FOREIGN TERRORIST FIGHTERS

Despite the terrorist group ISIL (Da’esh) having lost control of an overwhelming majority of the territory it previously controlled in Iraq and the Syrian Arab Republic, an estimated 20,000 foreign terrorist fighters (FTFs) may still be present in the area. As a result, previous concerns that the group’s military losses would result in a flood of returnees have changed, as many States have instead received a steady trickle of returning foreign terrorist fighters.

Whereas Security Council resolution 2178 (2014) focused on stemming the flow of foreign terrorist fighters attempting to travel to conflict zones, the more recently adopted 2396 (2017) instead concentrates on returning and relocating FTFs. In the more recent resolution, the Council calls on Member States to strengthen measures to prevent the transit of terrorists. Those measures include ensuring that identity documents are not forged, as well as employing evidence-based risk assessments, screening procedures, and the collection and analysis of travel data to identify individuals posing a terrorist threat, in accordance with domestic and international law, and without resorting to profiling based on discrimination. The resolution also calls on Member States to take appropriate action in regards to suspected terrorists and their accompanying family members who entered their territories. While emphasizing that Member States are obliged to bring to justice anyone who has participated in a terrorist act, the resolution stresses the importance of assisting women and children associated with FTFs who might be victims of terrorism. It also underlines the need for tailored prosecution, rehabilitation, and reintegration strategies for family members that might have abetted terrorist acts in various roles, taking into account gender and age sensitivities in the design of such strategies.

Foreign terrorist fighters are defined as “individuals who travel to a State other than their State 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,” according to resolution 2178 (2014). FTFs increase the intensity, duration, and complexity of conflicts and may constitute a serious danger to their States of origin, transit, destination, as well as neighbouring zones of armed conflict in which they are active.

Three overall trends have been identified by CTED since the adoption of Security Council resolution 2396 (2017): First, difficulties in conducting comprehensive risk assessments of those who return and their accompanying family members. Also various evidentiary and jurisdictional challenges linked to the prosecution of returning and relocating FTFs have been highlighted. Second, as a significant number of foreign terrorist fighters have already entered States’ criminal justice systems, new demands have been placed on prisons and increasing concerns raised about the potential for in-prison radicalization. Third, the potential risks posed by the forthcoming release of imprisoned FTFs, including the potential for some of these to re-engage in terrorist activities and radicalization to violence.

DID YOU KNOW?

According to the United Nations Secretary-General, an estimated 20,000 fighters may still be present in the area of Iraq and the Syria.
Because of these and other risks, there is a need to strengthen the collection of data and information-sharing in this area, including in terms of lessons learned, in order to ensure that rehabilitation and reintegration programmes are based on sound methodologies and are implemented in full compliance with domestic law and international human rights law.

Terrorist organizations also benefit financially from the FTF phenomenon, whether in the form of donations made by the fighters themselves or in the form of ransoms paid by others to free foreign terrorist fighters or individuals kidnapped for ransom from conflict zones. In order to tackle terrorism financing effectively, it is essential that Member States integrate countering the financing of terrorism into their national counter-terrorism strategy, including in line with resolution 2178 (2014).

Women FTFs are often viewed from the perspective of deep-rooted gender stereotypes. The conventional view is that women are less likely than men to engage in terrorism. However, the experiences of many Member States suggest a different picture. According to some Member States, an estimated 25-40 percent of all individuals who left to become FTFs were women. Women have long played significant roles in terrorist movements. The current scale of their involvement in perpetrating acts of terrorism and violent extremism, however, demands a considerably more serious and urgent examination. In line with resolutions resolution 2242 (2015) and 2395 (2017), CTED – in collaboration with UN Women – encourages gender-sensitive research and data collection on the drivers of radicalization for women and the impacts of counter-terrorism strategies on women's human rights and women's organizations in order to develop targeted and evidence-based policy and programming responses.