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1st Standing Committee on Political and Security-related Cooperation

“Countering terrorism and violent extremism”

Rapporteur : Senator Luigi Compagna (Italy)

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I. INTRODUCTION

1. PAM, since its creation, has dealt with the critical issue of Terrorism, which is and remains one of the main concerns for the Mediterranean region and for the entire world. The Assembly has tackled this topic in several reports and resolutions adopted over the years, focusing its attention on both causes and consequences of this phenomena, as well as being able to agree on a definition of “Terrorism”.
2. Following the devastation caused by ISIS in the aftermath of the Arab Spring, PAM’s activities on this topic, and on issues strictly connected to it, have increased significantly.
3. In order to be able to debate all aspects relating to Terrorism, PAM regularly cooperates with other international institutions. Moreover, in recent years, PAM has organized a series of meetings on this issue in close cooperation with the UN Office on Drugs and Crime’s Division (UNODC) and the UN Counter Terrorism Committee Executive Directorate (CTED).
4. PAM cooperation with the UN system on this crucial issue was emphasized on the occasion of the 71st UN General Assembly, with a request by Mr. Martin Kobler, UN Special Representative for Libya, for PAM to visit the Libyan Parliament. In New York, emphasis was also put on the importance of inter-religious dialogue and on the evaluation of the implementation by national parliaments of the Mediterranean region of the relevant Security Council resolutions, respectively. The assistance of PAM was also requested by OCHA in order to use its network of parliamentary diplomacy in Syria and neighbouring countries to step up all possible actions to protect civilians and to facilitate the delivery of humanitarian assistance to those in need.
5. The first PAM/UNODC joint event was the workshop “Oversight of law enforcement and security service by the Parliamentarians” held in Rome in February 2015, hosted by the Italian Senate. On that occasion, PAM and UNODC agreed on the necessity to work together on the implementation of a Counter Terrorism Legislation by the national Parliaments of the Mediterranean region and on the strengthening of investigation’s procedures.

6. The second joint initiative was the “Regional workshop on the challenges posed by a preventive criminal justice response to terrorism and foreign fighters” held in Bucharest, Romania, in October 2015, hosted by the Romanian Parliament. In Bucharest, PAM and UNODC agreed on the need to further improve the national legislations in order to support the capacity building activities in each country through a strong collaboration between the organizations and the member States.
7. The main outcomes were:
 - the need to ensure political commitment of Parliamentarians in the cooperation with UNODC and in the implementation of counter-terrorism legal framework;
 - the ratification of the universal legal framework against terrorism, particularly in relation to the FTFs threat and the need to ensure full implementation of mandatory UNSC resolutions;
 - the establishment of a forum of discussion among Parliamentarians from different countries and regions;
 - implementation of Parliamentary Diplomacy strategy to complement national and multinational diplomacies.
8. The active contribution of PAM to the efforts of the international community on this crucial issue has been recognized by the major international institutions. The participation of Mr. Weixiong Chen, Deputy Executive Director of the UN Counter-Terrorism Committee Executive Directorate (CTED), to the 9th PAM Plenary Session hosted by the National Council of the Principality of Monaco in February 2015, and the participation of H.E. Mr. Jean-Paul Laborde, Executive Director of the CTED to the 10th PAM Plenary Session, held in Tirana in February 2016, is to be considered as an important recognition of the role played by PAM.
9. In chronological order, the last contribution of PAM to the international efforts to fight terrorism and violent extremism through the instrument of parliamentary diplomacy, was the organization, together with UNODC and IPU, of a sub-regional meeting dedicated to law makers of the MENA region. The event was hosted by the Parliament of Egypt in Aswan, on 31 January – 2 February 2017, and its outcome will provide an excellent input for future PAM debates.

II. SCOPE OF THE PHENOMENA

10. Ongoing large scale social changes may be identified as the broad cause of the diffusion of violent behaviours and tensions in the societies. The UN and the Census Bureau Data have highlighted that population of the Middle East and North Africa region (MENA) has increased by five times between 1950 and 2015, and it is expected to rise by another 50% by 2050. This demographic concentration pressurizes different social groups to live in a forced and unsatisfied coexistence. The weight of social instability and disparities in the MENA countries

is considered to impact heavily on the social coexistence, deepening in many cases internal divisions and transforming them into extremist practices.

11. Income distribution inequalities equally impact on the individual condition of the population. Huge unemployment limits the national productiveness and marginalizes young populations, making them feel a heavy sense of dissatisfaction. According to the World Bank Indicators for 2015, Libya, Syria and Yemen experienced the worst situations. Data gathered from the World Bank, the CIA World Factbook and the International Monetary Fund showed that, in the region, the same three countries suffer from the lowest per capita income.
12. Furthermore, the lack of effective and functioning education systems contributes to reduce secular opportunities and has, as direct consequence, the alienation of several groups. As internet replaces the traditional communication methods, this is offering extremist and violent messages to young vulnerable people. In such context, it is difficult for governments to control the spread of radical teachings.
13. In certain instances, the abuse of power by political and religious authorities has been perceived as an instrument to impact several aspects of moderate Islam and other religions. Moreover, corruption and lack of transparency provoke a general feeling of distrust towards many governments¹. According to the Transparency International Corruption Perceptions Index 2015, Afghanistan, Iraq, Libya, Yemen and Syria were the Mediterranean countries where the level of corruption, as perceived by the population, was the most significant².
14. The events related to the Arab Spring have also strongly influenced migration flows, being them a direct consequence of the wars and conflicts in the MENA region. Unfortunately, Europe, as a single entity, showed a lack of sensibility and tolerance for refugees and immigrants. This has increased the level of marginalization and shown the EU inability to give real answers to the current crisis. As a result, this created additional fertile ground for extremist ideologies in our region³.
15. In 2016, many European countries answered the terrorist challenge by creating barriers and pointing their fingers at Muslims' group coming from specific areas. This is clearly a mistake and an inefficient solution, given the nature of the crisis. It is also important to take into consideration that violent extremism is only connected to extremely restricted minorities and not a widespread phenomenon⁴.

¹ CORDESMAN, "Defeating" ISIS: The Real Threats and Challenges, Center for Strategic and International Studies (CSIS), August 2016. Available at: <https://www.csis.org/analysis/defeating-isis-real-threats-and-challenges>.

² Transparency International, Corruption Perceptions Index 2015. Available at: <https://www.transparency.org/cpi2015/>.

³ CORDESMAN, "Defeating" ISIS: The Real Threats and Challenges, Center for Strategic and International Studies (CSIS), August 2016. Available at: <https://www.csis.org/analysis/defeating-isis-real-threats-and-challenges>.

⁴ *Ibid.*

III. FOREIGN TERRORIST FIGHTERS

16. Foreign terrorist fighters are one of the new aspects of the evolution of the phenomena of terrorism. The UNSC Resolution 2178 (September 2014) defines them as “individuals who travel to a state other than their states of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, including in connection with armed conflict”.
17. The increasing number of foreign fighters is directly linked to the ISIS’ unique capacity to radicalize and attract individuals across different countries. The most exposed people to this violent propaganda are young people who live in a difficult social context and face a constant situation of marginalization.
18. Interesting enough, figures show that large numbers of foreign fighters come from Tunisia, country where education is secular and not based on an Islamic system⁵. Reports indicate that a larger number of FTFs, who join the ISIS’ forces, are European citizens: the EU’s Counter-Terrorism Coordinator Gilles de Kerchove estimated that over 2000 fighters travelled in Syria from EU by April 2014. It is estimated that this figure increased to over 5000 between June 2014 and December 2015⁶, and continued in 2016 inspite of the military defeats suffered by ISIS in Iraq and Syria.
19. The new military situation on the ground reports a real danger for all PAM countries because many FTFs are now trying to return in their country of origin, so becoming a dangerous internal threat, under the form of “traditional terrors acts”

IV. PAM COUNTRIES’ ANSWER TO TERRORISM - LEGAL FRAMEWORK

20. Many Mediterranean and European countries, following the recent terrorist attacks, have launched several coercive counter-terrorism programs aimed both at weakening armed terrorist groups/networks and at killing targeted group leaders or fighters. This approach is justified by the characteristics of ISIS, which combines the elements of classical terrorist groups with more structured military forces. The European military action has been conducted with the primary intentions to limit the ISIS’ power of consolidation of its territorial control on the one hand, and to a self-defence purpose on the other⁷.

⁵ CORDESMAN, “Defeating” ISIS: The Real Threats and Challenges, Center for Strategic and International Studies (CSIS), August 2016. Available at: <https://www.csis.org/analysis/defeating-isis-real-threats-and-challenges>.

⁶ The Soufan Group, Foreign Fighters: An Updated Assessment of the Flow of Foreign Fighters into Syria and Iraq, December 2015. Available at: <http://soufangroup.com/foreign-fighters/>.

⁷ European Council on Foreign Relations, Europe’s New Counter-Terror Wars, October 2016. Available at: http://www.ecfr.eu/publications/summary/europes_new_counter_terror_wars7155.

21. Legal measures adopted internationally were also applied to national contexts. For instance, European countries implemented programs to contrast the radicalization of segments of their population, approved laws to cut financial fluxes toward specific areas, and launched improved intelligence measures. The most active countries in the conduction of military actions are France and United Kingdom⁸.
22. The coercive programs adopted by several European countries have triggered among experts some doubts of legitimacy, given that military actions against terrorist groups across national borders without the consent of the State where operations are conducted require to answer to new legal questions. Europe used to consider these measures as legitimate only when there was a proven connection between a terrorist group and the affected State.
23. Various military operations took place without any direct threat to the European States' integrity or sovereignty, as it happened on the occasion of the strike that UK launched in Syria in August 2015 and in the French strike conducted in Syria in September 2015 against a training camp, for instance. This raises questions about the legacy of preventive self-defence actions conducted by some European States. Actions of this typology should rely on the certainty of an imminent attack. Nevertheless, it is still unclear which positions European countries are going to assume on this cases of use of force⁹.
24. Moreover, targeted military actions raise more questions regarding to human rights. The main doubts raised by experts are focused on the elements that can make an individual targeted. In other words, which kind of proves are needed to legalize the military actions¹⁰.

V. THE WAY AHEAD

25. Containing terrorism should be focused on socio-economic efforts and not be limited to programs of national security. Cooperation within Europe and MENA countries is key in order to eradicate terroristic threats, and PAM had already underlined how economic factors represented triggering elements at the beginning of the Arab Spring.
26. It is essential to work against Terrorism with a preventive strategy focused on social problems, which make the phenomena flourish. Education of the youth is one of the main tools that government should improve in order to stimulate a critical analysis of the issue. Education systems should be based on the transmission of peaceful values, such as tolerance, openness and integration, to avoid the involvement of future generations in extremist ideologies.

⁸ European Council on Foreign Relations, Europe's New Counter-Terror Wars, October 2016. Available at: http://www.ecfr.eu/publications/summary/europes_new_counter_terror_wars7155.

⁹ European Council on Foreign Relations, Europe's New Counter-Terror Wars, October 2016. Available at: http://www.ecfr.eu/publications/summary/europes_new_counter_terror_wars7155.

¹⁰ *Ibid.*

27. This approach was one of the recommendations of the PAM meeting on “The dialogue in the meeting of cultures and religions: the role of politics and education”, held in Rome on 15 December 2016, hosted by the Italian Senate, where participants gave particular attention to Imams’ education and, in particular, their role in the Islamic communities. Extremism is not part of the Islamic religion, nevertheless a falsified propaganda diffused by uneducated Imams could twist the real meaning of the Islamic doctrine and foment extremist interpretations of holy writs. It is a responsibility of governments to support the religious practices in the respect of the peaceful coexistence.
28. In addition, on the occasion of the PAM meeting “Extremism, terrorism, and the tragedies of illegal immigration in the Mediterranean: what policies to cope with these renewed challenges?”, held in Rabat on 26 May 2015, hosted by the Parliament of the Kingdom of Morocco, it was underlined how individual economic dissatisfaction is one of the main factors that contribute to the violent escalation of the Arab Spring and to the spread of extremist ideologies. MENA region suffers of the highest unemployment’s rates, and governments should focus on the improvement of economic conditions in order to develop a more inclusive role of citizens in the social life.
29. Many European countries decided to create barriers in order to contain migration fluxes and the arrival of terrorist fighters in their homeland. Nevertheless, this kind of decisions are an obstacle to the efforts to implement an interreligious and intercultural dialogue, which is fundamental in order to consolidate the unity against the Terrorism’s challenge. Moreover, taking into consideration that social exclusion is one of the main factors of radicalization, these policies have the distorted effect to make the extremist ideologies spread and to make the Western countries appear as enemies to terrorist groups.
30. The legal questions raised in this report should be addressed by identifying and adopting clear and appropriate legal framework to allow all actors concerned to act in accordance with an International Law on the use of force. This may avoid excessive use of force, which risks to damage the civil innocent population living in the targeted areas of military operations.
31. Military interventions have, without any doubt, reduced the ISIS’ territorial control. Nevertheless, various intelligence officials from the Office of the Director of National Intelligence (DNI) have made clear that territorial losses did not reduce the flux of fighters who continue to feed violent ideologies and very often are included in other terroristic groups. According to the DNI Office, it is, instead, necessary to focus on the elements that make terrorism grow and to adopt a long-term prospective and strategy¹¹.
32. Internet is one of the main instrument of propaganda used by ISIS to diffuse its messages worldwide. A better control of the internet should be part of a broad prevention plan of diffusion of extremist messages in order to avoid that violent ideologies could affect specific sections of population, in particular young people. Nevertheless, governments should balance

¹¹ CORDESMAN, “Defeating” ISIS: The Real Threats and Challenges, Center for Strategic and International Studies (CSIS), August 2016. Available at: <https://www.csis.org/analysis/defeating-isis-real-threats-and-challenges>.

this control and the respect of certain essential rights, for instance the right to information and the freedom of speech.

33. Information sharing between international organizations and countries is key to identify FTFs and to contrast their borders' crossing. It is necessary to develop international counter-terrorism network in order to work on international standards and to prevent terrorist attacks in more efficient and rapid ways¹².
34. It is also essential for PAM and its partners to continue focusing on national and international legal measures. PAM parliamentarians play a key role in the adoption of relevant counter-terrorism legislation, in order to implement an adequate guarantee to citizens and to control and manage the work of counter-terrorism national agencies. Legislative measures are fundamental to develop efficient investigations taking into consideration the laws regarding the respect of human rights. The forthcoming PAM/UNODC/CTED meeting, to be held in Rome on 30-31 March 2017, aims at assessing the implementation of the relevant UNSC resolutions on this topic. At the request by the UNSC/CTED/CTC, also national parliaments of Central Asian countries will be invited to attend.

¹² Interpol, Foreign terrorist fighters, available at: <https://www.interpol.int/Crime-areas/Terrorism/Foreign-terrorist-fighters>.