



A Waiting Game:

Assessing and Responding to the Threat
from Returning Foreign Fighters
in the Western Balkans

Summary



Regional Cooperation Council

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A Waiting Game: Assessing and Responding to the Threat from Returning Foreign Fighters in the Western Balkans

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Sarajevo, 2017

SUMMARY

The emergence over the last several years of the foreign fighter phenomenon, in Syria and Iraq and to some extent in Ukraine, has brought with it a number of threats - both known and unknown. After some fighters have returned home and dynamics in conflict zones have shifted, there is uncertainty about the roles former fighters may assume in the communities to which they return. The number of current foreign fighters or their family members who aspire to return to their places of origin is unclear, as well as the routes returnees would use at this point, given increased security measures. But, for those that have and will yet return, governments and societies must have the capacity to manage returnees and successfully engage in rehabilitating and reintegrating them.

The systems and mechanisms developed to address the phenomenon of foreign fighters, and to counter terrorism and extremism more generally, reflect the four pillars of the EU counterterrorism strategy - prevention, protection, pursuit, and response. This model envisions tackling the root psychosocial factors that can lead to radicalization, increasing hard security measures and intelligence sharing, and building judicial and corrections capacities. This whole-of-government approach, combined with active efforts to increase cooperation between national-level agencies and civil society, is most likely to generate sustainable and multi-disciplinary rehabilitation and reintegration programs.

The Western Balkans contributed in no small measure to the foreign fighter phenomenon, and are thus coping with the associated risks and challenges. By analyzing the flow of foreign fighters and their families, alongside context-driven political and social circumstances in the region, opportunities and obstacles to the successful rehabilitation and reintegration of returnees are identified in the report. Key findings and recommendations are included,

and are intended to assist national and international stakeholders in creating and implementing future action plans and programs.

Moreover, as the partial review indicates, the international instruments that tackle the issue of counterterrorism and the treatment of prisoners play a role in supporting global security and stability, human rights, the rule of law, and other democratic values. Nevertheless, only a small number deal specifically with the treatment of persons detained or convicted for terrorism (including returned foreign fighters). The development of documents that explicitly address this phenomenon has just begun, and in the form of non-binding instruments, such as guidelines and resolutions. Still, UNSC Resolution 2718 (2014) and the Additional Protocol of the Council of Europe Convention on the Prevention of Terrorism do refer to the need to develop and implement rehabilitation and reintegration strategies for returning foreign terrorist fighters. This need has become particularly important, as several recent studies have indicated that some returnees have been involved in terrorism-related offenses in their respective places of origin.

UNSC Resolution 2178 (2014) calls on member states to share the whereabouts of returnees and the possible security risks they may pose, in cooperation with each other and with INTERPOL. This is essential not only for the purposes of collecting data that may be useful in possible investigations or legal proceedings, but also for deradicalization and re-socialization programs.

The report looks in greater depth at key trends and developments related to the return of foreign fighters from the Western Balkans region and the capacity and possibilities for their disengagement, deradicalization, rehabilitation, and reintegration.

Findings and Recommendations

KEY FINDINGS

- ▶ Overall, it is believed that from the end of 2012 until the end of 2017, some 1,000 individuals (men, women, children, and elderly) from the Western Balkans traveled to Syria and Iraq. Approximately 300 have returned, more than 200 have been killed, and some 400 remain there. A number of individuals are also missing. And, following the collapse of remaining ISIL/DAESH strongholds Mosul and Deir ez-Zor, we can assume that the ranks of current Western Balkans foreign fighting contingents have been further decimated.
- ▶ The pace of the departure of citizens from this region to Syria and Iraq slowed down in 2015, and almost completely stopped by mid-2016. No new registered departures from the Western Balkans have occurred since then.
- ▶ The decline in traffic to and from Syria and Iraq can be attributed to: (a) intensified regional and international efforts to criminally prosecute aspiring fighters and returnees; (b) an escalation of fighting in the conflict zones, which are now more difficult to cross into and out of; and (c) the gradual exhaustion of the pool of individuals from the region willing to fight in Syria and Iraq.
- ▶ Contrary to widespread expectations and alarming media predictions, a massive and uncontrolled influx of foreign fighters returning to the Western Balkans from Syria and Iraq is unlikely to occur.
- ▶ In recent years, law enforcement agencies tasked with combating terrorism in the region have gradually enhanced their investigative capacities, increasing personnel and developing cyber-coun-

terterrorism capabilities. Border control has also been improved, so that major border crossings are better equipped and border police are better trained.

- ▶ Since 2012, security agencies in the region have thwarted a number of terrorist plots against civilians and critical infrastructure, and dozens of aspiring foreign fighters have been blocked from traveling. Hundreds of terrorism-related suspects and militants have been detained and questioned throughout the region, with dozens charged and sentenced for their involvement in radicalization, recruitment, financing for, and participating in terrorist groups such as ISIL/DAESH or *Jabhat Fateh al-Sham* (formerly known as the al-Nusra Front).
- ▶ Since 2016 alone, courts in Albania, Bosnia and Herzegovina, Kosovo¹, and The Former Yugoslav Republic of Macedonia have found tens of individuals guilty for offenses related to foreign fighting and terrorism, issuing sentences totaling more than 380 years of imprisonment and incarcerating more than 70 individuals in prisons throughout the Western Balkans.
- ▶ Most Western Balkans law enforcement agencies seek to further develop and benefit from cooperation with Interpol, Europol, and Frontex, rather than relying on *ad hoc* intermediary bodies. Upon the request of officials from the region, Interpol has published 140 notices for citizens suspected of terrorism-related activities in Syria and Iraq.
- ▶ Some among the Western Balkans six warn that attempts have been made by terrorism-related suspects who are

¹This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence

In period 2012-2017

1000

individuals (men, women, children, elderly) from the Western Balkans traveled to Syria and Iraq,

Approximately 5000 EU citizens went to fight in Syria, Iraq.

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citizens of other countries to enter the Western Balkans and use it as a safe haven or transfer zone.

Judicial policy across the region remains non-standardized. Plea bargains are sometimes given in exchange for lesser prison sentences; but this practice is viewed as damaging to the overall aims of P/CVE because short sentences can undermine the deterrent effect of criminalizing terrorist-related activities.

In handling ideologically radicalized and sometimes violent inmates, regional prisons so far lack any special regulations, and are largely unaware of recommendations or best practices in the treatment of such inmates, including regarding their placement among general prison populations. In many instances, prison authorities seem to have devised their own approaches to dealing with these inmates, typically by limiting their opportunities for social interaction with other prisoners, while still protecting their rights.

The admission process in prisons does not always submit incoming detainees to an initial psychosocial and/or security risk assessment. This can leave prison authorities without any knowledge of the behavioral patterns of incoming inmates, or of any propensity they have for violence. However, newly arrived inmates are subject to up to a one-month observation period at a number of prisons in the region, during which their social and medical history is compiled, based on input from social services, police, and judicial officials.

Correctional facilities in the region also suffer from overcrowding and a lack of rehabilitative programs for prisoners, and are generally poorly maintained. A lack of disengagement, rehabilitation, and social reintegration programs for radicalized individuals raises particular concerns, as the experiences of other countries indicate that radicalization toward violent extremism can and does occur swiftly in prisons.

Instances of radicalized inmates influencing other prisoners were reported in the region, including those convicted of crimes unrelated to terrorism or violent extremism. Some prisoners may even perceive convicted returnees from Syria and Iraq as proven leaders and heroes, and be more susceptible to narratives promoted by these figures. If so, even just limited presence of returnee prisoners could create a new platform for ideological radicalization and recruitment.

Sources indicate that religious officials rarely engage with prisoners or provide inmates with religious services, other than during regular weekly services. Thus, prisoners often self-organize and establish their own prison congregations, usually led by self-proclaimed or self-trained inmates.

Prison authorities typically refrain from interfering in the spiritual matters of inmates, including returnees, in order to avoid infringing on their freedom of religion. The involvement of prison authorities in religious activities that take place in prisons is often limited only to providing a place for prayer, but affords them no insight into the services themselves, the competencies of those leading services, or the religious materials (books, brochures, DVDs) used by the prison population. Still, correctional authorities in some regional prisons have imposed restrictions on the religious content that is available to Muslim prisoners, so that they can access just the Qur'an.

During their incarceration, ideologically radicalized inmates are generally not compelled, even occasionally, to interact with prison psychologists or social workers. In some cases, a single psychologist serves the needs of up to 200 prisoners, and their job is limited to acute crisis intervention, or in the words of one prison professional, to "putting out fires." One-on-one work with inmates is often limited only to diagnosing and medicating a prisoner.

Contrary to widespread expectations and alarming media predictions, a massive and uncontrolled influx of foreign fighters returning to the Western Balkans from Syria and Iraq is unlikely to occur.

- ▶ In all of the Western Balkans six there is a lack of resources and the specialized knowledge necessary for correctional officials, psychologists, social workers, and other stakeholders to successfully engage in de-radicalization, rehabilitation, and reintegration programmes.
- ▶ In some instances, there are no standard operating procedures requiring prison authorities to notify local communities, including the police, of the imminent release (temporary or permanent) of an inmate - including a returnee - from prison. Also, the personal files of former inmates are not always forwarded to the communities they reside in after incarceration, but are kept in prison archives that are inaccessible without special permission.
- ▶ There are few if any rehabilitation and reintegration programmes meeting the needs of both returnees and their families. Notably lacking are programmes for non-combatant returnees (women and children) who made up one-third of the Western Balkans' contingent in Syria and Iraq.
- ▶ Generally, the fight against radicalization into violent extremism in the Western Balkans has shifted away from hard security and law enforcement responses toward more prevention-centered interventions. However, current P/CVE efforts in the region, including those aimed at rehabilitating and reintegrating returning foreign fighters still suffer from a number of problems, including:
 - ✦ overly politicized, securitized, and bureaucratized approaches;
 - ✦ a lack of strategic coordination between activities and goals;
 - ✦ a lack of regional awareness, understanding, and capacities;
 - ✦ an over-centralization of P/CVE efforts on the national level;
 - ✦ short-term projects and activities;
 - ✦ ill-informed and disengaged local authorities;

- ✦ an inadequate role for regional think tanks and researchers;
- ✦ ever-increasing involvement by various international entities that often fail to understand the context and are pursuing unclear goals, thereby undermining other efforts; and
- ✦ insufficient coordination, monitoring, and evaluation of ongoing projects, both domestically and regionally.

RECOMMENDATIONS

- ▶ Governments in the region are advised to upgrade their P/CVE strategies, including as they relate to rehabilitation and reintegration efforts, to evolve from a whole-of-government to a whole-of-society approach. Such an approach raises awareness of radicalization among community stakeholders and builds internal capacities to fight it, and recognizes that there is no one single organization, institution, or government agency capable to tackle violent extremism alone. This requires that governments, private organizations, and civil society work together, with each actor playing a different role based on their ability to engage with various communities or target audiences.
- ▶ Any commitment to preventing and countering radicalization into violent extremism must be measured against the real extent of risks and challenges. Despite widespread public perceptions, often shaped by media and political elites, that any risk requires significant intervention, it can be counterproductive to overcommit efforts and resources.
- ▶ Instead of narrowly addressing the inadequacies in correctional institutions that have been revealed in the context of returning foreign fighters, improvements to the procedures and conditions in prisons should take a longer

view and should address the needs of all inmates - from the implementation of new intake assessment procedures, to professional training for correctional officers, to the development of updated penal policies.²

- ▶ A number of practitioners and experts are skeptical that successful de-radicalization programmes exist, and instead advocate a focus on disengagement (from violence), which is generally thought to be easier to achieve. In other words, this introduces permanent changes to a person's behavior rather than to their mindset. To that end, disengagement programs aimed at encouraging individuals to abandon and denounce violence should be developed. These programs should target not only convicted former fighters, but anyone incarcerated for extremist violence or hate crimes.
- ▶ Still, rehabilitation programs should also be developed, and should incorporate a broad range of cross-disciplinary experts who closely coordinate to support an individual's cognitive and vocational skills training and eventual employment assistance. Where possible and appropriate, families should also be integrated into rehabilitation programs.
- ▶ In addition, states in the region may consider developing transition programs designed to encourage close partnerships between families, civil society organizations, and communities, and meant to enable the continued treatment of formerly radicalized inmates after they leave the prison setting.
- ▶ Regardless of whether an individual is subject to rehabilitation and reintegration processes in a custodial or non-custodial environment, many specialists recommend that all returning

foreign fighters should be submitted to a psychological evaluation immediately upon reentering their respective places of origin. There is a high likelihood that returnees from conflict zones have already developed some symptoms of posttraumatic stress disorder (PTSD), and the success or failure of their reintegration and rehabilitation could depend on early diagnosis and timely treatment of these symptoms.

- ▶ Given the everyday responsibilities of correctional officers, the extent of their contacts with prisoners, and the relationships formed in the process, the engagement of these officers can both assist and hamper the rehabilitation and reintegration processes that occur in prisons. Correctional officers of all ranks and responsibilities should be provided with proper specialist training to help them better understand their role and the opportunities they have to positively impact radicalized inmates.
- ▶ Given the overall lack of rehabilitation and reintegration programmes in prisons, some experts say the need is even greater for the development and introduction of post-penal programs focused on rehabilitating and reintegrating former foreign fighters.
- ▶ Social services throughout the region are overwhelmed with frequent instances of domestic violence, the fallout from dysfunctional families, and arranging foster care for children in need. Raising the capacities of these services and allocating more resources to them would enable social workers to receive training and engage actively with former foreign fighters and their families, to assume a more proactive role in preparing them for release from prison and re-entry into local communities.
- ▶ Finally, outside interventions aimed at building capacities in regional institutions and communities should be

² Useful insight and best practices for addressing these issues can be found in the Global Counterterrorism Forum's Rome Memorandum on Good Practices for Rehabilitation.



integrated into already existing public policy structures and services (correctional facilities, schools, social services, mental health centers, etc.), so that the transfer of knowledge and expertise can become institutionally embedded. This will ensure that enhanced capacities are properly employed and sustainable.

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