all. Frustrated individuals who have not been able to travel to Syria proved to be as dangerous as those who have travelled there and have returned home. European and North African youth have been the target of very modern, professional and intensive communication campaigns by ISIS. The radicalisation of certain individuals or groups in Western society is therefore a much more complex issue that requires urgent, in-depth analysis followed by adequate response.

4. The attack on a Thalys train by a young individual of Moroccan origin on 21 August 2015 is yet another reminder that strong anti-terrorist action is needed. In this and several other cases, it was luck rather than preparedness that prevented more serious damage.

5. This General report builds upon the findings of the 2014 report of the Sub-Committee on Democratic Governance [Combating Terrorism: Building Security and Defending Democratic Institutions](#). The General Rapporteur argues that the complex nature of the terrorist threat combined with the new trends mentioned above require the Euro-Atlantic community to revisit and adjust its strategies and instruments. In particular, improvements are urgently needed in the area of information exchange among law enforcement and intelligence agencies. The issue of arms trafficking should also be seriously tackled: a lot of weapons abandoned by Syrian soldiers fleeing from ISIS have been seized by terrorists in Afghanistan, Libya as well as in Syria. The issue of terrorist financing, which relies heavily on arms but also on human and antiquities trafficking

schemes, needs to be seriously addressed as well. There is also a need to supplement law enforcement methods with long-term strategies designed to tackle the spread of extremist ideologies. The Rapporteur will once again underscore the importance of additional safeguards to ensure that anti-terrorist and de-radicalisation policies do not infringe on fundamental rights and liberties.

## II. THE EVOLVING NATURE OF TERRORISM: TRENDS AND LESSONS LEARNED

6. The first half of 2015 was marked by shocking terrorist attacks in several European capitals. On 6 January 2015, an 18-year old pregnant female foreign terrorist fighter from Russia committed a suicide attack in Istanbul, killing a police officer. Over the course of next three days, starting 7 January 2015, Paris experienced two terror attacks and two hostage situations resulting in 17 people killed and at least 20 injured. Two gunmen with Kalashnikov assault rifles stormed into the offices of *Charlie Hebdo* magazine in Paris, attacking staff and others present during an editorial meeting. Two days later, a hostage situation took place in a kosher shop in eastern Paris. During these attacks, three of the terrorists involved were killed and one fled.

7. Shortly after the Paris terror attacks, two men were killed by the Belgian police after opening fire during a raid on 15 January 2015. The raid was one of about a dozen conducted at the homes of Belgian foreign fighters that had returned from Syria and were about to launch "terrorist attacks on a grand scale". A month later, a violent jihadist extremist carried out shooting attacks at a free speech event and then later at a synagogue in Copenhagen, killing two people. The attacker, who tried to flee, was later killed in a shootout with a SWAT team. Five police officers were wounded in the attacks. In June 2015, France experienced another gruesome terrorist incident when a man seemingly tried to blow up a factory belonging to a US gas company in Saint-Quentin-Fallavier, some 40km from Lyon. A decapitated body and flag with Arabic inscriptions were found near the explosion site. Two people were hurt in the blast. In August 2015, Ayoub El-Khazzani attempted to perpetrate a terrorist act on a Thalys train with heavy weapons. Fortunately, due to the courage of a few American, British and French passengers, no one on the train was fatally injured.

8. According to prominent counterterrorism expert Thomas Hegghammer, the terror attacks in Paris differ significantly from what is characterised as a typical so-called lone wolf attack. The shootings in the Canadian Parliament and the hostage-taking in Sydney in late 2014, on the other hand, are clear examples of such lone wolf attacks. In the case of the *Charlie Hebdo* assault, the attackers were not amateurs and were clearly used to handling the weapons they had acquired, probably with the financial help of a well-organised terrorist network. Consequently, the damage was greater, making it the fourth most lethal terror attack in Europe in the 2000s after Utøya, London and Madrid.

9. Recent terrorist attacks clearly indicate that the problem of returning fighters is real. The shooting at the Jewish Museum of Belgium in Brussels in May 2014 was carried out by French national Mehdi Nemmouche, who had previously fought in Syria, while one of the perpetrators of the *Charlie Hebdo* shooting, Saïd Kouachi, had previously trained with al-Qaeda in Yemen. Saïd Kouachi's brother Chérif was helping to recruit young French jihadists in conjunction with Iraqi al-Qaeda leader Al-Zarqawi. The perpetrator of the Toulouse and Montauban shootings in March 2012, French national Mohammed Merah, reportedly travelled to Afghanistan and Pakistan where he had contact with al-Qaeda. It has also been reported that El-Khazzani, the perpetrator of the Thalys attack, had previously travelled to Turkey and it is possible that he may also have travelled to Syria.

10. In January 2015, the total number of foreign fighters joining militant organisations in the Syria/Iraq conflict reached approximately 20,000 (around 4,000 coming from Europe) according to the International Centre for the Study of Radicalisation and Political Violence (ICSR), surpassing estimates made in October 2014 by more than 5,000. In May 2015, the United Nations estimated

that there had been a 70% increase of foreign terrorist fighters worldwide since mid-2014, with around 25,000 foreign fighters having travelled to Syria, Iraq, Afghanistan, Yemen and Libya. Europol's numbers indicate that about 3,000-5,000 Europeans have left Europe to fight in Syria, Iraq and other conflict zones. About 2,500 names of suspects have been collected, most of which come from the largest European countries – predominantly from France, but also from the United Kingdom and Germany. France accounts for about 1,800 of the individuals involved in jihadist networks (July 2015 figures), more than half travelling to Iraq and Syria. This number far exceeds the number of all departures to Afghanistan in ten years. There has been an increase of 42% since the beginning of 2015, 107% from a year ago and +227% since the beginning of 2014. Forty-three percent are women and 56% are reported to have converted to the Muslim faith. It is estimated that over 600 British citizens have gone to the Middle East to join militant groups, including the infamous "Jihadi John", who has appeared in several beheading videos. According to the head of Germany's federal domestic intelligence service, 60 Germans have been killed in Syria and Iraq to date and around 180 have returned. However, relative to population size, the most heavily affected countries are Belgium, Denmark, and Sweden. It has to be noted that international recruits account for less than 10% of ISIS's fighting force, according to the ICSR. The number and percentage of returning fighters is unclear. It is also important to point out that some Western foreign fighters have travelled to Syria and Iraq to fight with militias against ISIS.

11. The record high numbers of Western citizens currently participating in jihadist fighting abroad is believed to have strongly increased the threat of terror attacks in their home countries. Tentative numbers indicate that the ratio of foreign fighters to those who subsequently attempt attacks at home is nine to one. It seems that although most foreign fighters do not return for domestic operations, those who do are more effective operatives than nonveterans. The status of foreign fighter enables them to recruit and radicalise others to fight – abroad and at home. It has to be noted, however, that the return rate, or blowback rate, varies significantly between conflicts.

12. The reasons why fighters decide to join a conflict in another country are many, complex, and constantly evolving, but security officials believe the decision is often less an act of religious or political commitment than an act of young, predominantly male, rebellion and thirst for adventure (Byman & Shapiro, 2014). In general, the extraordinarily high numbers of Western foreign fighters in Syria/Iraq compared to previous conflicts can be attributed to two main factors: firstly, the suffering in Syria has been so severe and visible that more people than usual have been inspired to get involved, and secondly it is relatively easy to travel to Syria compared to other foreign fighter destinations. Interestingly, the proportion of female jihadists among foreign fighters is also relatively high compared to previous conflicts. This may reflect a change of norms within militant groups and a shift towards targeted recruitment strategies aimed at women (Hegghammer, 2013). Most of these women are inexperienced, impressionable, and have been recruited through Internet with a promise of a wedding and an adventurous, happy life in the Muslim world. The number of converts among foreign fighters is also high and, as this Committee heard from French expert Mathieu Guidère, the "true believer syndrome" is a very worrying phenomenon as converted Muslims want to appear more religious than average Muslims. According to Guidère, converts perpetrate the most gruesome acts of terror.

13. Research indicates that militants usually do not leave intending to initiate a domestic attack upon their return, although some acquire the motivation to do so along the way. Even if they travelled to a combat zone ideologically unformed, their views often change through extremist teaching coupled with weapons training in camps, the experiencing of being part of something bigger and a sense of loyalty to their fellow fighters and teachers. Training camps give recruits a sense of mission and focus, and the experience of brutal combat hardens fighters in addition to providing them with practical skills. The fighter may gradually change his/her perception of the legitimacy of domestic fighting and reject normative constraints on terrorism. This outcome could be the result of being exclusively surrounded by fellow militants and exposed only to a narrow range of clerical opinions on violence (Hegghammer, 2013).

14. Some observers are concerned that ISIS fighters might reach Europe disguised as refugees, travelling in boats from Libya. Credible evidence of this phenomenon is lacking, however, and some experts doubt that terrorists would choose such a risky route. That said, some militant groups in North Africa and the Middle East are certainly profiting from human trafficking and are acquiring greater financial capacity while exacerbating the refugee crisis in southern Europe.

15. Despite the fears of a wave of terrorism sweeping over Europe in the wake of the Syrian war and the crisis in Iraq in particular, the threat of the foreign fighter blowback problem can easily be exaggerated. Similar threat alarms were, for example, raised after the 2003 US war with Iraq, but returning foreign fighters proved much less of a threat than predicted by security services. Experts indicate several mitigating effects that reduce – although do not eliminate – the potential terrorist threat of foreign fighters returning from Syria and Iraq including the fact that: many die while fighting abroad; many never return home, and instead continue to fight in the conflict zone or in the next battle for jihad; many quickly become disillusioned and are not violent; and others may be arrested or disrupted by intelligence services. Given today's extensive surveillance and intelligence networks, becoming a foreign fighter will likely attract the attention of security services (Byman & Shapiro, 2014). That said, lessons from previous foreign fighter cases cannot always be applied to today's circumstances; in recent years youth unemployment in Europe and North America has increased. As a result, many people of Arab descent feel alienated and become increasingly disillusioned, which makes them more prone to radical ideology.

16. It is important to point out that many domestic terrorists have not been foreign fighters. Many have not been in contact with veteran fighters nor have they been known to have aspirations to fight abroad. The Chechen brothers Dzhokhar and Tamerlan Tsarnaevs, naturalised US citizens and the perpetrators of the Boston marathon bombings in April 2013, the Ottawa Parliament Hill shooter, Canadian citizen Michael Zehaf-Bibeau, the Sydney hostage taker Australian citizen Man Haron Monis, Paris shooters Chérif Kouachi and Amedy Coulibaly as well as the *Jyllands-posten* shooter Omar Abdel Hamid El-Hussein have never fought or trained with extremist groups in Central Asia or Africa.

17. There are several explanations as to how these Western citizens were introduced to extremist ideology and why they turned to terrorism. Some of these individuals were radicalised in prison (for instance, El-Hussein in Denmark and Mohammed Merah in France, Chérif Kouachi and Amedy Coulibaly also met and became friends in prison), and some were radicalised through contacts with radical preachers (Chérif Kouachi and Amedy Coulibaly). Some (again Chérif Kouachi and Amedy Coulibaly) received paramilitary training in local underground jihadists training cells such as Buttes-Chaumont in Paris. Medical reasons, such as mental illness or deep psychological problems, are also factors to be considered in certain cases (for instance, Zehaf-Bibeau in Canada and Mohammed Merah in France).

18. The Internet and social media are extremely powerful tools for recruiting extremists and to radicalising followers. The Tsarnaevs brothers in the United States, Man Haron Monis in Australia and El Hussein in Denmark had been actively using online platforms to gain access to extremist ideology and to share their views. The lectures of influential violent jihadist ideologist Anwar al-Awlaki, himself an American citizen, have been particularly popular among radical audiences. These lectures as well as other resources such as the Internet magazine *Inspire* are believed to have prompted several lone wolf terrorist plots, such as the attempt to blow up Northwest/Delta Airlines Flight 253 on Christmas Day 2009. According to the Muslim Public Affairs Council, of the 28 reported plots in the United States between 2009 and 2012, al-Awlaki played an inspirational and/or operational role in 18 of them. ISIS has also developed a skilful online presence using Twitter, Facebook and other social media outlets to spread their messages and recruit new fighters. ISIS even commissioned a full-length propaganda video that is available online. Apart from posting brutal images such as the decapitation of hostages, ISIS also produces peaceful images, depicting, for instance, allegedly thriving agricultural activity in territories under their control. In March 2015, a CDS delegation was briefed by New York Police Department

(NYPD) officials about the extensive use of online resources by radicalised US citizens plotting to commit terrorist acts in New York City.

19. The Paris and Copenhagen attacks point to some additional trends in the evolution of the terrorist threat. First, according to Hegghammer, the targets of most of the recent terror attacks in the West have been so-called soft targets, i.e. unarmed non-governmental entities, rather than hard targets, such as political organisations, high ranking politicians or heads of state. According to a prevailing theory, the objective of terror attacks is not to produce a lot of casualties *per se*, but rather to cause mass fear and to gain the attention of the media by hitting symbolically important targets. Cartoonists such as those at *Charlie Hebdo* or *Jyllands-posten* have been regarded as "prestige" targets for radical extremists. Since the start of the Muhammad cartoons controversy in 2005, there have been several plots and smaller attacks, especially against *Jyllands-posten*, but until January no large-scale attack had succeeded.

20. The second recent element of evolution has been the use of hand weapons. Hand weapons were used in the vast majority of the recent attacks in the West. A possible reason might be that hand weapons are easier to acquire and use than bombs, and terrorists, to a larger extent, can control who they target and hit. It is therefore necessary to redouble efforts to curb the trafficking of these weapons. In contrast, the typical terror attack in Europe ten years ago was simultaneous bombings of transportation systems, where terrorists had little control over who they actually hit. Despite their claims to the contrary, al-Qaeda and affiliated groups have, since the London bombings in 2005, killed more Muslims (mostly Shiites) than non-Muslims, which has created certain problems vis-à-vis their supporters. The trend of more precise targeting seems to be valid also for international jihadist terrorism, an example being the Westgate shootings in Nairobi where terrorists made an effort to spare Muslims. The use of hand weapons can, to some degree, solve this dilemma, although the terrorists behind the Paris attacks did not hesitate to kill the Muslim policeman Ahmed Merabet who was on guard at the *Charlie Hebdo* offices.

21. Thirdly, there seems to be a shift away from the previously prevalent suicide attack method. We now see a tendency for attackers to try and escape the scene after the attacks, although so far this has been unsuccessful; perpetrators have so far either been killed or arrested. In the event of an arrest, the perpetrators often try to defend themselves and profess their innocence. Such terrorists are therefore referred to as "lumpen-terrorists" – confused people who have not received appropriate training by ISIS and are not ready to die for the cause.

22. It is important to note, however, that the emergence of these new trends merely adds to the complexity of the terrorism challenge and does not replace previous, more traditional terrorist threats. These trends do not in any way exclude large scale indiscriminate suicide attacks with explosives, or other attack characteristics, as possible future scenarios. Developments within and between terrorist organisations will continue to have a decisive impact on the modus operandi of future terror attacks in the West. Compared to al-Qaeda, ISIS has an extreme sectarian agenda and celebrates brutal acts of violence, both of which could have an impact on future attacks in the West; the beheading in the recent Saint-Quentin-Fallavier attack may be an example of that. Rivalry between terrorist groups may also lead to a rise in terror attacks in the West as groups compete to improve their status, legitimacy, support and recruitment.

### **III. RESPONDING TO THE CHALLENGE: THE LAW ENFORCEMENT DIMENSION**

23. The anti-terrorism toolbox in the Euro-Atlantic community includes preventive and reactive actions of various law enforcement institutions, de-radicalisation strategies and cooperation among state and international institutions. Responses vary significantly across member states both in terms of what tools they chose to employ and the extent to which they are employed. As with counterterrorism policies in general, there is ongoing debate in Western societies as to how law enforcement agencies should tackle the problem of domestic terrorism and foreign fighters in

particular. This debate centres on the potential trade-offs in liberal democratic states between public safety and privacy as well as between security and civil liberties. Other issues include analysing the relative effectiveness of different policies, such as extensive surveillance, imprisonment, censorship, and the application of travel restrictions, versus the financial costs of these policies. The revocation of citizenship is also a burning issue as international public law prohibits such a revocation if it results in an individual becoming stateless.

#### A. NATIONAL LAW ENFORCEMENT EFFORTS

24. Preventing and responding to domestic terrorist attacks remains the responsibility of national law enforcement bodies, including intelligence agencies and police. Ultimately, it is their responsibility to implement major international decisions such as the UN Security Council Resolution (UNSCR) 2178 on foreign terrorist fighters, adopted in September 2014 and supported by over 120 states. The resolution calls on all UN member states to ensure increased border security and to screen for and even arrest foreign terrorist fighters travelling to or returning from conflict areas. Member states are required to legally criminalise, *inter alia*, a) the travel for the purpose of perpetration of terrorist acts or to receive terrorist training, b) the collection of funds for foreign fighters; and c) facilitation (including acts of recruitment) of the travel of individuals to participate in terrorist activities.

25. UNSCR 2178 identifies INTERPOL as the "global law enforcement information sharing" platform against foreign fighters. Almost 40 countries have already provided information to INTERPOL on more than 1,500 suspected and confirmed fighters linked to Syria and Iraq (as of 19 February 2015). According to the agency, they have shared their analysis on demographics, travel routes and tactics in order to support actions against these individuals. Individuals flagged by INTERPOL alerts (known as Notices or Diffusions) can be tracked and arrested for extradition. Furthermore, INTERPOL's Stolen and Lost Travel Document database makes information on revoked, stolen or lost passports available at the borders, inhibiting the travel of foreign fighters on stolen identities.

26. The power of national law enforcement agencies differs within the Euro-Atlantic community. In general, in **France**, society including government officials, major political parties, judges and the media demonstrate a large degree of consensus on what is an appropriate balance between security and liberty. The predominant view is that the security of the Republic supersedes other considerations (Foley, 2013). However, a large percentage of the French population would refuse, for instance, to spend additional time queuing in security check lines at the airport. In France, as in most European countries, there is also a strong lobby within civil society and among parliamentarians advocating for privacy above security. Several organisations are using social networks to promote this view.

27. French counterterrorism forces are generally believed to have some of the most sweeping powers in the democratic world. After the wave of terrorist bombings in the 1980s, France introduced several major counterterrorism acts and has continually expanded the authority of counterterrorism investigators, known as investigative magistrates, allowing them to order wiretaps and hold suspects for long periods of time without any charges. Under French law, all terrorism cases are dealt with by special prosecutors and cases involving serious terror-related offenses can be tried in courts with special judges, as opposed to ordinary courts. The investigative magistrates can quickly order wiretaps or preventative detention of suspects. These powers have been used to arrest large numbers of suspects in the investigation of terrorist plots. France's approach is relatively aggressive when it comes to detentions, arrests and deportations. For example, between 2001 and 2010, 129 alleged extremists were deported from France, compared to just nine in the United Kingdom (The Economist, 2014). Since 2012, 40 imams have also been expelled from the country for preaching hatred, ten of which were expelled during the first six months of 2015 according to Interior Minister Bernard Cazeneuve. The use of preventive detention is also widespread (albeit this has been heavily criticised lately as it can encourage radicalisation within



prisons); in 2012-2013, French authorities arrested 234 people for jihadist terrorism, only 32 actually faced trial (Jenkins & Clair, 2015). It should be noted that French counterterrorism structures suffer from a lack of adequate funding. There are only eight judges specialised in anti-terrorism and jails are overcrowded. Marc Trevidic, a prominent French judge, has also expressed his concerns to the General Rapporteur that although France has a sophisticated encryption and decoding programme to track terrorist communication, it is obviously preferable to gain access to relevant information before it is encoded by extremists. Due to red tape, however, it is very difficult to gain access to such information in a sufficient amount of time.

28. A new counterterrorism law was adopted in 2012 that made possible to prosecute French citizens who return after having committed acts of terrorism abroad, or after training in terrorist camps. A new bill adopted in 2014 further prohibits travel abroad to take part in terrorist activities and allows for the confiscation of identification documents for up to two years when an individual is suspected of such activities. If an individual is suspected of attempting to travel to a “zone where terrorist groups operate in conditions that could lead to a threat to national security,” he or she could face a travel ban of up to six months. In February 2015, France seized the passports of six citizens and banned 40 from travelling abroad after they were supposedly planning to travel to Syria and Iraq. It was the first time the measure had been enforced in France following its introduction. In May, the French Parliament passed a surveillance bill allowing intelligence agencies to tap digital and mobile phone communications without prior authorisation from a judge. It also obliges communication companies and Internet service providers to permit intelligence services to record metadata from all Internet users in France.

29. French investigators have been known for their skills at gathering human intelligence and inside information on terrorist groups (but not always acting on this information properly, due to a lack of personnel). However, sometimes they face criticism from human rights watchdogs such as Human Rights Watch, which has expressed concern that French travel restrictions rules give very broad and vague powers to law enforcement agencies.

30. France has also decided to put more emphasis on the development of "Reserve citoyenne", a body which mobilises citizens and associations wishing to participate in the defence of the values of the Republic by, for example, monitoring cyber activities, answering the special helpline and even helping the police and army within the *Sentinelle* framework.

31. The **British** approach to anti-terrorism law enforcement measures has been more cautious than that of France. Unlike France, ordinary courts and jury trials are used for trying terrorism cases. In addition, terrorism offences are defined in more precise terms and are less wide-ranging. According to the International Centre for the Study of Radicalisation and Political Violence in London, British politicians advocate for fundamentally different and competing ideas on how society should balance national security and the civil liberties of its citizens. As a result, the British counterterrorism strategy – titled CONTEST launched in 2006 with four aims to "Pursue, Prevent, Protect and Prepare" – has undergone significant revisions following changes in governments.

32. In the context of recent attacks, the British government has increasingly favoured a more pro-active approach. Following the Paris shootings, and due to the growing concern over British Muslims travelling abroad to join groups like al-Qaeda and ISIS, the Counter-Terrorism and Security Act was adopted in February 2015. According to the Home Secretary, the British police and security services will obtain new powers as the UK faces a terror threat that is "perhaps greater than it has ever been" (BBC, 2014). Included in the Act is a provision that allows the police to temporarily seize and retain travel documents at the port of entry where there is reasonable suspicion that a person intends to travel to engage in terrorism-related activity outside the UK. The law also allows authorities to force suspects to move to another part of the country and provides for tighter aviation security, including penalising airlines for not providing data when required to do so. This new measure also bans insurance companies from covering ransoms and forces private firms to hand over details regarding computer or mobile phone use to the police when requested.

In addition, the Charity Commission will be given the authority to “root out charities who misappropriate funds towards extremism and terrorism”, and in certain cases “Extremism Disruption Orders” will be issued to restrict the movements of individuals who attempt to radicalise young people.

33. Following an attack against a hotel in Tunisia in June 2015, the British government announced its intention to take measures to ensure that law enforcement and intelligence agencies have sufficient power to access vital online communications data. The fast-track emergency surveillance legislation will also introduce new measures to boost oversight and transparency, including limiting the number of public bodies that have the right to access communications data. According to Prime Minister Cameron, the emergency legislation will only last until the end of 2016 to allow sufficient time for debate to take place on the balance between interception powers, and civil liberties and public privacy over the long term.

34. In the **United States**, one of the main pieces of legislation has been the Patriot Act, passed in 2001, which granted federal authorities a wide range of powers to carry out surveillance and interception, and to manage security and money-laundering. Under US law, in contrast to, for example the United Kingdom, evidence from telephone taps can be used as evidence in court. However in June 2015, key provisions of the Patriot Act relating to counterterrorism expired, and the new Freedom Act was passed by the Senate a day later. The bill will end the mass collection of American phone records by the National Security Agency (however, the Freedom Act includes a provision for a six month transition period before collection is definitively halted), while restoring some of the power to security agencies that expired with the Patriot Act. It will place record storage in the hands of private companies, create a public-interest advocate for the secret Foreign Intelligence Surveillance (FISA) court that will oversee surveillance programmes, and require the court to notify Congress when it reinterprets law.

35. President Obama has retired the special term "enemy combatants" that was used during the post-9/11 War on Terror, which stipulated that terrorist offenders would be subject to military law. As a result, Dzhokhar Tsarnaev, the suspect from the Boston Marathon bombings, was tried as a civilian. In the United States, the treatment of terror suspects since 9/11 has been the subject to close scrutiny; especially after the publication of a Senate Report on use of torture on terror suspects in December 2014.

36. In contrast to France, the FBI and local police departments have the authority to arrest suspected terrorists only if there is ample evidence of criminal activity. As a result, virtually all of those arrested are brought to trial and the conviction rate is close to 100%. In general, terrorism sentences in the United States have been far tougher than most European countries, with offenders receiving sentences of up to 100 years or more. American authorities extensively use confidential informants and undercover agents who record the intent of subjects under scrutiny. Since under US law proof of intent suffices for conviction, an important challenge for US authorities is ensuring that such operations are not viewed as entrapment (Jenkins & Clair, 2015). Unlike in the United States, many European nations lack the financial, technical and human resources required to carry out such elaborate anti-terrorist operations.

37. Following recent terrorist attacks in Europe, the US Transportation Security Administration took steps to enhance the number of random searches conducted of the carry-on luggage of passengers boarding aircraft at US airports. The US Department of Homeland Security (DHS) is exploring the possibility of expanding preclearance operations at foreign airports with flights to the United States. This initiative provides customs, immigration, and agriculture inspections of international air passengers and their goods by US officials before the individual boards the plane for travel to the United States. Currently, US border officials have preclearance operations at 15 airports in six countries. A good example of bilateral police cooperation between the United States and a European Ally is an accord recently signed between the U.S. and France on the exchange of dactyloscopic genetic data.

38. A distinctive feature of US counterterrorism policies is the significant emphasis on combatting terrorism at the sub-national level. During a visit of this Committee to the (NYPD) in March 2015, delegates were informed that the NYPD employs 51,000 officers, more than the total number of employees in the FBI. The NYPD has an extensive counterterrorism programme designed to avert terrorist acts in a city that receives about 54 million visitors a year. The NYPD prioritises prevention by focusing on extensive and strategic deployment of its officers in potentially problematic districts. It plans to further expand this patrolling function by launching a new counterterrorism unit, the Strategic Response Group, designed to encourage officers to spend more time on the streets communicating with residents and gaining trust (Shallwani, 2015). Furthermore, the NYPD has established extensive horizontal links with police departments of major European cities. For instance, in the wake of the Paris attacks, NYPD officers stationed in Paris were able to swiftly relay information directly to officers in the New York area in order to help prevent similar attacks against respective local targets in New York City. The NYPD also uses the ethnic and cultural heterogeneity of New York City as an asset; its officers come from 53 countries and speak 75 languages.

39. In response to the increased security threat of domestic terrorism and the large number of European foreign jihadi fighters, the **German** government approved a draft law on 14 January 2015 aimed at preventing individuals involved in terrorist activities from travelling abroad. The intention behind the legislation is to change Germany's existing personal ID law and to introduce a substitute personal ID system that would restrict holders of certain IDs to travel only within Germany. This legislation would also change the existing passport law (EurActiv, 2015). Germany has also criminalised the recruitment of jihadi fighters, the use of terrorism-related symbols including the ISIS flag and the use of various platforms, such as social media, for provocation purposes. Due to the extensive surveillance of citizens practised under the communist East German and Nazi regimes, government surveillance and data retention remains a highly controversial issue in Germany. Reaction to alleged mass surveillance and privacy breaches has also set off a far wider and more acute debate in Germany than in the UK for example.

40. **Canada** approved new anti-terrorist legislation in the form of Bill C-51, designed first and foremost to beef up the Canadian Security Intelligence Service (CSIS). Bill C-51 would authorise the CSIS to "take measures, within or outside Canada, to reduce" national security threats. These measures include: giving authorities the capacity to block the return of Canadians fighting abroad; taking down threatening web postings; and blocking bank accounts of suspected terrorists. It furthermore defines the promotion of terrorism as a jail offence, allows the CSIS to disrupt suspected terror plots rather than just collect information about them, and increases the sharing of personal information between a number of state agencies. In terms of democratic safeguards, the CSIS would have to acquire judicial warrants in line with the country's Charter of Rights and Freedoms (Forcese & Roach, 2015). Nevertheless, reactions to the bill led to large nationwide protests in May and has been criticised by rights activists for its ambiguous wording that could, in their view, grant excessive surveillance and detention powers to security agencies. The opposition is not convinced the oversight mechanisms are sufficient enough to ensure that these new powers will not be abused.

41. The **Austrian** Parliament recently passed a law enabling residents with dual nationality to be stripped of their Austrian citizenship if they participate in armed conflicts. In the **Netherlands**, it is possible to revoke citizenship from an individual with dual nationality if they are convicted of terrorist offences, which include conducting recruitment for violent jihad, genocide, committing war crimes or committing crimes against humanity. Nationality is considered a fundamental human right, and International public law forbids any acts that render individuals stateless, thus this policy is not an option for countries that do not allow dual citizenship. A new bill strengthening the surveillance powers of Dutch intelligence services is currently under public consideration. If the bill is adopted, it will legalise several forms of electronic interception, the collection of large sets of data from internet providers, and automated metadata analysis. A proposal to withdraw identity cards and passports was rejected in **Belgium** on the grounds that it could possibly increase the

market for false or stolen ID documents (Global Center, 2014). Belgium's new legal framework has made the judiciary procedure for the authorisation of wiretapping more flexible.

42. Encouraging public alertness and initiative is also important. **Denmark** and France have recently set up designated phone lines for individuals to alert authorities if they think that someone they know might be travelling abroad with the intention of becoming a foreign fighter. Denmark has also launched a programme warning potential foreign fighters about the dangers of fighting and the consequences they will face when they return.

43. **Turkish** intelligence and law enforcement authorities have expressed their concerns regarding the flow of foreign fighters since the eruption of the Syrian crisis. A no-entry list was created in 2011: by mid-2015, more than 13,500 people have been added to the list and more than 1,300 foreigners were deported. Nevertheless, some politicians and counterterrorism officials in the West called upon Turkey to further enhance its efforts to curb the flow of foreign fighters through its territory. Turkish officials argue that additional measures have been taken, including the creation of new units to monitor airports, train stations and bus depots, scrutinising suspicious travellers, particularly those with one-way tickets. Border controls with Syria and Iraq have also been boosted. However, tracking down potential foreign fighters is difficult because they can easily blend in with tourists or local populations. Turkish officials also argue that it would not be fair to expect Turkey alone to stop these individuals and that more should be done by the countries of origin to prevent them from travelling to Turkey. The level of intelligence sharing with Western countries also needs to be improved, although the recent arrest in Turkey of three teenagers from the United Kingdom who were apparently on their way to Syria indicates some progress in this area.

44. While terrorist acts receive a lot of publicity, it has to be noted that actions of national law enforcement agencies are often successful in uncovering terrorist plots. Much of this information is classified and only some information in some incidences is available through open sources. These include plots discovered and foiled by Special Forces raids in Belgium and France in January 2015, resulting in shooting episodes that led to casualties and several arrests. Speaking the day after the Paris attacks, Andrew Parker, director-general of MI5 in the United Kingdom, said British intelligence was aware of 20 attacks linked to Syria that had either been foiled or had taken place (Jones & Chassany, 2015). In the United States, authorities have thwarted all but four of more than 40 jihadist terrorist plots since 9/11. The latest examples of prevented terrorist acts include the arrest of American Robert Ciccolo, a convert to Islam, who was allegedly planning to stage an attack in a university dormitory; and the arrest of four people with ties to jailed extremists allegedly planning an attack on French military installations in July 2015. US authorities also announced that they have thwarted multiple terrorist attacks plotted to take place during 4<sup>th</sup> of July celebrations.

45. Exchanging intelligence information, including lessons learned from both successful and foiled terrorist attacks, among law enforcement agencies within the Euro-Atlantic community is imperative. Domestic terrorism is, ironically, often a highly globalised undertaking and often involves international travel and the transport of peoples and arms. Open source information on the extent and depth of intelligence cooperation among nations is limited and it is frequently mentioned as an area in need of great improvement. In the wake of recent successful terror attacks, it was revealed that intelligence services from different countries possessed important information on the attackers and the attackers' plans, that was not shared. For instance, it was revealed that the perpetrator of the Paris attacks, Said Kouachi, had reportedly been under surveillance by the United States since his trip to Yemen in 2011. This lack of intelligence sharing raises questions about the effectiveness of US-France intelligence cooperation. Even when intelligence has been shared, as was the case with the recent episode on the Thalys train (Ayoub El-Khazzani was well-known and had been reported by Spain, Belgium and France), law enforcement agencies often do not have sufficient means to act on such intelligence and prevent possible massacres.

46. Nevertheless, sharing of the most sensitive intelligence information often only takes place with a country's most trusted allies. *The Five Eyes* is an extensive intelligence alliance between Australia, Canada, New Zealand, the United Kingdom, and the United States. The member countries are bound by the multilateral 1947 UKUSA Agreement, a treaty for joint cooperation in signals intelligence (SIGINT). Each *Five Eyes* member country is responsible for intelligence collection and analysis for a targeted part of the globe and shares the results with the other four countries. The *Five Eyes* cooperate with third parties in at least two other groups: the *Nine Eyes* (the *Five Eyes* plus Denmark, France, the Netherlands and Norway) and the *14 Eyes* (the *Nine Eyes* plus Belgium, Germany, Italy, Spain and Sweden).

47. Increased intelligence sharing and security cooperation is challenging for many reasons including, for instance, the sometimes sensitive nature of the information involved, the differing laws of each country, the existence of different partnerships, and the varied police and agency structures of each individual state. Mutual trust is furthermore critical in intelligence sharing as the vulnerability of the involved nations increases when sensitive information is involved. The receiver of intelligence must also be able to trust the validity of the intelligence it is given for the sharing to be constructive.

48. Counterterrorism policies at the EU level and the contribution of institutions such as Europol and Frontex are discussed in the 2014 report by the NATO PA Sub-Committee on Democratic Governance [[187 CDS DG 14 E rev. 1 fin.](#)]. The General Rapporteur wishes to also note that the European Commission has proposed a Smart Borders initiative that has multiple aims. Firstly, the initiative aims to improve the management of the external borders of the Schengen member states. It will also contribute to the fight against irregular immigration and provide information on overstayers as well as facilitate border crossings for pre-vetted frequent third-country travellers. The Smart Borders initiative would include an Entry/Exit System that would record the time and place of entry and the length of authorised short stays in an electronic database. This new technology would then send the data to border control and immigration authorities.

## B. NEXUS BETWEEN SECURITY AND LIBERTY

49. When it comes to potential trade-offs between public safety and civil liberties as well as privacy, one has to bear in mind that law enforcement agencies rely increasingly on information obtained from signal/electronic surveillance and data gathering, as well as from informants or undercover agents. This type of intelligence gathering is used to find patterns, understand networks and discover potentially dangerous individuals, track and monitor already known suspects, and to obtain data for interventions.

50. Edward Snowden's allegations about the scope of the US National Security Agency's **electronic surveillance** prompted one of the biggest debates in a democratic country concerning the balance between data protection/privacy and national security. President Obama announced reforms that would ensure greater oversight of the NSA's activities and impose stricter time limits on storing bulk data. It will also enforce the need for respective officials to acquire court orders. However, this issue is not limited to the United States. For instance, the French media reported that the French security agency *Direction générale de la sécurité extérieure* (DGSE) had been collecting, storing and analysing metadata in close cooperation with telecom companies such as Orange (Follorou, 2014).

51. The European Union has yet to find its own approach to data management issues. The 2006 EU Data Retention Directive requires telecom companies to retain data on a person's identity and the parameters of that person's communication for a minimum of six months up to a maximum of two years. These companies then allow competent national authorities to access this data when requested. However, in 2014, the European Court of Justice ruled that this directive violates the respect for private life and does not provide sufficient safeguards against possible abuse. As a

result, new European legislation needs to be adopted to accommodate the Court's ruling. Some governments, such as the UK government, are convinced that the retention of communication data is absolutely fundamental to enabling law enforcement authorities to perform their counterterrorism work.

52. Due to the fact that terrorists have long made use of the **Internet**, the question of possible censorship of certain websites is being debated in policy circles. Whereas al-Qaeda and its affiliates used the Internet as a means to disseminate material anonymously or communicate in what are called "dark spaces", ISIS is openly embracing the web. ISIS uses the web as a channel to promote itself, intimidate people, and radicalise new recruits. There is also ample evidence of auto-radicalisation, where individuals become radicalised on their own through the viewing of websites containing violent jihadist and extremist propaganda.

53. Limiting extremist propaganda on the web is occasionally practiced in cooperation with social media companies. For instance, YouTube makes it clear that videos promoting hatred or depicting gruesome violence, such as beheadings, do not comply with its community guidelines. Physically removing these videos is a challenge, though, with some 100 hours of new footage uploaded on YouTube every minute. YouTube therefore largely relies on its users to flag such videos.

54. Shutting down websites or blocking certain accounts has a limited impact, however, as extremists can easily create new accounts. Importantly, blocking websites may encourage the encryption of all communications, thus further complicating intelligence gathering. Indeed, techniques of encryption or the capacity to make messages appear anonymous, capacities that used to be reserved to States are now standard technological features. These capacities are also supplemented by the added layers of security built into freely available online programmes and apps. For instance, the Apple iOS 8 mobile operating system already featured encryption capabilities as a default setting.

55. The problem is further complicated by the fact that extremist websites also serve as an important means for intelligence agencies and investigators to keep an eye on developments in extremist environments in general, and on specific individuals in particular. By monitoring jihadist forums, users' radicalisation process can be tracked and their potential disappearance from online jihadist communities and social media discovered – a possible indication of going underground before an operation. Some would-be terrorists, like El-Hussein in Denmark, swear allegiance to the Islamic State on their Facebook pages before proceeding to commit crimes. Social media is also a platform where potential terrorists are detected by security services for the first time. They often expose themselves and their activities online before they leave to fight abroad. Recently, for instance, the NYPD was able to arrest two Brooklyn residents of Central Asian descent, Akhror Saidakhmetov and Abdurasul Juraboev, mainly due to the monitoring of their online activity. Saidakhmetov and Juraboev were about to go to Syria to join the ranks of ISIS.

56. Online activity of known radicals also occasionally provides incriminating evidence such as group affiliation, proof of their presence when atrocities were committed and the identities of their fellow fighters. Subsequent analysis of their online friends and followers further contributes to the understanding of wider networks of influence, recruitment, communications, loyalty and intentions, as well as intelligence regarding possible return dates of foreign fighters (Byman & Shapiro, 2014). Extremist websites also function as a place where individuals can express their frustration without necessarily resorting to violence.

57. Another important issue in the security-privacy domain is the **Passenger Name Record** (PNR). Europe's partners across the Atlantic are impatient about the lack of progress in advancing the European Commission's 2011 legislative proposal for an EU PNR. The proposal suggests that air carriers transfer international flight passenger data held in their reservation systems to a dedicated unit in the EU State of arrival or departure so that member states can analyse and retain this data for the purposes of preventing, detecting, investigating and prosecuting serious crime

and terrorist offences. After having blocked the measure in 2013, MEPs in the Civil Liberties Committee are now under significant pressure to reach agreement with the EU Council.

58. At the EU Summit in August 2014, member states declared their commitment to a rapid initiation of European PNR retention. The issue received increased attention as the German government called for an EU-wide retention of flight passenger data without any justification requirement, the aim being the detection of travel patterns among terror suspects and the ability to draw conclusions concerning their stays in training camps or other conflict areas (EurActiv, 2014). While the EU has made agreements with the United States and Australia on PNRs in the past, the German recommendation has prompted renewed discussions in the European Parliament on the issue of legal data protection. The importance placed on the proposal has increased further following the terror attacks in Europe in early 2015. In early February, MEPs agreed to break the deadlock on EU PNRs as long as there is no violation of privacy rights. In July 2015, the Civil Liberties Committee of the European Parliament approved draft EU rules on sharing and protecting the PNR data of people flying to or from the EU, and on its use by member states and Europol to fight terrorism and serious transnational crime. According to MEPs, this data is only to be used to prevent, detect, investigate and prosecute these crimes specifically. Safeguards will be inserted to ensure "the lawfulness of any storage, analysis, transfer and use of PNR data". Talks with national governments will now be opened, aimed at reaching a final agreement before the end of the year.

59. The General Rapporteur is convinced that adequate terrorist identification arrangements should also be developed with regard to other means of transport such as long-distance trains and buses.

#### **IV. RESPONDING TO THE CHALLENGE: THE PREVENTION OF RADICALISATION AND DE-RADICALISATION**

60. There is a growing realisation in the international community that law enforcement measures alone are not sufficient in containing complex contemporary terrorism threats. Monitoring all returning fighters and other potential extremists around the clock is physically impossible. Addressing the root causes of terrorist violence is therefore a necessity.

61. The UNSCR 2178 urged states to take preventive measures to counter violent extremism, such as engaging with communities at the local level to stop the spread of extremist ideologies. Several European countries have, over the past decade and a half, developed comprehensive counter-radicalisation strategies aimed at preventing the initial radicalisation of citizens as well as de-radicalising or disengaging committed militants. There are important national variations of these programmes both in terms of the institutions and agencies that are responsible for their implementation and the content of such programmes. However, there seems to be agreement across Europe that such soft programmes are crucial in combatting terrorism (Vidino & Brandon, 2012). These policies reflect the growing understanding of terrorists not as fundamentally social or psychologically deviant, but as normal individuals who have undergone a process of radicalisation that can be modified or even reversed.

62. As outlined in a 2014 report of the Sub-Committee on Democratic governance [[187 CDS DG 14 E rev. 1 fin.](#)], the emphasis on de-radicalisation and counter-radicalisation as a method of terror prevention varies between the United States and Europe, as well as amongst European countries. In summary, European countries tend to put greater emphasis on counter-radicalisation in their counterterrorism strategies due to their experiences with dictatorships, revolutions and other forms of political instability based on radical ideologies. In contrast, the dominating tendency in the United States is to focus on the unlawful deeds of individuals rather than the ideologies behind them, although some de-radicalisation efforts are conducted at the local level. Discussions on de-radicalisation programmes have also been reinvigorated as a result

of the high-level summit, "Countering Violent Extremism," that took place in Washington D.C. and was hosted by the White House in February 2015.

63. In Europe, the **United Kingdom** has been particularly at the forefront of counter-radicalisation programmes. The UK's Prevent programme, launched in 2007 as part of its wider counterterrorism strategy called CONTEST, addresses the "ideological challenge" of terrorism and the threat faced by those who promote it. Britain's new anti-terrorist legislation creates a general duty on a range of organisations to prevent people being drawn into terrorism, and puts the government's voluntary programme for people vulnerable to being drawn into terrorism on a statutory basis.

64. The new Counter-Terrorism and Security Act, which entered into force in July, requires schools, social workers and probation officers to report signs of radicalisation, monitors the use of public buildings and internet filters, conduct cell-sharing risk assessments, and ensure that external speakers are adequate, amongst other duties. Since 2014, UK programmes that provide support for religious education (Tarbiyah education method for example) have been established involving about 2,200 individuals in total. In addition, the British "Pathfinder" programme is designed to coordinate the work of various anti-terrorist teams within penitentiary institutions.

65. The **Netherlands** also has developed an efficient counter-radicalisation programme that is conducted mostly by municipalities and based on both restrictive measures, such as deporting radical preachers and shutting down extremist websites, and promoting alternative narratives to individuals, especially young people who seek answers to issues of identity and religion. Dutch authorities furthermore pay particular attention to socioeconomic factors that may make individuals more vulnerable to radicalisation. They conduct projects to improve access to the job market and ameliorate living conditions in poor neighbourhoods. Their flagship project, Municipal Information House on Radicalisation, develops appropriate forms of personalised and comprehensive interventions and support for individuals at risk based on information from frontline workers.

66. **France** heavily emphasises the role of police and intelligence operations to counter terrorism and has not launched as extensive a de-radicalisation initiative as the United Kingdom or the Netherlands. However, the recent introduction of a new anti-terrorist bill authorises relevant authorities to block websites promoting terrorism. The government has also created a website that provides the relatives of someone potentially at risk of becoming radicalised with information about the signs of jihadi radicalisation. This website also provides contact information of social workers or psychologists, as well as information on how to alert the authorities through a newly created helpline. Some additional non-governmental initiatives have also taken place, for instance a TV parody of the jihadist foreign fighters and the promotion of testimonies by jihadist returnees.

67. **In Germany**, pro-active anti-radicalisation policies are aimed at promoting democracy and tolerance amongst the population to eradicate racism and xenophobia in general. While the German counter-extremism policies have been successful in limiting the significance of far-right and far-left movements, the number of violent acts by individual radicals or smaller underground groups has increased in recent years. To prevent German citizens from fighting abroad, the German government approved a draft law in January 2015 aimed at preventing the travel of individuals involved in terrorist activities. German terrorism prevention institutions are also putting greater emphasis on recruiting Arabic language and religious specialists, and promoting preventive discourses that are applied in prisons and schools, and measures are also being taken at the Länder level.

68. The ideology promoted by ISIS and similar extremist organisations does not have strong grass-roots support among the **Turkish** population. The number of Turkish nationals in foreign militant groups is relatively low. Among the counter-radicalisation initiatives taken by



Turkish authorities, it is particularly worth noting three workshops conducted by the Global Counterterrorism Forum (GCTF) and co-hosted by Turkey over the past three years. These workshops involve participants from civil society, academia, the media and the private sector. Turkish National Police carries out counter-radicalisation projects in all 81 provinces, aimed at raising awareness among the population, including schoolchildren, families, and opinion leaders. Various national ministries are working on the identification and elimination of risk factors for the youth, inter alia, by increasing the number of youth centres in provinces where the risk is deemed higher. The Ministry of Justice also carries out various programmes on reintegration and psychological support for convicts. Turkey's Islamic Scholars are also involved in de-radicalisation efforts. For instance in 2014, the Presidency of Religious Affairs convened more than 100 scholars from 32 countries who established a permanent group called the Peace and Moderation Permanent Contact Group, which champions the cause of ending sectarian conflicts.

69. In **Belgium**, federal and local authorities exchange information and set up interventions through the coordination of over 20 task forces established by Action Plan against Radicalism, the Belgian counter-radicalisation strategy. To prevent individuals from becoming foreign fighters, the Ministry of Interior has created Task Force Syria, which explores measures to deter foreign fighters, and the Coordination Unit for Threat Assessment (CUTA). The latter has created a list of individuals who are either presumed to currently be in Syria, have travelled to Syria or are suspected of having the intention to do so. Belgium and Turkey began cooperation in 2012 to stop certain Belgian nationals attempting to enter Syria via Turkey based on the sharing information on Belgian citizens with known extremist sympathies. Preventive initiatives are also carried out at the local level, particularly in communities with a high rate of foreign fighters. With regards to returning fighters, the threat posed by each returnee is assessed by authorities. If deemed a threat or if there is evidence of terrorist activity, the individual is prosecuted. For the rest, local authorities in cooperation with CUTA tailor reintegration initiatives.

70. **Norway** has developed a counter-radicalisation strategy based on studies of counter-radicalisation work in the United Kingdom, Denmark and the Netherlands as well as its own work against neo-Nazis and far-right groups. In contrast to some other European countries, Norway's counter-radicalisation efforts are largely included in ordinary police work. Central in Norway's Action Plan to prevent radicalisation and violent extremism is its intervention programme called Empowerment Conversations, which is run by local police and helps young people with tendencies towards political extremism, anti-social behaviour, criminality and violence to return on a law-abiding track. The emphasis is put on reintegration rather than punishment, and judicial solutions are seen as a last resort (Vidino & Brandon, 2012).

71. **Denmark**, which is second to Belgium in the number of foreign fighters it has in Syria and Iraq per capita, heavily relies on various counter-radicalisation measures, essentially at a municipal level, to prevent aspiring foreign fighters from departing and to reintegrate those who have returned. Denmark puts an emphasis on ensuring that returning fighters are entitled to a job, a house, an education and psychological treatment. Returnees are carefully screened by the police.

72. **Spain**, following the Madrid attacks, has predominantly focused on law enforcement measures, but it also launched a national counter-radicalisation strategy in 2014 aimed at countering the narrative of recruiters and building trust within vulnerable communities to counter the radicalisation of individuals. The government is encouraging family members to alert authorities in the event that they witness extremist indoctrination of their relatives. Like France and Italy, Spain has also introduced controls over foreign money flowing to mosques. However, Spanish non-criminal preventive measures are still in the early stages of development compared to countries like Denmark and the Netherlands.

73. In **Canada**, an interesting initiative has taken place within a Toronto mosque. The Masjid el-Noor mosque has developed a “12 Steps” programme based on listening and debating to help young people resist the attraction of extremist ideas. Young people are taught Quran verses that speak about peace and ethical behaviour.

74. At the **EU**-level, the Radicalisation and Awareness Network (RAN) gathers expertise and facilitates discussions on de-radicalisation. RAN focuses particularly on countering terrorist propaganda and serves as a framework for the new European knowledge hub, a project designed to aid national and local authorities.

75. As noted, the **United States** adheres to an approach that focuses not on radical thought or speech but instead on preventing violent attacks. The US Department of Homeland Security has bolstered efforts to catalyse and support community-based programmes designed to encourage community members to share suspicious information with law enforcement. For this purpose, DHS has trained thousands of front line officers and first responders in an effort to build trust between officers and the communities that might be targeted for recruitment by violent extremists. Training topics include effective policing without the use of ethnic or racial profiling and best practices in community outreach. DHS also hosts workshops and provides grants that directly support local partners and community outreach efforts to understand, recognise and report potential terrorist activity.

76. A study of counter-radicalisation experiences of the United Kingdom, the Netherlands, Denmark and Norway by the ICSR found that each country’s strategy is shaped by its own culture, political environment, legal framework and threat assessment. Therefore, no counter-radicalisation initiative or comprehensive strategy can be imported to another country unless it is adapted to the local reality (Vidino & Brandon, 2012).

77. In terms of cross-cutting issues within the Euro-Atlantic area, it is important to mention two aspects. First, **prisons** have been identified as places of vulnerability or places where radicalisation often takes place. According to the ICSR, terrorists often use their time in prison to mobilise outside support, radicalise other prisoners and recreate operational command structures (Neumann, 2012). According to French police records, Kouachi and Coulibaly, the perpetrators of the Paris attacks, met the al-Qaeda convicted terrorist Djamel Beghal in prison. Beghal subsequently tutored them in jihadism. Omar Abdel Hamid El-Hussein, the suspect of the murders in Copenhagen, had just finished serving a sentence for violence in Danish prison. Mohammed Merah, who was behind the Toulouse attacks in 2012, and Mehdi Nemmouche, who attacked the Jewish museum in Brussels in 2014, had also spent time in French prison for robbery. Abdelhamid Abaaoud, accused of being the ringleader of the foiled Belgian plot, was reportedly radicalised in a prison in Saint Gilles, Brussels.

78. Experts disagree on whether foreign fighters and terrorists should be separated from one another in prison or be kept together to avoid influencing other inmates. Isolation of the most radical jihadist prisoners has already been put into practice on a small scale in a facility in the Paris region. However it is still too early to evaluate the results (Arsenault, 2015). Research by the ICSR indicates that there are no set rules on whether terrorist prisoners should be concentrated, separated and/or isolated. Rather, they found that most of the 15 countries they examined used mixed policies of dispersal and concentration, distributing terrorists among a few high security prisons. Even under mixed systems, bringing together potential leaders with potential followers and ideologues with hangers-on is not advisable (Neumann, 2012).

79. Regarding foreign fighters, the EU counterterrorism coordinator Gilles de Kerchove advocates for keeping those who have returned from Syria but are not suspected of having blood on their hands, out of prisons altogether. He and other experts emphasise the need for rehabilitation programmes both inside and outside of prison, and urge authorities to differentiate between hardened fighters and those who have embarked for war only to return traumatised.

80. At the same time, prisons can play a positive role in tackling the problems of radicalisation and terrorism in society as a whole. Based on ICSR studies in 15 countries, several cases were found where entire armed groups were dismantled after imprisoned leaders of terrorist groups used their influence to initiate collective processes of de-radicalisation and disengagement. Such cases were however rare and took place under very particular conditions.

81. Second, some countries have adopted **gender**-specific prevention measures. The British government has, for example, encouraged Muslim women specifically to persuade their male relatives not to go abroad to fight for jihadist groups. While the mobilisation of Muslim women is an important ISIS strategy, Western powers have not prioritised this dimension, and thus are not countering it specifically. The tendency to regard female foreign fighters as victims instead of active jihadists means there is a risk that potential threats might be overlooked. In turn, this prevents the drafting of appropriate and adapted preventive policies. Stereotypes about Muslim women's domesticity and passivity have led to the assumption that they are always under the influence of a man, and thus it is assumed that female foreign fighters have either been fooled or forced into joining. However, many women are drawn to jihadist groups largely for the same reasons as men, including the quest for adventure, a general sense of alienation in their home country, the appeal of social activism and the pull of the cause. Like young men, young females are looking for answers related to identity and are vulnerable to voices that speak confidently about religious obligation, motherhood and family; the type of voices that provide a sense of purpose and give them the invitation to contribute to a greater cause. Currently, one of the most wanted terror suspects in the world is Hayat Boumeddiene, the wife of one of the perpetrators of the Paris terrorist attacks. It is estimated that between 10-20% of ISIS foreign fighters are women (Pandith & Havlicek, 2015). The co-founder of the Women and Extremism Initiative at London's Institute for Strategic Dialogue, Farah Pandith, therefore argues that strategies for the prevention of female recruitment should include counter-narratives designed specifically for women.

82. An underlying issue that remains is the difficulty of measuring the effect of prevention policies and counter-extremism measures, including de-radicalisation and reintegration programmes. It is particularly difficult to empirically assess general preventive measures. Consequently, these programmes are often difficult to defend politically in times of budget cuts. It is also tempting to simply arrest returning foreign fighters rather than to try to re-integrate them. This is particularly true considering the potential embarrassment and criticism of security services and governments if a returning fighter carries out an attack after not being screened by authorities. In countries where far-right political parties and Islamophobic attitudes are visible, authorities might be pressured to prioritise coercive measures. While many returning foreign fighters are traumatised and need psychological counselling, it may be politically challenging to source funding for people who many consider to be terrorists. It is nevertheless important to prioritise prevention measures, including counter-radicalisation and re-integration initiatives, as failing to do so would likely lead to otherwise avoidable violence.

## V. CONCLUSIONS AND RECOMMENDATIONS

83. The threat of home-grown terrorism and jihadist radicalism is likely to increase in the coming years or even decades. The nature and scope of domestic terrorism challenges that the Euro-Atlantic community is currently facing demands urgent action on an international, regional, national and sub-national level. In particular, it is imperative to improve cooperation among intelligence and law enforcement agencies. Member states of the EU and NATO are too protective of their national competences in the field of counterterrorism. As the impact of Edward Snowden's allegations has subsided, trust and cooperation among Euro-Atlantic partners must be substantially increased, using as an example the experiences of systems such as *The Five Eyes*. Horizontal cooperation among law enforcement agencies, such as the NYPD's

international cooperation projects, should be encouraged. It is particularly critical to devise swift mechanisms for the exchange of information on the movement of foreign terrorist fighters.

84. At the same time, legal oversight mechanisms regarding surveillance and law enforcement agencies should be reinforced. Robust authorisation systems are needed, though invariably, their functions will differ between countries depending on their counterterrorism structures, strategies, traditions and experiences. However, exchanges of best practices and lessons learned should be encouraged.

85. As home-grown terrorists become more numerous and sophisticated, intelligence and law enforcement agencies need adequate funding, technical resources and manpower. Currently, many of these agencies in Europe are overwhelmed with the growing roster of potentially violent extremists. EU-wide projects would be helpful in this regard. In particular, the EU should seriously consider adopting a number of measures including: creating a European PNR; introducing an EU Black List of terrorist suspects; setting up an EU Terrorist Finance Tracking System akin to the system in the United States; reinforcing Frontex and Europol; adopting the Smart Borders package; and reinforcing the SIS (Schengen's Information System). There is a need for a European platform, perhaps on the basis of Europol, to improve the monitoring of extremist activity on the Internet, including social media, and to combat cyber-crime. The establishment of a European tribunal specialising in terrorism offenses, should be considered. Euro-Atlantic partners should also improve the exchange of innovative national practices, such as the confiscation of passports in the case of dual nationality and the adoption of legislation that would allow law enforcement agencies to receive necessary information from technology companies while still upholding democratic safeguards. Additional efforts are necessary to curb small arms trafficking and illegal financial transfers. The tracking and interception of funds going towards terrorist organisations is another highly important challenge. It is imperative that the 40 Recommendations released by the G7 Financial Action Task Force, the purpose of which is to establish standards in the combat of money laundering and terrorist financing, be implemented. Assistance to Allies and relevant partners in the MENA region with less advanced counterterrorism capabilities should be stepped up.

86. When addressing home-grown terrorist risks, a law enforcement approach alone is insufficient. It is imperative to reinforce de-radicalisation programmes to mitigate the influence of extremist ideology. Leading countries in this area should be encouraged to exchange best practices with the rest of the Euro-Atlantic community and beyond. Hate preachers that spread extremist propaganda should be banned from operating in the free world, and criminal codes should be revised accordingly. Support for more local, rather than foreign, Imams including strengthening their qualifications and integration in their country of residence should also be encouraged. The school system also plays an essential role in educating youth in critical thinking and in confronting misperceptions and myths regarding Islam, Muslims, the Middle East and foreign policy. Counter-radicalisation and de-radicalisation programmes should be complemented with wider efforts to address the socio-economic needs of immigrant neighbourhoods, especially the younger generation within these areas. In this regard, social measures such as the adoption of integration policies and support for the fight against Islamophobia and racism in society are vital. In terms of returning fighters, immediate detention should not be considered as the only option: re-integration programmes offering a genuine alternative for people wishing to abandon the extremist cause should be promoted as well.

87. More should be invested into the research and analysis of the home-grown terrorism phenomenon. According to a recent review of terrorism literature in the journal *Psicothema*, only 3% of reviewed articles were based on empirical analysis (Biglan, 2015). For instance, there is a general misconception in Western society that local Muslim communities are homogenous; whereas in fact, even Muslim communities located within the same city are often divided according to their country of origin and might have very different worldviews. Authorities are sometimes not aware that some Muslim communities exist, yet these are the communities that

should be actively engaged in preventing the radicalisation of some of their members. It is also important that relevant counterterrorism research is circulated among the Allies – for instance, there have been a growing number of reports published by French parliamentarians on the subject of jihadism.

88. As prominent US counter-extremism expert Farah Pandith explained to this Committee, relevant policy makers across the world often fail to understand that Muslims, especially young adult and adolescent Muslims, often experience an identity crisis that has similar characteristics regardless of whether that person lives in a Western or predominantly Muslim country. Even in Muslim countries, individuals often feel alienated and excluded due to unemployment, poor living conditions or the dislocation of family and loss of social ties. These individuals are looking for simple answers and terrorist entities such as ISIS skilfully exploit their insecurities, promising self-respect as well as a salary, marriage, and a bright future in the "promised land" (i.e. the transnational caliphate).

89. It is critical that information policies are bolstered to counter extremist narratives. Since the West has little credibility among potential ISIS supporters, the campaign for the hearts and minds of potential fighters must be led by Muslim figures themselves. A vast majority of the world's Muslim population is peaceful and moderate. The Euro-Atlantic community should help the voices of moderate Muslim figures to fill the information space, explaining how hard-liners abuse and misinterpret the religion of Islam. These voices, for instance, should be numerous enough to eclipse or at least compete with the extremist propaganda available on the Internet through simple search engines. In order to appeal to a broader audience, this counter-extremist narrative should come from popular Muslim figures such as musicians, sportsmen or bloggers, as well as from reformed jihadists. It is also important to find communication platforms that appeal to the young generation, such as the well-known puppet show *Les Guignols* on France's *Canal+* TV channel. The show has produced a sketch called "La reine de Daech" using humour to dissuade women from joining foreign terrorist organisations.

90. Western leaders such as Barack Obama and David Cameron have publically declared the activities of ISIS un-Islamic. Numerous Muslims clerics and community leaders have also made statements condemning ISIS and al-Qaeda as an offense to Islam. These are very welcome steps, but they are not sufficient enough. Some experts suggest that appeals for moderation and peaceful coexistence might not be persuasive to young individuals consumed by anger and a desire to stand out. For these people, the counter-narrative must offer a different, equally passionate cause; for instance, to defend the honour of their religion by resisting those who disgrace it through savage acts of violence (Kruglanski, 2014). Unfortunately, some ill-intentioned misinterpretations of the Quran together with a deficit in proper religious education have led some fanatics to believe they have the right to kill non-Muslims. It would be highly appropriate for respected Muslim leaders to publically declare those who kill in the name of their religion as apostates. Regrettably, there has been a lack of such gestures.

91. The Euro-Atlantic community must remain firm in defending its values of liberty and democracy. One should not forget that terrorism gains strength from our weaknesses and from the echo such weaknesses generates in our own societies, due in part to the amplification of terrorist acts in the media. Freedom of expression, even in the form of satire, is one of the cornerstones of the Euro-Atlantic community and it must not be compromised. The General Rapporteur is convinced that it is possible to have both security and liberty and, through processes such as discussions on European data retention policy and the US-EU negotiations on information sharing agreements, the Euro-Atlantic community will eventually find the right balance. In general terms, this balance rests on adequate empowerment of relevant state agencies while strengthening the principles of democratic oversight and ensuring adequate legal authorisation procedures.

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