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الجمعية البرلمانية للبحر الأبيض المتوسط

1st Standing Committee on Political and Security related Cooperation

“Countering the evolving threat of terrorism in the Euro-Mediterranean region”

Rapporteur: Hon. Gennaro Migliore (Italy)

Report

Introduction

1. Terrorism, as a major threat to security and stability in the Euro-Mediterranean region, continues to be one of the top priorities for PAM. In this regard, at the 13th Plenary Session in Belgrade, PAM decided to establish a Special Parliamentary Committee on Counterterrorism, that I have the honour to chair, to consolidate and coordinate PAM work on this issue.
2. Throughout 2019, PAM has been very active in its work on counter-terrorism, including by organizing a number of international high-level conferences, by engaging with its key partners to exchange updated information regarding the evolution of the terrorist threat, and by identifying key actions needed by national and international parliaments to effectively support global counter-terrorism efforts.
3. This report provides an overview of the current trends and issues pertaining to the evolving nature of the terrorist threat, highlights of the related work of PAM throughout 2019, and the tentative action plan going forward. Recommendations for PAM member parliaments are outlined in the related draft resolution.

Current trends

4. Terrorism remains a persistent and evolving threat globally, and especially in the Euro-Mediterranean region. Terrorist organizations have demonstrated a clear ability to adjust to counterterrorism efforts, to disperse their elements across countries and regions, and to set up sleeper-cells.
5. Current major terrorist organizations, which are still posing threats are: the Islamic State in Iraq and Levant (ISIL a.k.a. Islamic State/ISIS/DAESH) and its wide network of affiliates around the world, as well as Al-Qaeda, Jabhat Al-Nusra and a terrorist alliance known as Hayat Tahrir al-Sham.

6. The threat posed by returning and relocating foreign terrorist fighters (FTF), who survived the battlefields in Syria, Iraq and elsewhere, is expected to increase. Many of the returnees have firsthand battle experience, including urban warfare and experience with mines and explosives. The risk of spreading radicalization by returnees, including by those imprisoned in their countries of origin, remains a key challenge.
7. Terrorists have quickly and increasingly learned how to use modern technologies for coordination, perpetration of terrorist attacks, fundraising, money transferring, recruitment and spread of extremist ideologies.
8. Web-based information-sharing plays a key role in self-radicalization, where individuals, from different religious and geographic backgrounds, who may sympathize with extremist ideology, may seek and find propaganda to further strengthen their radical beliefs and moreover find material to plot and prepare attacks, including instruction manuals on homemade explosive preparation and weaponizing everyday items for inflicting mass casualties. This process may occur autonomously, without direct coordination between the individual and the operatives of the terrorist group.
9. Terrorist groups and radicalized individuals have utilized a wide array of methods to carry out terrorist attacks, including the use of conventional weapons (i.e. guns, rifles), improvised explosive devices, bladed weapons (i.e. knives and other stabbing instruments), and increasingly, the use of vehicles, even rented, as weapons. Additionally, there are indications that terrorists may seek to use poisonous substances and have shown increased interest in the use of unmanned aerial vehicles (drones).¹

Current State of ISIL

10. ISIL lost control of most of the territory in Syria in March 2019, with the fall of Baghuz. However, the organization is still very active in Syria, which is used as a foothold from where ISIL provides direction to members, supporters, and sleeper cells, scattered across many countries, focusing on autonomous operations, targeted attacks and individual actions.
11. ISIL affiliated groups have appeared in Afghanistan (Wilayat Khorasan), Pakistan, Libya, the Sinai Peninsula, Islamic State West Africa Province (formerly known as Boko Haram, based in Niger, Chad, Cameroon, and Burkina Faso) and throughout Asia. Notably, in April 2019 in Sri Lanka, an ISIL affiliated/inspired local group known as Jamiyathul Milathu Ibrahim, carried out the Easter Bombings on Christian targets, killing 259 and injuring more than 500 people. Some Sri Lankan officials have reported that the attacks may have been a retaliation for the 15 March Mosque shootings in Christchurch, New Zealand, where 51 Muslims were killed by a self-radicalized Australian citizen named Brenton Harrison Tarrant, whose ideological motives were rooted in white supremacy and Islamophobia.

¹ Cfr. 'Warning over Terrorist Attacks Using Drones Given by EU Security Chief', Forbes, 4 August 2019, <https://www.forbes.com/sites/zakdoffman/2019/08/04/europes-security-chief-issues-dire-warning-on-terrorist-threat-from-drones/>; 'Terrorist groups, Artificial intelligence, and killer drones', War on the Rocks, 24 September 2019, <https://warontherocks.com/2019/09/terrorist-groups-artificial-intelligence-and-killer-drones/>

12. In addition to inspiring terrorist action, there is evidence of direct transfer of knowledge and know-how from the ISIL core to its affiliated groups. For example, the West Africa Provinces of the Islamic State are being reinforced by transfers of technology “know-how” related to the use of drones for intelligence, reconnaissance, and surveillance, which may lead to the use of drones to conduct large scale attacks on urban areas.²
13. Following the territorial losses in Iraq and Syria, ISIL has lost its main streams of revenue, notably illegal oil and artifacts smuggling, and levying requisitions on local populations. This has led the organization to seek alternative sources of financing, including drug production and control over drug trafficking routes, investments in legal traditional economic sectors, and the use of informal fund transfer systems (e.g. hawala) and cryptocurrencies. Today, it is estimated that ISIL still holds reserves of up to 300 million USD.
14. In October 2019, a US Special Operation eliminated ISIL leader Abu Bakr Al-Baghdadi in a rebel/al-Qaeda controlled part of Syria, in Idlib province. Additionally, in a separate operation, Abu Hassan al-Muhajir, ISIL spokesman was also eliminated. ISIL confirmed these deaths, convened their leadership body and named a virtually unknown new leader, named Abu Ibrahim al-Hashemi al-Qurayshi. On this occasion, ISIL has warned that its so-called state is now on the threshold of Europe and Central Africa.
15. Despite the elimination of Al-Baghdadi, in the wake of territorial losses, ISIL is focusing on keeping its leadership ranks safe, specifically favoring Syrian and Iraqi commandos, while many foot soldiers and FTFs have been designated as dispensable.³
16. In Syria, ISIL has moved to a phase of adaptation, consolidation, and creating conditions for eventual resurgence, similarly to what has been happening in Iraq since 2017. Given the time and resources available, ISIL is likely to reinvest into external attacks around the world, utilizing its sleeper cell network. Similarly, a young generation of kids brought up under ISIL ideology, and severely affected by the conflict, may likely fuel an eventual resurgence of ISIL in the near future.

ISIL survivors in North-Eastern Syria

17. Following the fall of the last territory held by ISIL, hundreds of thousands of people, who were previously living under ISIL rule, have been displaced within north-eastern Syria. Thousands of ISIL militants are held in prisons by local armed groups, while their families (women and children) are held at refugee camps, most notably at Al-Hol camp.
18. The fate of the persons in that camp is a real challenge for the international community. First, the living conditions in the camp are dire (lack of food, lack of first emergency aid, lack of medication, hygiene etc). Second, the number of refugees, the extreme diversity among them, including young people, even babies, women and, eventually, foreign terrorist fighters themselves, create an unprecedented emergency situation. As of

²The Islamic State In West Africa Province Is Growing In Strength And Sophistication, Tsc Intelbrief, 1 October 2019, <https://mailchi.mp/thesoufancenter/the-islamic-state-in-west-africa-province-is-growing-in-strength-and-sophistication?e=067744e73d>

³ <https://undocs.org/pdf?symbol=en/S/2019/570>

25 September, 68,600 people are reported to live in the camp of Al Hol, 94% of whom are women and children, including thousands of foreigners⁴. Most of the women living in the camp are allegedly still under the influence of few women swearing allegiance to ISIL and terrorizing the majority.⁵

19. The problem is exacerbated by the fact that foreign children and women come from areas previously held by ISIL. According to open source information,⁶ many of them are still indoctrinated and, as a consequence, those camps could unfortunately constitute perfect places for further radicalisation since there is very little control, support and aid brought in from any established authority.
20. It should be stressed that the situation of the thousands of foreign individuals is even more difficult than that of the other people. For many children in these camps, it is not easy to establish their legal identity, and in many cases not even the nationality of the foreigners. Under ISIL rule, many children were born from rapes and forced sexual relations, without recognition by the biological parents.
21. Also, hundreds of Yazidi women and girls were captured, raped and tortured, forcibly converted to Islam and married off with Islamic State followers.⁷ It is not clear how many children were born from that sexual exploitation and are currently in the camp. It is also known that ISIL has used rape, torture and corporal punishment to discipline its child soldiers.⁸
22. Given the level of ideological support for ISIL among many of the people in the camps, if the situation is left unaddressed, these women and children may represent a support to the next generation of ISIL fighters, and amplify the terrorist threat for 5, 10 and even 20 years into the future.

Highlights of PAM Action on Counterterrorism in 2019

23. Throughout 2019, PAM has been very active on issues related to counterterrorism, with a valuable expertise and leadership acquired in this role.⁹ Particular focus was placed on addressing the situation of ISIL survivors in North East Syria, prevention of terrorist movements, addressing cyber aspects of terrorism, and stemming the spread of radicalisation.
24. On 25-26 March, PAM actively participated in the OSCE conference on counterterrorism, which took place in Bratislava. During the general debate, Hon. Pedro Roque, President of the PAM Committee on Political and Security related Cooperation, highlighted the indispensable role of national and regional parliaments in global counter-terrorism efforts, as they provide the necessary legislation and oversight needed to make counter-terrorism efforts effective. Hon. Roque also shared the key recommendations that PAM has made to its member parliaments through the latest

⁴https://reliefweb.int/sites/reliefweb.int/files/resources/OCHA_Syria_Al%20Hol%20camp_Snapshot_as%20of%2029%20September%202019.pdf

⁵ <http://www.rfi.fr/moyen-orient/20190726-syrie-kurdistan-conditions-intenable-camp-al-hol>

⁶ Ibid.

⁷ <https://www.ibtimes.co.uk/all-female-yazidi-fighters-iraq-want-revenge-isis-1558269>

⁸ <https://www.ibtimes.co.uk/isis-child-soldiers-raped-tortured-by-daesh-disobeying-caliphate-cubs-training-1538826>

⁹ As noted by some speakers at the Coordination Meeting of the PAM Special Parliamentary Committee on Counterterrorism, Rome, 29 November 2019.

resolution on this issue, which was unanimously adopted by the Assembly in Belgrade at its 13th Plenary Session.

25. In April, PAM co-organised together with IPA CIS, OSCE PA, PACE, IPU, and the UN, a conference on combatting international terrorism, hosted by IPA CIS in St. Petersburg. Within this initiative, PAM was responsible for leading and facilitating the debate on the issue of the return and relocation of FTFs, since they pose a number of challenges for the Euro-Mediterranean and CIS regions. The debate, that I chaired, highlighted a number of critical issues, most notably the lack of consensus or clarity on how to address the fate of tens of thousands of people currently held in camps in Syria and Iraq.
26. During the St. Petersburg meeting, PAM put forward a proposal to establish a Mission of Inquiry. According to this proposal, the United Nations Security Council, in cooperation with the Secretary-General, should set up a United Nations-mandated independent mechanism, composed of experts, including lawyers, magistrates, judges, prosecutors, Interpol, doctors, forensic and civil registry specialists.
27. This mission could provide guidance in relation to the findings and conclusions established by the experts, concerning civil status and nationality of the people of the camps. This would limit the risk of States having persons repatriated to countries of which they are not nationals of.
28. Another crucial issue is related to people already convicted by local authorities or in the process of being convicted. Indeed, it remains unclear, on which legal basis the decisions and authority of those courts can be established. The Mechanism should have a sub-committee in charge of those issues composed of independent international prosecutors and/or judges, which would review decisions of the regional judicial authorities, including those establishing the citizenship of the people of the camps, while fully respecting international human rights standards, and submit those cases to the national relevant authorities.
29. The PAM proposal was further discussed in depth among PAM member parliaments together with key experts from the UN, at the PAM Meeting on the nexus between Security and Population movements, which was hosted by the Grand National Assembly of Turkey in Ankara and Gaziantep in July 2019. The proposal gained widespread support from PAM delegates.
30. In the conference, it was further highlighted that it is not the responsibility of humanitarian aid workers to play the role of forensic specialists, police officers, prosecutors or judges to establish such critical elements. Repatriating ISIL volunteers, so they face proper due process for the crimes committed, is not a humanitarian issue. It is indeed a necessary security and counter-terrorism measure to stem the continuity of ISIL as an organization and to prevent a larger terrorist threat in the future, and it is the obligation of states to do so under international law, namely in reference with the UN Security Council resolutions 2178 and 2396.
31. Shortly following the PAM Meeting in Turkey, our Assembly was invited to a special meeting of the UN Security Council Counterterrorism Committee on 2 July 2019. PAM briefed the Security Council on its counter-terrorism work and presented its proposal

for the Mission of Inquiry to address the situation of ISIL survivors in North Eastern Syria. The proposal received both interest and support by the members of the Security Council.

32. In September, PAM had the opportunity to further discuss the proposal with senior UN officials on the margins of the UNGA, as well as with the US Administration during the high-level PAM visit to Washington DC. At present, PAM continues to engage relevant stakeholders on the idea of the Mission to further fine tune the proposal in the wake of the rapidly changing situation in north-eastern Syria.
33. In light of the challenges posed by the use of technology by terrorist groups, PAM together with the Council of Europe (CoE), and within the framework of the Cyber South Project, co-organized on 10-11 October a joint conference in Strasbourg, dedicated to *Counterterrorism and New Technologies: from prevention to prosecution, at national and international levels the need for parliamentarians' support*.
34. The discussions in Strasbourg focused on the threats posed by evolving terrorist strategies in relation to the use of technology, including cybercrime and cyberterrorism, as well as the use of electronic evidence to prevent terrorist acts, and to track, capture and prosecute terrorists. A particular focus was also placed on the role of communication / social platforms' commercial companies, which in many cases failed to cooperate with authorities to alert of possible radicalisation cases, and in some instances refused to provide the decryption keys in order to access intercepted communications to anticipate and prevent terrorist acts. The need to have effective legislation to regulate the behaviour of private companies in the information sphere for national security interests, while still maintaining safeguards of civic privacy rights, was highlighted as an important task for parliamentarians.
35. The trans-border nature of electronic communication and digital evidence in terrorism cases was highlighted as a major obstacle for national authorities to deal effectively with the phenomenon within national jurisdictions. The Budapest Convention on Cybercrime was presented as the main international instrument, which allows for effective and timely international cooperation on electronic evidence in counterterrorism.
36. In October, PAM participated in the 18th Meeting of the Heads of Special Services, Security Agencies and Law Enforcement Organizations, hosted by the Federal Security Services of Russia (FSB), in Sochi. The meeting was an excellent opportunity to hear the latest information about the current state of the terrorist threat from top security experts from over 50 countries and to strengthen a number of bilateral relationships with dedicated security agencies.
37. On 29 November, PAM held the first meeting of its Special Parliamentary Committee on Counterterrorism, the agenda of which was based on the priorities identified in coordination with UN USG for Counterterrorism, Ambassador Vladimir Voronkov. The meeting focused on prosecution and repatriation of foreign terrorist fighters, preventing terrorist movements through enhanced border security measures and information sharing, promoting solidarity with victims of terrorism and recognising the

role they can play in countering the spread of radicalisation and extremism, and addressing the cyber aspects of terrorism.

38. At the conference, over 110 participants further fine-tuned and endorsed the proposal for the Mission of Inquiry, debated effective strategies to implement Advance Passenger Information and Passenger Name Record systems (API/PNR), discussed useful platforms for information sharing within and among countries, exchanged views on ways to stop the spread of radicalisation and address its root causes, and looked at legislative ways to address the cyber aspects of terrorism.

PAM Action going forward

39. The PAM Special Committee on Counterterrorism will continue to meet regularly in an open format. In addition to numerous ad-hoc activities, an annual meeting is envisaged to take place in Rome every November.
40. Shortly after the plenary session, PAM delegates will travel to New York to sign a cooperation agreement with the UN Office of Counterterrorism, which will structure the joint work for the coming years, including dedicated conferences and missions on priority issues.
41. PAM will contribute to the UN Meeting with International Parliaments on Counterterrorism and continue to facilitate its regional role as a partner of the UN-IPU cooperation project to engage with national and international parliaments on counterterrorism.
42. PAM will continue to work with all its partners, including international organisations, national security agencies, think-tanks, academia and civil society to monitor and respond to the evolving nature of the terrorist threat through parliamentary action. A mission to North Eastern Syria is also foreseen to take place, as soon as the conditions on the ground allow.