



Resolution 2091 (2016)¹

Foreign fighters in Syria and Iraq

Parliamentary Assembly

1. In recent years, the phenomenon of “foreign fighters” – individuals, driven mainly by ideology, religion and/or kinship, who leave their country of origin or habitual residence to join a party engaged in an armed conflict – has expanded almost worldwide and has become a major global challenge for the international community.

2. The Parliamentary Assembly condemns in the strongest terms the recent terrorist attacks which took away the lives of hundreds of citizens of Turkey, the Russian Federation, Lebanon, France, Tunisia, and many other countries, and reaffirms its position of principle in support of the fight against terrorism in all its forms and wherever it occurs. It notes with great concern that many of these recent terrorist attacks are claimed by, and may be attributed to, individuals who act in the name of the terrorist entity which calls itself “Islamic State” (Daesh) and who have perpetrated acts of genocide and other serious crimes punishable under international law. States should act on the presumption that Daesh commits genocide and should be aware that this entails action under the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide.

3. In this context, the Assembly is extremely worried about the growing flow of foreign fighters – men and women from across Europe – who travel to Syria and Iraq in order to join Daesh and other violent extremist groups which openly reject and attack universal fundamental values and commit heinous crimes against both European citizens and the local population of the countries where they go to join the “jihad”. The Assembly recalls that under international law States have a positive obligation to prevent genocide, and thus should do their utmost to prevent their own nationals from taking part in such acts.

4. Therefore the Assembly deems it of utmost importance to raise public awareness of the phenomenon of foreign fighters, and to understand and address it, including the problems related to the return of these fighters to their home countries, which is a major and growing threat to domestic and international security. Fighters who may have perpetrated acts of genocide and/or other serious crimes prohibited under international law, and who seek international protection upon their return to Europe, should under no circumstances be granted refugee status.

5. This threat takes on an even greater degree of urgency in the light of the bloody attacks in Paris in November 2015, as well as a number of previous terrorist attacks where there is credible evidence that most perpetrators were linked to Daesh and had fought in Syria or Iraq. This threat should also be considered against the background of the unprecedented wave of arrivals of refugees and migrants in Europe.

6. In addition to direct security threats such as terrorist attacks by returnees, the danger exists that foreign fighters may seek, both while abroad and after their return, to broaden support for their causes and extend radical terrorist networks by recruiting new followers, glorifying terrorist acts, sharing experience with new recruits and training them in terrorist techniques.

1. *Assembly debate* on 27 January 2016 (6th Sitting) (see [Doc. 13937](#), report of the Committee on Political Affairs and Democracy, rapporteur: Mr Dirk Van der Maelen; [Doc. 13959](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Pieter Omtzigt). *Text adopted by the Assembly* on 27 January 2016 (6th Sitting).

See also [Recommendation 2084 \(2016\)](#).



7. More broadly, by misusing religious motivations for their choices and acts, foreign fighters actually do harm to the religious communities which they claim to belong to and fight for. As a result, they risk undermining the cohesion and integrity of democratic societies by exacerbating cleavages between the various ethnic and religious groups. The Assembly reaffirms in this respect that terrorism should not be associated with any religion, nationality or ethnic group.

8. The Assembly is particularly worried about the growing proportion of women and young girls who travel to join Daesh; in some countries, this exceeds 40% of all departures. While, for the time being, it seems that women and girls do not take part directly in the fighting, it is to be feared that this could happen in the future as Daesh sustains losses in the ranks of its fighters.

9. The foreign-fighter problem is likely to remain on the political agenda for years to come, and may even deteriorate. It is therefore essential to deepen the understanding of its root causes and devise appropriate policy responses to address them. While there is a tendency to take quick and visible short-term action focused on protection and punishment in reaction to immediate threats, the Assembly believes that a security-oriented approach is not enough and stresses the need to put more emphasis on addressing the underlying factors of radicalisation, as well as on prevention, discouragement and reintegration policies which may yield long-term results.

10. According to various studies, becoming a foreign fighter is a result of, and may be an ultimate step in, the process of radicalisation – a complex phenomenon of people embracing radical ideology and intolerant opinions and ideas that could lead to violent extremism and terrorist acts.

11. Radicalisation is most often a result of the interaction of a series of political, socio-economic, ideological, personal and psychological factors. It may affect men and women of all social origins, particularly the young, including those originating from the middle classes and holding higher-education degrees. Individuals feeling marginalised, ill-treated, socially excluded and desperately seeking a meaning to life and a sense of belonging are at high risk of being radicalised, indoctrinated by extremist propaganda, including via Internet and social networks, and being recruited by terrorist groups.

12. As to the driving factors which may lead to a decision to travel to a conflict zone, these may include a sense of outrage at what is alleged to be happening in the country where the conflict is taking place and empathy with the people affected, adherence to the ideology of the group an individual wishes to join, and a search for identity and belonging. Other drivers may be foreign policy grievances, national policy, intergenerational conflict and peer pressure. In addition, young women and girls may be attracted, via Internet recruiters, by promises of romance and marriage to Daesh fighters and their perceived “true masculinity”, and the prospects of building genuine Islamic families in a “Caliphate” under Sharia law and becoming mothers of the next generation of jihadists.

13. The Assembly reiterates that the response to terrorism must comply with international law and the fundamental principles of democracy, respect for human rights and the rule of law, and avoid undermining the values and standards of democracy which terrorists seek to destroy.

14. The foreign-fighter problem is being studied and dealt with as a matter of priority by many national governments, specialised agencies, research centres, local authorities, and by various regional and international organisations. The Assembly underlines the need to share information and best practice and exchange experience, and the importance of co-ordinating efforts among all actors involved.

15. Taking into account an ever-broadening dimension of the terrorist-fighter problem stretching over national, regional and even continental borders, the Assembly believes that the United Nations must continue to play the leading role in shaping a global strategy to counter this dangerous trend. It refers, in particular, to United Nations Security Council Resolution 2178 (2014) on threats to international peace and security caused by terrorist acts, which addresses the issue of foreign terrorist fighters.

16. In this context, the Assembly notes with satisfaction that the Council of Europe was the first international organisation to set up a regional legal instrument to implement the provisions of Resolution 2178 by adopting the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (CETS No. 217). While regretting that the Committee of Ministers did not take into account the proposed amendments contained in Assembly [Opinion 289 \(2015\)](#) on the draft additional protocol, the Assembly welcomes its opening for signature.

17. The Assembly further welcomes the resolve of the Committee of Ministers to make a strong contribution to the fight against violent extremism and radicalisation leading to terrorism through the adoption of an action plan for 2015 to 2017, which aims to increase the capacity of European societies to reject all forms of extremism. It particularly underscores the relevance of concrete measures for preventing radicalisation through education, in prisons and on the Internet.

18. For its part, the European Union has been active in co-ordinating its member States' responses to the problem of foreign fighters, and has developed, *inter alia*, the Strategy for Combating Radicalisation and Recruitment to Terrorism encompassing policy responses which are also relevant for countries outside the European Union.

19. The Assembly notes that a number of countries take measures to take away the nationality of foreign fighters. That is only admissible as long as international law and proper judicial procedures are followed.

20. Due to their proximity to citizens, local authorities and other actors at local level have a key role to play with regard to the early detection and prevention of radicalisation and departures of Europeans to the conflict zones, and the readaptation and deradicalisation of returnees. In this respect, the Assembly welcomes the efforts by the Congress of Local and Regional Authorities of the Council of Europe to bring together representatives of local authorities from across Europe with a view to sharing experience and good practice on preventing radicalisation, and to promote integrated approaches at local level in order to ensure that all stakeholders – civil society, faith-based organisations and social, educational, security and justice services – are involved.

21. The Assembly calls on its member and observer States and parliaments with partner for democracy status to:

21.1. work out a comprehensive response to the foreign-fighter problem, striking the right balance between repression of criminal behaviour, protection of populations and human rights, prevention of radicalisation, deradicalisation and reintegration of returnees into their home communities after appropriate punishment has been served, if applicable, and to address the root causes of radicalisation;

21.2. fulfil their positive obligations under the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide by taking all necessary measures to prevent genocide;

21.3. build partnerships between governments, local authorities, the private sector and civil society to address the threat posed by violent extremist ideologies;

21.4. recognise and enhance the role of local authorities in dealing with the foreign-fighter problem, by raising awareness at the local level, strengthening advisory capacity, collecting, analysing and sharing local-level approaches, setting up local multi-agency structures and creating and pooling new resources and tools;

21.5. review the situation in education systems, promote inclusive education and ensure that schools fully play their role in preparing active citizens with a sense of responsibility and critical thinking skills, and who are prepared to live in a diverse society and defend the values of democracy;

21.6. devise effective measures in order to detect and stop the dissemination of violent extremist propaganda on the Internet and via social networks and the media;

21.7. make active use of all communication channels, including the Internet and social media, and draw on the expertise of the best available public relations specialists, to spread information about the heinous crimes committed by Daesh, and counter-narratives aimed at exposing extremist discourse and dissipating illusions about the real situation in the territories held by Daesh and the fate of its recruits, in particular by using testimonies of returnees who have witnessed first-hand the nature of Daesh;

21.8. enhance intercultural and interreligious dialogue with leaders of the various communities, with particular emphasis on the prevention of radicalisation and the need to counter hate speech and violent extremist propaganda;

21.9. pay due attention to the education and training of religious leaders in full respect of fundamental democratic values, so as to ensure that they disseminate the message of tolerance and resist hate speech;

21.10. strongly condemn and, if need be, impose sanctions on religious leaders who preach hate and violence and otherwise attack fundamental values enshrined in the European Convention on Human Rights (ETS No. 5);

- 21.11. pay particular attention to the prevention of radicalisation and terrorist recruitment in prisons;
- 21.12. take fully into account the increasing number of women and young girls departing to join Daesh, develop a gender-specific approach to prevention and reintegration, and specific counter-narratives aimed at women and girls, and fully use the social and family role of women in countering violent extremism;
- 21.13. prioritise deradicalisation programmes dealing with returnees;
- 21.14. decline to grant refugee status to persons who might have perpetrated acts of genocide or other serious crimes prohibited under international law, and share information about such persons with other member States;
- 21.15. enhance international co-operation between competent national and local authorities and specialised agencies with a view to a swift exchange of relevant information, experiences and good practice for engagement with foreign fighters for prevention, outreach, rehabilitation and reintegration after appropriate punishment has been served, if applicable;
- 21.16. sign and ratify, if they have not already done so, the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196) and its additional protocol, as well as other relevant Council of Europe legal instruments.