



Refocusing On The Foreign Fighter Threat

February 26, 2019 **Ilan I. Berman** *Al-Hurra Digital*

Related Categories: Democracy and Governance; Human Rights and Humanitarian Issues; Terrorism; Africa; Central Asia; Europe; Iran; Iraq; Middle East

What is to be done with ISIS returnees? America's allies and partners have grappled with this question for more than a year now, ever since the Islamic State's self-declared *caliphate* in Iraq and Syria began to crumble. But the issue has become more acute in recent days as a result of American policy.

Last week, President Trump ignited a political firestorm in Europe when he asked EU states to absorb nearly a thousand foreign fighters from Iraq and Syria. "The United States is asking Britain, France, Germany and other European allies to take back over 800 ISIS fighters that we captured in Syria and put them on trial," the president said via Twitter. "The caliphate is ready to fall."

The rationale behind the Administration's request is clear. With the White House committed to a pullout of military troops from Syria, the Trump administration is worried that – unless properly controlled – former ISIS fighters might migrate *en masse* to Europe, leading to an uptick of terrorism there. But Washington's demand has had the effect of reigniting the debate over the best way by which foreign nations can cope with the challenge posed by returning foreign fighters.

As of yet, there is no serious international consensus on the issue. Instead, various countries have adopted their own, divergent responses – ranging from forgiveness to punishment.

Tajikistan, for instance, has embraced a conciliatory approach. Several years ago, the Central Asian republic amended its criminal laws to allow authorities to issue pardons, on a case-by-case basis, to nationals who engaged in foreign militancy (including in Iraq and Syria). The measure, however applied only to Tajiks who had been radicalized by Islamist propaganda and subsequently shown signs of contrition. Even so, it was intended to ease reconciliation and "reintegration" of Tajiks who had ventured to the Middle East. A year ago, as part of that process, the government of Tajik president Emomali Rahmon pardoned over 100 such returnees from Syria and Iraq.

Morocco, meanwhile, has adopted a substantially stricter approach to the problem. Back in 2015, pursuant to UN guidelines, the Kingdom made mobilization to join the Islamic State a crime under national law. Since then, the country has erected a parallel network of prisons designed specifically to house ISIS returnees and other Islamic radicals – an inmate population that now stands at some 800 persons. In this way, officials in Rabat hope to "quarantine" extremists and stop their ideas from infecting those convicted of other crimes.

Countries like Kazakhstan and Australia have gone even further. In 2017, the government of Nursultan Nazarbayev signed into law a new legislative measure allowing Kazakh authorities to strip citizenship from nationals who are convicted of certain types of crimes – in particular, those relating to terrorism or threats to state security. Australia's government has enacted the same sort of penalties for nationals who simultaneously hold citizenship from other countries. In December 2018, Neil Prakash, a suspected top recruiter for ISIS in the Middle East, became the twelfth person to lose his Australian citizenship in this manner.

Up until now, the countries of Europe have gravitated toward the latter approach – and for good reason. According to the European Parliament, more than 4,000 ISIS radicals hold European citizenship, and if repatriated could pose a severe threat to the security of the Continent. The Belgian, French and British governments have therefore all adopted restrictive approaches to reintegrating returnees, with the UK going so far as to strip more than 100 dual national Islamic State fighters of their British citizenship back in 2017.

Not surprisingly, therefore, America's new appeal has been received coldly in Europe. France's government has not responded directly to Trump's request, saying instead that it would consider returnees only on a "case by case" basis. Britain, meanwhile, has just stripped citizenship from Shamima Begum, an ISIS "bride" who left the UK in 2015 – thereby creating the precedent for England to reject other ISIS returnees as well. These steps, and others, threaten to make the foreign fighter question yet another fault line in the fraying relationship between the United States and Europe.

But the larger question of what should be done with former ISIS radicals remains, and how America and its allies answer it will go a long way toward determining whether yesterday's foreign fighters become tomorrow's terrorists.