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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 Mediterranean region”

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Report

I. INTRODUCTION

1. Terrorism remains one of the top concerns for the Mediterranean region in the wake of instability and conflicts that occurred in some parts of the region following the Arab Spring. Over the past five years, organisations like ISIS have exploited ongoing wars in Syria, Iraq and Libya to grow, evolve, attract recruits, and organise attacks on a world-wide level, particularly in Europe, MENA region and Sub-Saharan Africa.
2. In response to the scope of this unprecedented threat, over the last few years PAM has placed its focus on the issue, and has strengthened its cooperation with all the key UN bodies mandated to counter terrorism. The result of this work is an ongoing series of dedicated conferences, where PAM MPs get together with global experts from the UN and other institutions, to discuss effective legislative strategies for counter-terrorism, and specifically the enactment of relevant UN Security Council resolutions into national laws.
3. As the nature of the terrorist threat continues to evolve rapidly, as it has been seen over the past four years, it is essential for parliamentarians to continue being informed, share good practices with their colleagues from the PAM region, and produce legislation to effectively stop, prevent and counter terrorist activities.

II. CURRENT TRENDS

4. The Global Terrorism Index 2017 (GTI), compiled by the Institute for Economics and Peace and launched in Geneva on 21 November 2017, reports that there has been a major turning point in the fight against terrorism and the general global trend has been a decline in terrorist incidents and casualties since the peak of recent years, which occurred in 2014¹.

¹ <http://visionofhumanity.org/app/uploads/2017/11/Global-Terrorism-Index-2017.pdf>

5. However, despite the decrease of overall terrorist incidents and casualties, there are still a number of worrying trends. Compared to previous years, a record number of 77 countries experienced at least one death as a result of terrorism in 2016, which caused the GTI score to fall by four percent². This means that the terrorist threat is becoming an increasingly global phenomenon, and is reaching places which have been previously spared from attacks in the past.
6. Experts identified a trend towards diversification and simplification, which has also led to a dramatic decrease in the cost of preparing attacks. Many deadly attacks have been carried out by using vehicles to plough through crowded areas, and there is an increase in the use of knives. GTI estimates that most attacks in Europe cost less than 10,000 USD³, meaning that attacks can be self-financed and do not require extensive support by the terrorist group that is either coordinating or even simply inspiring the attack.
7. It is also worth noting that according to Europol, up to 40% of attacks in Europe are at least in part financed by other criminal activity especially drug dealing, theft, robberies, the sale of counterfeit goods, loan fraud, and burglaries⁴. This further emphasises the need for closer in-country cooperation and data sharing among the various agencies of law enforcement.
8. Iraq experienced the highest increase in terrorist attacks, however according to the GTI report, this has been linked to the desperation of ISIS as it lost territory in the battle field, and resorted to increased attacks on civilians and suicide bombing missions⁵.
9. In the Mediterranean region specifically, Turkey and Egypt have seen the most significant increase in terrorist incidents. One of the deadliest recent incidents took place in Egypt in November 2017, in which over 300 people died in a single attack on a mosque.

III. ISIS AND THE ISSUE OF FOREIGN TERRORIST FIGHTERS

10. By the end of 2017, the so called Islamic State lost practically all of the territory it controlled in Iraq and Syria, including major urban areas such as Raqqa, Mosul, Tikrit and Fallujah, and the surviving fighters have relocated to rural and unpopulated areas along the Syria-Iraq border. Similarly, ISIS affiliates in Libya has been largely driven out of the cities of Derna and Sirte and surviving terrorists have been pushed into sparsely inhabited areas further south.
11. As a result of major territorial losses, the inflow of foreign terrorist fighters into the so called Islamic State has diminished significantly over the last two years. Another major factor that contributed to the diminished inflow has been the measures taken by governments to step up their efforts to make it difficult for people to travel to conflict zones in pursuit of terrorist activity, as well as the incapacity of ISIS to pay salaries to its combatants.

² <http://visionofhumanity.org/app/uploads/2017/11/Global-Terrorism-Index-2017.pdf>

³ <http://visionofhumanity.org/app/uploads/2017/11/Global-Terrorism-Index-2017.pdf>

⁴ <https://www.europol.europa.eu/activities-services/main-reports/eu-terrorism-situation-and-trend-report-te-sat-2017>

⁵ <http://visionofhumanity.org/app/uploads/2017/11/Global-Terrorism-Index-2017.pdf>

12. Despite the diminished inflow of foreign fighters, the loss of territory by the so-called Islamic State presents another problem in regard to what will happen to the foreign fighters who remain alive. Overall, according to the *Soufan Center*, there were over 40, 000 Foreign Terrorist Fighters from 110 countries who travelled to Syria and Iraq to join the Islamic State⁶.
13. Many of them will move to other battlefields and places of instability. Afghanistan is a top destination for ISIS fighters, and their operations and attacks in the country have evidently risen over the past two years. Others may go to the Sahel region or join closely affiliated groups such as Boko Haram. Others may choose to go to countries in which they can simply hide from authorities, without the intent of continuing terrorist activity or attempting to return to their country of origin in Europe, MENA and Central Asia. At present, it is reported that already some 5,600 FTFs, from 33 countries, have returned to their countries of origin. The *Soufan Center* reports that it is estimated that about 30% of the approximately 5,000 EU citizens/residents have already returned, and 10% of the 9,000 FTFs coming from the CIS region have also returned home⁷.
14. According to the latest numbers reported by the *Soufan Center*, the top five countries with the largest number of foreign fighters which have gone to Syria and Iraq are: Russia - 3,417 with 400 returnees; Saudi Arabia – 3,244 with 760 returnees; Jordan – 3000 with 250 returnees; Tunisia – 2,926, with 800 returnees; and France 1,910 with 302 returnees⁸. Given the territorial defeat sustained by ISIS, it is likely that the rate of returnees for many countries will increase in the upcoming weeks and months.
15. To address the threat posed by returning foreign terrorist fighters, countries of origin must add, among their activities, de-radicalisation efforts. De-radicalisation is a delicate and sensitive process with a variety of factors, which may determine the success or failure of its strategy, such as public opinion, punitive vs rehabilitation measures, societal integration, and the special cases of children who grew up under the rule of the Islamic State. For example, one of the debates on the issue is whether keeping terrorists imprisoned only delays the threat of their actions, and possibly deepens their radical convictions and potentially spreads radical ideas among other prisoners, thereby increasing the overall threat to the public. De-radicalisation efforts must be studied closely at the legislative level and in the framework of international cooperation in order to share best practices among parliamentarians, which therefore remains a crucial task for PAM. These efforts should also be oriented towards international cooperation in order to stop the flow of FTF escaping from the combat's zones and joining different areas of conflicts such as Afghanistan, Libya and others, including returning in their countries of origin.

⁶ <http://thesoufancenter.org/wp-content/uploads/2017/10/Beyond-the-Caliphate-Foreign-Fighters-and-the-Threat-of-Returnees-TSC-Report-October-2017.pdf>

⁷ <http://thesoufancenter.org/wp-content/uploads/2017/10/Beyond-the-Caliphate-Foreign-Fighters-and-the-Threat-of-Returnees-TSC-Report-October-2017.pdf>

⁸ <http://thesoufancenter.org/wp-content/uploads/2017/10/Beyond-the-Caliphate-Foreign-Fighters-and-the-Threat-of-Returnees-TSC-Report-October-2017.pdf>

IV. IMPLEMENTATION OF THE UN SECURITY COUNCIL RESOLUTIONS 2178 and 2396

16. In 2014, the UN Security Council adopted resolution 2178 to address the phenomenon of Foreign Terrorist Fighters, and recently published a report on the implementation of that resolution among states affected by the FTF phenomenon.
17. In this report, the UN CTED identified the urgent need to establish effective exchange of information at the national and international levels. It also identified five key priority areas that states need to address in its implementation of UNSC 2178, namely⁹:
 - a. Preventing inter-State travel of foreign terrorist fighters
 - b. Establishing a centralised and coordinated exchange of information at the national level among law enforcement agencies
 - c. Countering incitement to terrorism, including through the internet
 - d. Criminalization of preparatory or accessory acts conducted in the State with the aim of committing terrorist acts outside the State's territory
 - e. Adopt the necessary and most effective measures to stop the financing of foreign terrorist fighters
 - f. Strengthening international cooperation in criminal matters
18. On 21 December 2017, the UN Security Council adopted Resolution 2396 to update UNSC Resolution 2178. The new resolution provides greater focus on the measures required to address returning and relocating foreign fighters. It includes new obligations for States to strengthen border security and information sharing, strengthen judicial and international cooperation, and adopt appropriate prosecution, rehabilitation, and reintegration strategies for returning foreign fighters and their family members.

V. THE ROLE OF PARILAMENTARIANS AND PAM STRATEGY

19. Parliamentarians play a crucial role in counter-terrorism efforts, along with governments, law enforcement agencies, judiciary powers, and civil society. It is particularly important for parliamentarians to pay close attention to the rapid evolution of the terrorist threat and react with timely legislation that addresses issues that may have been previously unforeseen by the national legal frameworks.
20. Due to the largely international character of the current terrorist threat in the region and the world, especially the phenomenon of foreign fighters, it is also crucial that international cooperation on counter terrorism is reinforced. This includes the cooperation at the regional inter-parliamentary level, because special consideration must be paid to the use of common language and an overall coherence/harmony in the adoption of UNSC resolutions on counter-terrorism into national law by different countries. It should be also noted that these efforts are crucial for allowing international cooperation mechanisms in criminal matters such as

⁹ https://www.un.org/sc/ctc/wp-content/uploads/2016/09/FTF-Report-1-3_English.pdf

extradition, mutual legal assistance, transfer of proceedings as well as similar efforts against financing of terrorism.

21. To this end, PAM has re-enforced its cooperation with key UN bodies mandated to address this issue, namely the UN Security Council Counter-Terrorism Committee and its Executive Directorate (CTED), the Terrorism Prevention Branch at the United Nations Office on Drugs and Crime (UNODC), and most recently with the newly established UN Office for Counter Terrorism. Over recent years, PAM together with its UN partners held a series of conferences on this issue, with the latest one taken place in Rome on 30-31 March 2017, which was hosted by the Italian Parliament.
22. The conference highlighted that national legislations, adopted to counter ISIS and foreign fighters, were still lacking common terminology and interoperability. The meeting concluded with the recommendation that national legislations should be reviewed to ensure full harmonization with the 19 international instruments related to terrorism and the relevant UN Security Council resolutions. Acting in absence of a governing legal framework, threatens the rule of law and encourages abusive action by state institutions which in turn begets violence and terrorism. These findings were confirmed by national authorities who have the responsibility to implement national laws deriving from the obligations of UNSC resolution 2178, at the *VI National Conference on Security, the Rule of Law, and Development: Euro-Mediterranean Dialogue* held in Bari, Italy, on 30 November – 1 December 2017, under the auspices of PAM.
23. PAM remains strongly committed to the issue of counter-terrorism and the next PAM-UN conference will take place in April 2018 in St. Petersburg, and will be co-organised with the Interparliamentary Assembly of the Commonwealth of Independent States (IPA CIS), in order to associate the national parliaments of the Central Asian region.
24. This meeting will have two main objectives. The first is for PAM to increase cooperation and exchange of best practices with parliamentarians from the Central Asian Republics, since that region is particularly vulnerable to the threat of returning foreign fighters.
25. The second objective is to address the gaps identified at the meetings in Rome and Bari, particularly to harmonise the way that national parliaments adopt relevant UN Security Council resolutions especially in terms of providing the necessary resources and tools to the judicial system and to law enforcement agencies in order to stop terrorists impunity especially concerning foreign terrorist fighters.