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Detained ISIL survivors held in Syria and Iraq: A humanitarian emergency and a risk for international security

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1. The military campaign in Baghouz, North-Eastern Syria, in March 2019, brought to an end the territorial existence of the Islamic State of Iraq and the Levant (ISIL), but the threat posed by the organization is far from over.¹ Those who survived the fighting, and did not manage to escape, were divided and detained. Local Kurdish authorities are holding adult men in several prisons of the Al-Hasakeh Governorate, in Syria, as men are considered primarily responsible for ISIL atrocities, and continue posing a clear threat. Meanwhile, women and children are held in camps guarded by Kurdish forces. Among those detained in these facilities, there are thousands of foreign nationals that traveled to join ISIL between 2014 and 2019.
2. The fate of the Foreign Terrorist Fighters (FTFs), and of their families, requires an urgent solution to prevent the backlashes of their prolonged detention in make-shift camps and overcrowded prisons. The international community has not yet agreed on a common and coordinated response to the need to effectively repatriate, prosecute and, when possible, rehabilitate and reintegrate these people. While some countries have taken a proactive approach to ensure their nationals face due process, other countries still refuse to act.
3. The Parliamentary Assembly of the Mediterranean (PAM) debated this issue on several occasions and concluded that all countries must take responsibility for their respective nationals held in Syria and Iraq, and has called for the establishment of a legal and operational mechanism to properly address this issue. In this regard, PAM put forward an idea for the establishment of a UN-led Mission of Inquiry to assist states in the repatriation of their nationals.
4. This report examines the humanitarian and security implications of the current situation in North-Eastern Syria and Iraq, outlining the risks of the status quo, taking stock of the measures adopted, and of those still required, to achieve a comprehensive solution to this emergency.

¹ <https://www.nytimes.com/2019/03/23/world/middleeast/isis-syria-caliphate.html>

Camps and prisons in North-Eastern Syria and Iraq

5. Currently, around 70,000 women and children previously associated with ISIL are held in several camps in North-Eastern Syria, of which the biggest is the one in Al-Hol.² According to the UN, Al-Hol alone hosts 65,000 people, of whom around 35,000 are children under 12 years old.³ This camp is composed of two sections: one comprised of Syrians and Iraqis, and one where foreigners are held. Foreign families, originating from an estimated 70 countries, number around 10,000 people.⁴
6. According to the administrative authorities of the camp, it is hard to determine whether Syrian and Iraqi families had ties with ISIL or have fled the conflict earlier. However, the camp administration indicated that the number of displaced people in the camp before the defeat of ISIL was 9,500 people, including 6,500 Iraqi refugees and 3,000 displaced Syrians.⁵
7. In prisons, as of November 2020, around 10,000 male ISIL members are in custody, of whom 2,000 are foreigners of 50 different nationalities, mainly from European and Arab countries.⁶ In these structures, the Kurdish Authorities are struggling to keep secure control of the prisoners and frequently report riots and thwarted jailbreaks.⁷
8. In Iraq, where the last ISIL strongholds have been defeated in 2017, criminal courts are prosecuting those captured by Iraqi authorities. Over the past two years, Iraqi Federal courts have conducted at least 20,000 trials for ISIL-related crimes, prosecuting, among others, hundreds of foreigners. However, a report issued by the UN highlighted the flaws in these judicial processes, as they relied heavily on confessions, and often based on scarce evidence.⁸ Moreover, the defendants often reported human rights violations and torture to obtain confessions, which, in some cases, led to a death penalty sentence.⁹
9. Moreover, officials are working to repatriate and prosecute Iraqi nationals and foreigners, who are held in Syria, but are suspected of having committed crimes on Iraqi territory. A part of the fighters, currently held in Iraq, has already been transferred from North-Eastern Syria, through agreements with the self-proclaimed Syrian Democratic Forces (SDF).¹⁰ However, because of the risk of torture and the absence of fair trials, these transfers do not comply with international standards for extradition.¹¹

² <https://observatoryihr.org/blog/foreign-isis-children-deserve-a-home/>

³ https://reliefweb.int/sites/reliefweb.int/files/resources/Al%20Hol%20Snapshot_11Oct2020.pdf

⁴ <https://observatoryihr.org/blog/foreign-isis-children-deserve-a-home/>

⁵ <https://www.hawarnews.com/en/haber/in-numbers-syrians-iraqis-and-foreigners-in-al-hol-camp-h19887.html>

⁶ <https://www.nytimes.com/2020/05/25/world/middleeast/isis-prisoners-syria.html>

⁷ <https://shorturl.at/epszL> ; <https://shorturl.at/jEJK7>

⁸ <https://www.hrw.org/news/2020/01/31/iraqs-isis-trials-dont-deliver-justice-including-children>

⁹ <https://english.alarabiya.net/en/News/middle-east/2019/06/02/Iraq-condemns-eighth-French-ISIS-member-to-death-.html>

¹⁰ <https://www.reuters.com/article/us-mideast-crisis-islamicstate-iraq/us-backed-sdf-hands-over-280-iraqi-foreign-detainees-to-iraq-idUSKCN1QD0VJ>

¹¹ <https://www.osce.org/files/f/documents/9/8/24392.pdf>

10. Iraqi authorities are currently working on a new legislation to reform the criminal justice system to comply with these standards, including human rights provisions, and to introduce war crimes into their criminal code.¹² Nevertheless, recent political setbacks and the re-shuffling of priorities due to the Covid-19 outbreak have stalled this reform.

The security threat

11. Prison overcrowding and the news of nearby military activities have led to several riots in the prisons of Al-Hasakeh.¹³ These events have caused several casualties and required a great effort from authorities to regain control of the prisons.¹⁴
12. Similar incidents happen in the camps, where several attacks committed by women using weapons against the guards, or threatening other hosts, have been reported.¹⁵ These incidents have proven that detainees manage to smuggle different types of items inside the camps, ranging from weapons to money obtained illegally from ISIL cells on the outside.¹⁶ Moreover, the poor living conditions in the camp are contributing to the mounting anger among the residents, and episodes of hostile behavior even from children are reported.¹⁷
13. The security of the detention facilities is also threatened by the ongoing military activity in the area, increasing the risk of jailbreaks. In 2019, the prisons in Ain Issa and Qamishli were damaged by armed confrontations, leading to the escape of hundreds of detainees.¹⁸

Health services lack in times of Covid-19

14. There are multiple reports about scarce hygiene and poor access to services in camps and prisons. In 2019, local Kurdish authorities reported that at least 517 people lost their lives in the camps due to the dire conditions of living, of whom 371 were children.¹⁹ According to UNICEF, children suffer from malnutrition-related complications, which contribute to the aggravation of the effects of minor diseases.²⁰
15. The situation has worsened with the outbreak of Covid-19 pandemic, bearing direct and indirect effects on the detention sites. Even before the first cases were recorded in August 2020 in the camps,

¹² <https://apnews.com/article/dea85263c829ab189c3e9ad92a53bf63> ; <https://www.lawfareblog.com/iraqs-broken-justice-system-islamic-state-fighters>

¹³ <https://www.syriahr.com/en/172684/> ; <https://www.syriahr.com/en/183527>

¹⁴ <https://www.theguardian.com/world/2020/mar/30/islamic-state-prisoners-escape-from-syrian-jail-after-militants-riot>;
<https://theArabweekly.com/kurdish-forces-say-situation-under-control-after-riots-isis-prisoners-syria>

¹⁵ <https://www.nytimes.com/2019/09/03/world/middleeast/isis-alhol-camp-syria.html>

¹⁶ <https://www.jstor.org/stable/pdf/26927663.pdf?refreqid=excelsior%3Af9ad83ccac3312a2e3a5e021b12f9884>

¹⁷ <https://www.hrw.org/news/2019/07/23/syria-dire-conditions-isis-suspects-families>

¹⁸ <https://www.theguardian.com/world/2019/oct/13/kurds-say-785-isis-affiliates-have-escaped-camp-after-turkish-shelling>;
<https://www.businessinsider.com/isis-prisoners-may-have-escaped-secure-facility-2019-10?IR=T>

¹⁹ <https://www.france24.com/en/20200116-more-than-500-dead-in-syria-s-al-hol-in-2019-medics>

²⁰ <https://news.un.org/en/story/2020/08/1070122>

the pandemic worked as a catalyst for the grievances of detainees and their families.²¹ The outbreak of Covid-19 underscores the narrative that anti-ISIL forces are not focused on or able to take care of the people in detention. This further strengthens extremist propaganda, already present in the detention facilities.²² Moreover, because of Covid-19 precautions, the number of guards within the prisons has been significantly reduced and riots have become even more frequent.²³

Children in detention need an urgent solution

16. Children under the age of 12 represent around 50% of the population in the camps and they lack access to basic services. Given that radical ideologies in support of ISIL remain prevalent in these camps, prolonged detention of children is likely to cause more distress and could make them vulnerable to violent radicalization, if they are not timely and rapidly rehabilitated and integrated into society. Moreover, from legal and humanitarian perspectives, it is indefensible to keep children detained as responsible for the crimes committed by their parents, as it constitutes a violation of the UN Convention on the Rights of the Child and of the Geneva Conventions.²⁴
17. Furthermore, thousands of children were born under ISIL rule in Syria and Iraq, and currently face a concrete risk of future exclusion from society due to the issue of statelessness. The Iraqi government considers the birth certificates provided by ISIL as invalid.²⁵ Meanwhile, foreign governments, such as Denmark, have announced that children born to their nationals in Syria and Iraq will not have the right to Danish nationality.²⁶ These decisions risk creating thousands of stateless people in the future, with limited access to education, employment and civic rights.

Legal and humanitarian implications

18. Local authorities announced, at the beginning of October 2020, that they would release thousands of Syrian families from the Al-Hol camp, in an attempt to ease the burden of camp management. As of November 2020, around 800 people left the camp after providing the necessary documentation.²⁷ However, authorities clarified that the measure would not involve residents directly linked to ISIL and their families, as well as those moving serious accusations against them would also remain in the camp.²⁸
19. Furthermore, in mid-October 2020, local authorities announced a general amnesty for prisoners with less serious offenses to reduce overcrowding and to prevent a Covid-19 outbreak. On 15 October 2020, 631 ISIL prisoners were released from the Alaya prison in North-Eastern Syria, and 253 others

²¹ <https://www.savethechildren.net/news/first-case-coronavirus-appears-among-residents-syrian-al-hol-camp>

²² <https://ctc.usma.edu/the-security-threat-covid-19-poses-to-the-northern-syria-detention-camps-holding-islamic-state-members/>

²³ <https://www.theguardian.com/world/2020/mar/30/islamic-state-prisoners-escape-from-syrian-jail-after-militants-riot>; <https://thearabweekly.com/kurdish-forces-say-situation-under-control-after-riots-isis-prisoners-syria> ; <https://shorturl.at/epszL> ; <https://shorturl.at/jEJK7>

²⁴ <https://www.icrc.org/en/download/file/1033/children-legal-protection-factsheet.pdf>

²⁵ <https://www.nrc.no/resources/reports/barriers-from-birth/>

²⁶ <https://www.france24.com/en/20190611-repatriation-families-islamic-state-group-jihadists-children>

²⁷ <https://www.voanews.com/middle-east/more-syrians-sent-home-al-hol-displaced-persons-camp>

²⁸ <https://www.voanews.com/middle-east/displaced-syrians-heading-home-notorious-al-hol-camp>

saw their terms cut in half. Although the authorities claim that these prisoners "have no blood on their hands", the complete assessment of their crimes should remain a priority.²⁹ Indeed, it is necessary to ensure the complete accountability for the crimes committed by ISIL to meet the legitimate expectations of victims and survivors.

20. Governments must also ensure that prosecution and conviction are conducted within international standards, to prevent grievances that could set the basis for the future recurrence of ISIL-like phenomena. In January 2020, the UN issued a report on the monitoring of nearly a thousand trials held by Iraqi courts in the previous two years, resulting in conviction for crimes related to ISIL activities.³⁰ These trials convicted also people that were under the age of 14 at the time they committed the alleged crimes. Moreover, the fairness of these decisions was questioned by UN officers, as the courts were "placing defendants at a serious disadvantage" and were based on a controversial anti-terrorism legal framework. Indeed, as highlighted by the UN, the suspects were convicted based on 'membership' in a terrorist organization, without distinguishing between those who participated in serious crimes and those who joined ISIL under coercion.³¹
21. At the early stages of the FTFs inflow to Syria and Iraq, the UN Security Council (UNSC) expressed concern about the inaction showed by part of the international community. Therefore, in 2014, the UNSC approved resolution 2178, which required UN Member States to detain and prosecute foreign terrorist fighters crossing their borders. This resolution was followed by the *Madrid Guiding Principles*, to provide Member States with a practical tool built upon good practices to tackle this issue.³² More recently, the UN Security Council voted for resolution 2396 to call on Member States to develop comprehensive solutions to address the fate of their citizens who joined ISIL, and to cooperate in this regard.

The lack of coordination hampers an effective solution

22. To date, the international response to the issue of FTFs, including repatriation and prosecution by their respective home countries, has been inadequate. Indeed, some countries are not repatriating their nationals, arguing that they would represent a threat to security and demanding their prosecution in the countries where they were captured. However, this simply shifts the security risks elsewhere on a temporary basis, and further amplifies the future terrorist threat, which has proven to be transnational.
23. Some governments invoke legal arguments seen as an impediment to the repatriation of FTFs and their families, including the impossibility to conclude extradition agreements with non-state actors, such as the SDF. However, leading international legal experts have concluded that international law, and most national laws, generally permit the lawful transfer of foreign terrorist fighters from the custody of a non-state entity to government authorities for prosecution, rehabilitation, or other appropriate means of preventing their return to terrorism.³³

²⁹ <https://www.aljazeera.com/news/2020/10/15/syria-kurds-free-more-than-600-isil-fighters-as-part-of-amnesty>

³⁰ https://www.ohchr.org/Documents/Countries/IQ/UNAMI_Report_HRAAdministrationJustice_Iraq_28January2020.pdf

³¹ https://www.ohchr.org/Documents/Countries/IQ/UNAMI_Report_HRAAdministrationJustice_Iraq_28January2020.pdf

³² https://www.un.org/sc/ctc/wp-content/uploads/2016/10/Madrid-Guiding-Principles_EN.pdf

³³ https://harvardnsj.org/wp-content/uploads/sites/13/2020/01/STIGALL_Vol.-11.1-v3.pdf

24. On this issue, in 2019 the European Parliament approved a resolution calling on Member States to repatriate and prosecute their citizens.³⁴ However, repatriations have been piecemeal. While acknowledging a different status for the children in camps and the need for their protection, governments hesitate to repatriate them to avoid including their families in these procedures. For instance, of the some 300 children of French parents in Syria's camps, only 28 have been repatriated as of June 2020, often through emergency plans for critical illnesses.³⁵ This is the case of the repatriation of a severely ill 7 year-old French girl, made possible only after the mother gave up custody rights in order to let the child have medical treatment in French hospitals.³⁶ For what concerns women who joined ISIL, independently or with their husbands, the French government believes they should be prosecuted as fighters in the countries where they allegedly committed criminal acts, in Syria and Iraq.
25. For the same reason, the Belgian government has promoted the idea of a dedicated international court to prosecute foreign terrorist fighters, affirming that their repatriation would constitute a security threat for the country.³⁷ Moreover, 6 ISIL fighters, who had Belgian-Moroccan nationalities, have been stripped of their Belgian citizenship.³⁸ However, Belgian courts are facilitating the return of women and children, since some of them manage to enter Turkey illegally and there they have been presented to Belgian diplomatic representatives.³⁹ Back in their home country, Belgian women are sentenced to imprisonment, while children undergo a process, including ascertaining their age, the assessment of exposure to indoctrination or military training, and the level of threat they pose.
26. Recently, the Netherlands announced that it turned down US assistance in repatriating ten Dutch women because they would pose a threat to national security.⁴⁰ Similarly, Swedish authorities have confirmed their commitment to the repatriation of children held in Syria and Iraq, while adopting a hard stance against adults, including the possibility to strip them of their nationality.⁴¹
27. Many countries are following a case-by-case approach. In Australia, the cases of eight children were successfully addressed in 2019. However, since then, the government has not taken any measures to facilitate the repatriation of the 80 Australians still held in Kurdish facilities. In this regard, Australian authorities argued that they would not risk Australian lives to rescue those in Syria and Iraq.⁴²
28. Northern Africa has been one of the hotspots of the FTFs phenomenon, counting over 3,000 Tunisians, some 1,600 Moroccans, and at least 600 Egyptians that have travelled to Iraq and Syria.⁴³

³⁴ https://www.europarl.europa.eu/doceo/document/B-9-2019-0128_EN.html

³⁵ <https://www.aljazeera.com/news/2020/06/22/france-brings-home-10-children-of-isil-fighters-from-syria/>

³⁶ <https://www.nytimes.com/2020/05/31/world/middleeast/isis-children-syria-camps.html>

³⁷ <https://www.kurdistan24.net/en/news/7197e86f-4223-47ec-9968-3606453166a1>

³⁸ <https://www.vrt.be/vrtnws/fr/2020/01/02/six-combattants-etranagers-partis-en-syrie-perdent-leur-nationalite/>

³⁹ <https://www.ispionline.it/en/publicazione/foreign-fighters-and-terrorist-threat-belgium-24663>

⁴⁰ https://www.ecfr.eu/publications/summary/beyond_good_and_evil_why_europe_should_bring_isis_foreign_fighters_home

⁴¹ <https://bulaninstitute.org/wp-content/uploads/2020/07/Report-on-State-Policies.pdf>

⁴² <https://www.hrw.org/news/2020/10/13/australians-trapped-syria-need-governments-help>

⁴³ <https://css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/CSSAnalyse222-EN.pdf>

However, the governments of the area have not taken a unified and comprehensive approach to repatriation and prosecution.

29. Morocco, one of the more proactive countries on the issue, has strengthened its security services and has implemented deradicalization programs in prisons. So far, Moroccan authorities estimate that around 600 Moroccans died in combat and that returnees totaled 213 people, of whom 146 adult men, 52 women and 15 children.⁴⁴ Almost all of these returnees have been brought to justice, while further repatriation efforts appear stalled.
30. So far, Tunisian authorities have not implemented a comprehensive program to facilitate the repatriation of Tunisian FTFs, invoking the scarce diplomatic presence in Syria and Iraq and the outbreak of the pandemic as impediment.⁴⁵ Moreover, the exact number of Tunisians currently held in Syria and Iraq remains unclear. Similarly, Egyptian authorities have not yet assessed precisely the number of national FTF survivors and have not yet implemented a comprehensive repatriation program.

Secure repatriation is possible

31. However, some countries are taking more responsibility for their nationals. The United States announced, at the beginning of October 2020, that they have repatriated and prosecuted all American citizens known to have joined ISIL.⁴⁶ On that occasion, the US Department of Justice also reiterated its call on other countries to do the same, offering its logistic and technical support to governments who may need it.
32. The Russian Federation was one of the first countries to organize repatriation procedures for Russians held in Syria and Iraq, even if hundreds remain in the area.⁴⁷ These repatriation plans included mainly orphaned children, most of whom were family members of jailed ISIL supporters, while repatriation and prosecution of adult ISIL fighters has not progressed.⁴⁸
33. Kazakhstan has repatriated almost all its nationals in the mass flights organized in the framework of Operation Zhusan, in 2019.⁴⁹ The Kazakhs returning from Syria and Iraq had different fates, depending on their respective involvement in ISIL-related activities. Women and children that have not taken an active role within ISIL have been repatriated and assigned to a rehabilitation center to follow a reintegration program, with support from civil society.⁵⁰ At the center, the Rehabilitation Center of Good Intentions, the women were provided support with their children and received

⁴⁴ <https://www.egmontinstitute.be/content/uploads/2019/04/EP107-returnees-in-the-Maghreb.pdf?type=pdf>

⁴⁵ <https://www.arabnews.com/node/1703911/middle-east>

⁴⁶ <https://www.justice.gov/opa/pr/united-states-has-repatriated-27-americans-syria-and-iraq-including-ten-charged-terrorism>

⁴⁷ <https://www.middleeasteye.net/news/russia-repatriates-26-islamic-state-linked-children-syria>

⁴⁸ <https://www.middleeasteye.net/news/russia-repatriates-26-islamic-state-linked-children-syria>

⁴⁹ <https://www.usip.org/blog/2019/09/central-asia-leads-way-islamic-state-returnees>

⁵⁰ https://www.un.org/counterterrorism/sites/www.un.org.counterterrorism/files/200925_unoct_unrcca_press_release_sprr_event.pdf

treatment by doctors and psychologists, to ensure a full recovery from their traumas.⁵¹ Meanwhile, 31 repatriated men and 12 women were prosecuted and convicted for participation in the activities of terrorist organizations.⁵² Other Central Asian countries, including Uzbekistan and Tajikistan, have also repatriated a part of their nationals.⁵³

34. Referring to Europe, in 2019, and with the support of the US, Kosovar authorities organized the repatriation of 110 nationals held in Syria and Iraq, mostly women and children.⁵⁴ Before these state-supported repatriations, 132 Kosovars had independently returned from joining ISIL, of whom 120 were men, 6 children and 6 women.⁵⁵ The authorities detained and prosecuted all men upon their arrival, with an average sentence of 3 and half years, while women were placed under investigation. Successively, some of them have been found responsible for ISIL-related activities and convicted, albeit with lighter sentences compared to men.⁵⁶

The international response

35. After the territorial collapse of ISIL, the United Nations has been active in the assistance to Member States for the adoption of a comprehensive and well-tailored response leading to the repatriation of FTFs and their families. In April 2019, the Secretary-General published a set of “Key Principles for the Protection, Repatriation, Prosecution, Rehabilitation and Reintegration of Women and Children with Links to UN Listed Terrorist Groups”, intended to ensure coherence and coordination in the support provided by the UN system to the Member States in addressing these challenges.⁵⁷ This document recalls that Member States have primary responsibility for their nationals held in Syria and Iraq and must ensure that citizens suspected of having committed crimes are treated in compliance with international law.
36. Furthermore, SG Guterres called for an appropriate framework to ensure that those who are not responsible for terrorist acts are repatriated and rehabilitated, with a particular focus on the fate of children. Children linked with armed conflict should be treated first and foremost as victims, as reaffirmed by the Security Council resolution 2427, and should be granted their right to nationality.⁵⁸
37. The UN system is also developing a dedicated program to assist its Member States in the assessment of their capacity to effectively repatriate, prosecute or rehabilitate their nationals, as appropriate. In this regard, UN officials conduct consultation visits to take stock of the legal and practical framework adopted in the Member States, and to assess their suitability to proceed with repatriations.⁵⁹ The

⁵¹ <https://www.nytimes.com/2019/08/10/world/europe/kazakhstan-women-islamic-state-deradicalization.html>

⁵² https://www.inform.kz/en/zhusan-operation-595-kazakhstanis-repatriated-from-syria_a3611674

⁵³ <https://www.rudaw.net/english/world/02052019> ; <https://english.alarabiya.net/en/News/middle-east/2019/05/30/Syria-Kurds-say-repatriating-148-Uzbek-ISIS-women-children>

⁵⁴ <https://www.rferl.org/a/kosovo-relatives-is-fighters-return-from-syria/29892911.html>

⁵⁵ <https://ctc.usma.edu/returnee-foreign-fighters-syria-iraq-kosovan-experience/>

⁵⁶ https://www.clingendael.org/sites/default/files/2020-06/Policy_Brief_Kosovo_experience_repatriating_former_foreign_fighters_May_2020.pdf

⁵⁷ https://www.un.org/counterterrorism/sites/www.un.org.counterterrorism/files/key_principles-april_2019.pdf

⁵⁸ <http://unscr.com/en/resolutions/doc/2427>

⁵⁹ <https://undocs.org/S/2020/774>

first consultations of the program have taken place in Indonesia and in the Philippines. The UN has requested PAM to support this program.

38. In fact, in the process of development of the program, UN officials consulted with PAM to gather the perspective of parliamentarians from the Euro-Mediterranean Region. During the bi-lateral consultations, PAM welcomed the establishment of the program as a step forward toward a comprehensive solution to the emergency. However, PAM officials expressed their concerns regarding the lack of political will from some States to effectively take action on the issue, which could stall a comprehensive solution to this problem. Therefore, PAM has recommended that further steps have to be taken to build political commitment among States to take responsibility for their citizens in Syria and Iraq.

The role of Parliaments and of the Parliamentary Assembly of the Mediterranean

39. Parliaments play a crucial role in shaping national legislation to address security threats, and ensure that international instruments are translated into national laws. Parliamentarians also contribute to gathering political support around common challenges, and persuading their governments to take action to address effectively security issues.
40. PAM has been addressing the ISIL FTFs phenomenon since the beginning, promoting among its Member Parliaments the implementation of relevant UNSC resolutions. In 2014, PAM worked with its Member Parliaments on the adoption of the provisions of UNSC 2178 into national laws, with the aim to halt the inflow of FTFs to Syria and Iraq. As the phenomenon of foreign terrorist fighters continued to evolve, PAM focused its attention on the implementation of the UN Security Council resolution 2396 and the Madrid Guiding Principles. In February 2019, PAM adopted a resolution that explicitly requested Euro-Mediterranean national parliaments to work on the basis of these two documents.
41. Also in 2019, faced with the phenomenon of returning or relocating FTFs in the Euro-Mediterranean region, PAM took the decision to upgrade its Task Force on Counter-terrorism, and set up a Special Parliamentary Committee on Terrorism to enhance the scope of the structure and shape it to better coordinate PAM activities on this issue. The committee enjoys a strong network of partnerships with the UN, NATO, OSCE and other international organizations, international parliaments, and national security services, and works as a platform for dialogue and sharing of legislative practices to address critical counterterrorism issues.
42. In June 2019, at a conference organized by PAM in Turkey, its delegates underscored that relevant UN Security Council resolutions, namely 2178 and 2396, have binding legal obligations for states to bring terrorists to justice and to develop and implement appropriate prosecution, rehabilitation and reintegration strategies for returning foreign terrorist fighters. Moreover, at this conference, PAM arrived at a consensus to support a proposal to establish an international Mission of Inquiry, under the authority of the United Nations, which would assess, on a case by case basis, which country would be responsible to repatriate and prosecute the concerned people. PAM briefed the UN Security Council on this matter in July 2019, where it received a positive response.

43. At a meeting of the PAM Special Parliamentary Committee on Counterterrorism in Rome, in November 2019, this issue was further evaluated with senior representatives of courts and of intelligence and security services of Russia, United States, Italy and the United Arab Emirates. The severity of the situation was further highlighted, and the support for the proposal for a UN-led Mission of Inquiry was re-affirmed. On the occasion of the 14th Plenary Session, in February 2020, the Assembly formally adopted, by consensus, its support for this strategy to address the issues of ISIL survivors and FTFs.

44. At present, the issue of ISIL survivors in Syria and Iraq remains unresolved and continues to pose a security threat, as well as constitutes a humanitarian crisis. Therefore, this issue requires further debate to support concrete international action. In November 2020, PAM Bureau decided that there is a need to take full stock of the efforts done by PAM on this issue and to evaluate future steps. The Special Parliamentary Committee of PAM on Counterterrorism, under the leadership of its Chair, Hon. Gennaro Migliore, assisted by PAM Secretariat, is fully committed to work with its Member Parliaments and strategic international partners in this regard.