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Counter-Terrorism in the Middle East and North Africa

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1. The MENA region witnessed a surge in terrorist activity in previous months, which is a troublesome symptom of post-Arab spring instability. As some countries in the region descended into a power struggle along sectarian and political lines, some players employed terrorist tactics to achieve their goals. These developments are found all around the MENA region: the IS-related beheading in Algeria; the rise of Ansar Al-Sharia in Tunisia (AAS-T); the creation of a terrorist safe haven and training camp in Libya; terror attacks in many parts of Egypt; and the influx of foreign fighters in Syria.
2. This report will look into the security situation in North African countries, the issue of foreign fighters joining the Syrian civil war, and the joint PAM-UN initiative to promote the harmonization of Counter Terrorism legislation in the region.

I. The Rise of Terrorism in North Africa

3. PAM Member States in North Africa face major threats related to the increase of terrorist activity on their territory or the territories of neighboring states. This situation challenges their legal and security institutions and requires them to strengthen cooperation among each other.
4. Following **Egypt**'s peace treaty with Israel and the reduction of troops in Sinai, the peninsula has been neglected by the Mubarak regime for many years with the local Bedouin population experiencing economic marginalization. After Hosni Mubarak's ouster in 2011, the security situation worsened. Sinai saw an influx of radical jihadist fighters who spread their ideology, tactics and weapons among the Bedouin population. The area turned into a terrorist hub for radical groups linked to the Muslim Brotherhood and Al-Qaida. A lack of governance and opportunity for locals turned out to be fertile soil for radicalization and militarization. The situation further deteriorated after President Mohammed Morsi was toppled in July 2013.
5. Subsequent to police action against Morsi supporters in August, radical groups in Sinai, such as the notorious Ansar Bayt Al-Maqdis (ABM), initiated a violent campaign

against security personnel on the peninsula. Egyptian security forces responded by waging a counter-insurgency operation, which was expanded to include Sinai's demilitarized areas (with coordination with Israel). However, the heavy-handed operations left many civilians dead, which is giving rise to fears about further radicalization in that part of Egypt.

6. Against this backdrop, Al-Sisi's Government has also followed through with a forceful containment policy towards Hamas and destroyed many of the smuggling tunnels at the Egyptian-Gaza border.
7. **Libya** faces a terrorist threat with clear links to the one in Egypt. Weapons are smuggled from Libya to Egypt, while militants, which came under pressure in Egypt, retreated to Libya. A large number of jihadist operatives from many countries are flocking into an ungoverned and fragile Libya, turning the North African country into a hub for militant Islamist groups, like the Sinai Peninsula.
8. As a safe haven for terrorists, Libya has attracted Al-Qaida and affiliated groups. Between two governments, the internationally recognized one in Tobruk and a competing government in Tripoli, Libyan soil is being used to funnel fighters to places like Syria, to raise funds and train operatives.
9. An additional issue for Egypt and Libya was the developments that took place in the Libyan city of Derna, where the Islamic State (IS) has gained a foothold. Derna is close to Tobruk and to the Egyptian border.
10. In early October, Egypt and Libya announced their plan to cooperate on security matters, for instance by securing their shared border. Egypt, worried about militants reaching its territory from training facilities in eastern Libya, expressed its intention to train Libyan pro-Government (Tobruk) forces. Cairo is especially worried about links between Libyan militants and Sinai-based ABM.
11. The proliferation of weapons, which are smuggled from Libya to its neighbors, Algeria and Egypt, poses a clear security threat. Some of the weapons used in Gaza and Sinai can be traced back to Libyan stockpiles. Despite Libya's cooperation with the international community in general and with Tunisia, Morocco and Algeria in particular, the country still struggles to regain control over the security situation. During the general debate of the 69th session of the United Nations General Assembly, Libya requested further international assistance.
12. The sum up of all the above mentioned factors, are the reason why the U.N. special envoy to Libya, Bernardino Leon, told the European Parliament's foreign committee, on 2 December 2014, that Libya has moved from a dictatorship to a non-state.
13. Tunisia and Algeria are also affected by the spike in terrorism and militant Islamism in the region. After the 2011 revolution, **Tunisia** has been rocked by political assassinations, heavy clashes between AAS-T members and security forces, as well as successful and attempted suicide bombings. AAS-T was involved in attacks against Tunisian security forces and the assassinations of opposition leaders Chokri Belaid and Mohamed Brahmi.

14. Besides the rise of AAS-T, main concerns among Tunisians and observers are the influx of fighters and weapons across the borders with Libya and Algeria, as well as the high number of Tunisians travelling to Syria, Mali and Libya to join other militants.
15. **Algeria** maintains intensive security cooperation with Tunisia because of low-key violence along the countries' shared border. Further challenges to Algeria's national security are weapon smuggling from Libya and the fragile security situation in neighboring states (Mali), as well as Al-Qaida in the Maghreb (AQIM). Being the most active terrorist group in the country, AQIM conducted attacks by means of improvised explosive devices, kidnappings and ambushes among others. More recently, a group affiliated with the IS has beheaded a Western hostage following the example of extremists in Syria.
16. In an attempt to address these and additional issues, the Prime Ministers of Algeria, Libya and Tunisia met in 2013 to improve security along their common borders. Egypt, Libya, Tunisia and Algeria all participate in regional and international initiatives to counteract the threats posed by terrorism, such as the Middle East North Africa Financial Action Task Force (MENAFATF) and the Global Counterterrorism Forum (GCTF), as well as in initiatives by organizations like the UN, the Organization of Islamic Cooperation (OIC) and the African Union (AU). The GCTF is specifically mentioned in the UNSC Resolution 2178 of 24 September 2014, which condemns violent extremism and underscores the need to prevent travel as well as support for foreign terrorist fighters. The resolution notes the GCTF's adoption of a comprehensive set of good practices to tackle the challenge of foreign fighters among other activities.

II. The Rise of the Islamic State

17. One of the most concerning, recent developments in the Mediterranean region has been the rise and rapid expansion of a terrorist group calling itself the Islamic State (IS). The group originates from Al-Qaeda-linked militias in the region. The self-called Islamic State combines Salafist interpretations of Islam, ambitions of statehood on the premise of an Islamic Caliphate, and an extreme use of terrorism to achieve their goals. The IS does not only terrorize local populations within its control, but also exports and inspires terrorist activities around the world, thereby making the terrorist group one of the major threats to regional and global security.
18. Unlike Al-Qaeda, which was a loose network of terrorists, operating in high secrecy around the world, the IS has a much bolder and outward presence, active propaganda, as well as a considerable amount of territory under its control. Its territorial control allows the group to have access to resources like oil, and to engage in criminal fundraising methods, such as looting, kidnapping and extortion. Oil revenue estimates for the IS range from \$1 to 3 million a day, and in just one single incident of looting, the IS reportedly stole \$425 million from a bank in Mosul. Estimates for the total worth of the terrorist group usually report a figure of \$2 billion. Moreover, the IS has utilized the internet to launch a wide campaign for recruitment, which has been largely

successful in attracting thousands of individuals from around the world to come and join their ranks.

19. During 2014, the IS made major military gains in both Iraq and Syria. In Iraq, IS rapidly overran most of the northeastern part of the country, capturing key cities such as Fallujah, Mosul, Hit, and has been nearing Baghdad as close as Abu-Graib (15 km west of the airport). In Syria, they centred their operations in Raqqa and continued to push north into Kurdish territory up to the Turkish border, culminating in the battle for Kobani. They have also launched an offensive into Lebanese territory by capturing Aرسال. At the end of the summer, an international coalition of Western and Arab states began conducting airstrikes on IS targets in order to assist Kurdish fighters, the Iraqi army and Syrian opposition militias to counter the IS offensive.
20. The group declared the establishment of a caliphate in June 2014. This declaration has been considered illegitimate by both the international community, as well as Islamic leaders worldwide, resulting in universal non-recognition of the newly declared state. Despite this factor, there are indicators that small groups of Islamist extremists as well as other like-minded terrorist groups either show some level of support for the caliphate or have full-out pledged their allegiance to the IS and its leader, Abu-Bakr Al-Baghdadi.
21. A number of militant groups in several Middle Eastern countries, such as ABM in Sinai, pledged allegiance to the IS.

III. The Foreign Fighter Phenomenon and Counter Terrorism Legislation

22. The movement of **Foreign Terrorist Fighters** linked to the IS, Ahrar Al-Sham, Jabhat Al-Nusra and other radical militant groups in Syria and Iraq poses yet another terrorist challenge to the region. Even though foreigners also join the ranks of more moderate groups, the better-funded high-profile radicals with their great battlefield impact appear more appealing. Besides that, the IS in particular has successfully created an international flavor for itself and is much more receptive and inviting towards foreign volunteers than organizations like Al-Qaida or its affiliates. This acceptance of foreigners, as well as the organization's outreach capabilities, are reflected in its very sophisticated and strong internet presence. The IS systematically recruits, indoctrinates and later guides its volunteers.
23. Jihadist recruiters appear to rely heavily on social media, such as Twitter and Facebook, while madrasas and mosques still play a role. Personal friendship turns out to be a main factor in the radicalization process as it creates links with jihadist organizations. These groups typically work with facilitators and gatekeepers, who select recruits for them at various locations and often through social networks. Facilitators might go as far as providing trusted aspirants with travel documents and finance.
24. Western foreign fighters cover a broad range of social backgrounds. While a number of them are battle-experienced jihadists, many are newcomers to the militant jihad scene, who sometimes turned militant in the course of weeks. Some foreign fighters were born as Muslims, stemming from different immigrant generations, while others are converts.

25. Some of those flocking to the Middle East to join the IS and similar groups are no religious fanatics and not even well-informed about Islam, but rather marginalized individuals that appear to feel closer to radical militants in Syria than to the people in their hometowns.
26. Motivation and reasons to enter the Syrian conflict vary on a case-to-case basis. Frequently, it is a combination of reasons, which simultaneously motivate people to go on this risky mission. One driving force behind the travel of European foreign fighters appears to be the perceived indifference of the West and of fellow Muslims towards the suffering of women and children in Syria. A further stimulus comes from politico-religious beliefs, such as a deep animosity towards Shiites or other sects. Frequently, personal issues mingle with these driving factors to generate an impulse strong enough to radicalize individuals and cause them to link up with jihadists in Syria.
27. In addition to the above, convenience might play a role as well, since travelling to Syria is cheap and easy if compared to joining, for instance, militants in Mali or Pakistan.
28. For a number of reasons, travelling through Turkey into northern Syria has been the most popular route to join the IS. Given the length and porousness of the border, as well as the effective networks within Turkey to assist incoming volunteers, it is a highly convenient route for radicals. Moreover, foreign fighters are able to blend in easily since Turkey is a large country attracting many individuals for various reasons.
29. Approximately, 15,000 fighters have flocked to the region from more than 80 states, around 3000 from Western countries alone (fall 2014). Among them are more than 700 fighters from France, as well as at least 500 from the United Kingdom, over 400 from Germany and more than 300 from Belgium. Numbers vary dependent on the source with other estimates indicating that around 1000 fighters from France and 700 from Britain have found their way to Syria by summer 2014.
30. However, most foreign fighters come from the MENA region with Tunisia's 3000 fighters leading the statistics, followed by 2.500 from Saudi Arabia and over 2000 from Jordan as of October 2014. There is concern among governments that some of these fighters will later return to their home countries to commit terrorist attacks and spread extremism. A French citizen returning from the Syrian civil war, who shot four people in the Jewish Museum in Brussels, can be considered an early warning for this anticipated "blowback effect".
31. Western authorities indicated that Al-Qaida-linked groups attempt to recruit Westerners for attacks in their home countries. In order to keep these figures as low as possible and prevent individuals to join civil war radicals in the first place, the UN encourages Member States to involve communities in counteracting violent extremist propaganda as well as addressing conditions inviting the spread of extremism.
32. Depending on domestic legislation, there may be a lack of clarity on the legal action that can be taken against potential and returning foreign fighters, often resulting in legal limbo. Most states share certain challenges and limits regarding their response to the movement of foreign fighters, particularly when it comes to legal measures and prosecution. For example, in most states it is legal to travel to and return from a crisis area as long as no criminal intent, such as training for terrorist purposes, or earlier illegal

activity can be proven. However, obtaining a solid evidence base tends to be challenging.

33. With most states taking a combination of hard and soft measures, it has been argued that repressive measures alone are not the most effective way in dealing with civil war returnees. One reason is that not all aspiring and returning fighters pose a security threat to their home countries. In addition to that, extreme repression of these individuals could turn out to be counterproductive by fueling a sense of discrimination towards them and their social environment.
34. Due to the latter, the European Commission's Radicalisation Awareness Network (RAN) suggests, among others, to properly equip first line practitioners for responding to radicalization processes within groups and individuals, as well as to prepare relatives of foreign fighters for prevention and re-integration efforts and to create resilience inside affected communities. RAN also advises to create exit strategies and engage with local communities.
35. Whether soft approaches vis-à-vis jihad returnees, such as re-integration programs in the Netherlands and Denmark will prove successful, remains to be seen. Critics in these countries and beyond consider the soft-handed approach dangerous and demand a crackdown on extremists.
36. From the beginning, PAM has demonstrated its commitment to promote the fight against terrorism. The adoption of the PAM reports and resolutions on terrorism during the previous Plenary Sessions brought the Assembly in contact with leading institutions, such as the UNSC Counter Terrorism Committee (UNSC CTC). The resulting trustful relationship led the UN to approach PAM for assistance in the implementation of initiatives.
37. In the framework of their activities to counter the foreign fighters phenomenon, a delegation from the UN Counter Terrorism Committee Executive Directorate (CTED) of New York and the Terrorism Prevention Branch of the UN Office on Drugs and Crime's (UNODC) Division for Treaty Affairs, of Vienna, requested the assistance of PAM to collaborate on the implementation of national and regional legislative aspects of international Counter Terrorism initiatives, including those related to resolutions adopted by the UN Security Council under Chapter 7 of the UN Charter.
38. Specifically, PAM was asked to assist in the organization of a parliamentary program on **Counter Terrorism Legislation**, initially addressed to the five Maghreb countries. The Italian Senate will host, at the end of February 2015, in Rome, a PAM/UN meeting dedicated to Counter Terrorism in the Maghreb Countries. The meeting is considered to be phase one in a process that shall, at a later stage, include the Balkan area and the Mashreq countries. This PAM-UN cooperation is to take place under the provisions of UNSC Resolution 2178 of 24 September 2014 (Annex I).
39. According to this resolution, Member States are to thwart the "recruiting, organizing, transporting or equipping of individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning of, or participation

in terrorist acts”, devoting special attention to the particular cases of individuals attempting to join the IS and Al-Qaida-affiliated groups.

40. Member States are also requested to ensure the preparedness of their legal system to deal with criminal acts such as travel, training and financing for terrorism. Furthermore, the resolution requires states to prevent transit for terrorism through their territory. In this connection, Members are encouraged to apply “evidence-based traveller risk assessment and screening procedures including collection and analysis of travel data, without resorting to profiling based on stereotypes founded on grounds of discrimination prohibited by international law”.
41. Furthermore, the International Institute for Justice and the Rule of Law (IIJ), which has been recently established in Malta, has sought the assistance of PAM, as a main regional partner, in implementing number of their future programs related to the effectively addressing the Foreign Terrorist Fighter (FTF) Phenomenon, within a rule of law framework. A work shop, aimed at finalizing the IIJ’s work plan, in this regards will be organized in Malta, 17 – 19 February 2015.
42. Subsequent to the adoption of UNSC Resolution 2178, on a summit presided over by US President, Barack Obama, many speakers underscored that security and military approaches are necessary to tackle the issue in the short-term, while dealing with marginalization and deep-rooted conflicts has the larger potential to provide a long-term solution.
43. In the resolution, this consensus is reflected in the call for “countering violent extremism, which can be conducive to terrorism, countering incitement to terrorist acts motivated by extremism or intolerance, promoting political and religious tolerance, economic development and social cohesion and inclusiveness, ending and resolving armed conflicts, and facilitating reintegration and rehabilitation”. It is recognized that “terrorism will not be defeated by military force, law enforcement measures, and intelligence operations alone”.
44. The resolution goes on to mention the key role of Counter Terrorism entities in the UN, such as the CTED, in providing assistance to Member States in the implementation of the UN Global Counter-Terrorism Strategy. The CTED is also expected to support the UNSC CTC in identifying gaps in states’ capacity to stem the movement of foreign fighters.
45. The Security Council resolution furthermore encourages Member States to share information to identify foreign terrorist fighters and thwart attempts to travel as well as to support terrorist acts. This shall take place on the international and bilateral as much as on the regional level. Since it takes networks to fight networks, PAM can assist in this undertaking. In an attempt to facilitate the implementation of this resolution, PAM took the opportunity to brief the delegations of Iraq, Algeria, Saudi Arabia, Mauritania and Morocco at the NATO-PA meeting in Catania on 2-4 October 2014.

46. On the occasion of the 69th session of the General Assembly in New York, PAM representatives met with the Chair of the UNSC CTC, H.E. Amb. Raimonda Murmokaitė, to discuss cooperation and the organization of the PAM-UN Parliamentary meeting on Counter Terrorism Legislation in the Maghreb, scheduled for February 2015. The meeting will serve the purpose to exchange information and good practices among Parliamentarians from both sides of the Mediterranean on the role they play, and could play, in overseeing national agencies dedicated to security services and law enforcement, in order to verify and secure the correct use of their powers, as well as to raise their awareness to the importance of this parliamentary oversight for the safeguard of human rights and rule of law.
47. On 24 November, at a meeting jointly held by the UNSC CTC and the CTED in New York, UN Member States learned that the practice of kidnapping for ransom was expanding rapidly amid a flourishing of extremist groups in volatile regions of the world. On the occasion of this event, Amb. Murmokaitė noted that militant groups, such as Al-Qaeda in the Arabic Peninsula and Al-Qaeda in the Islamic Maghreb, had made kidnapping for ransom and hostage-taking “a strategic modus operandi in funding their operations”. The UN estimates that such groups earned \$120 million by employing this strategy between 2004 and 2012.
48. PAM President, Sen. Amoruso, extended an invitation to Amb. Murmokaitė to be a key note speaker at the PAM 9th Plenary Session in Monaco. On this occasion, Amb. Murmokaitė could share with the Assembly members the role of the Committee and the significance of the legislative approach to Counter Terrorism.

IV. Conclusion

49. The terrorist threats, which PAM Members face, are diffuse and highly interrelated. From weapons smuggling to the movement of foreign fighters, terrorism is clearly a cross-border issue and the spillover effects in the region and beyond are startling.
50. Even though the states of the Mediterranean have taken vital steps to improve their collaboration to tackle terrorism, more must be done. If the northern shore countries, in addition to other European states, want to combat the IS, as well as the returning fighters and related phenomena effectively, they need to encourage and promote further cooperation among the countries that are located in the epicenter of this crisis.
51. PAM is willing and capable to serve as a pan-regional forum to address this major issue. The Assembly has been aware of the emerging terrorist threat in the region ever since it was founded. For this reason, the UN has approached PAM to facilitate the cooperation among its North African Members. Accordingly, PAM will remain in close collaboration with UNCTED, UNSC CTC, as well as the UNODC Division for Treaty Affairs, in Vienna.
52. The first concrete step in this long cooperation between PAM and UNODC, will be the joint meeting on Counter Terrorism Legislation in the Maghreb, scheduled at the end of February in Rome. In this initial phase of the project, Parliamentarians from Libya, Tunisia, Algeria, Morocco and Mauritania shall come together to coordinate and

synchronize their legislative systems with the provisions of the UN resolutions on Counter Terrorism and foreign fighters.

53. PAM will also contribute to the workshop that on how to effectively address the Foreign Terrorist Fighters Phenomenon, organized by the IJJ, in Malta, 17-19 February 2015. This is considered the base for a dozen of tailored programs to be held over the course of the next two years with focusing on the role of Parliamentarians, national legislations, and other criminal justice laws, governing FTF cases.
54. In addition, PAM underlines the importance of addressing the underlying factors of radicalization through active engagement with relevant communities on the national level, as well as by addressing the issues of youth unemployment and education in the region.
55. It is also worth mentioning that PAM 3rd Standing Committee on *Dialogue among Civilizations and Human Rights* offers valuable insights into these issues and contributes its network, research efforts as well as experience in cross-cultural cooperation as important tools to address the root causes of terrorism.
56. Finally, PAM will remain at the disposal of its Member States to assist in the implementation process of UNSC Resolution 2178 as comprehensively as possible, in order to enable the international community, and states in the Mediterranean region in particular, to combat terrorism on all dimensions in a joint effort.