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THE LURE OF THE SYRIAN WAR: THE FOREIGN FIGHTERS' BOSNIAN CONTINGENT

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INTRODUCTION

Returning foreign fighters from Syria and Iraq – battle-hardened, skilled in handling arms and explosives, and ideologically radicalised – pose a direct threat not only to the security of Bosnia and Herzegovina, but also of the region and beyond. Upon their return, they may already belong to existing networks of radicalised individuals or they may establish new ones; and their return could thus have a long-lasting effect on BiH society, as these former fighters may challenge existing leadership in their respective communities or become role models for youth. It is therefore necessary to monitor, analyse, and report this phenomenon, as well as to develop an effective counter-narrative and various intervention strategies. So far, however, such efforts are palpably lacking.

The Lure of the Syrian War: The Foreign Fighters' Bosnian Contingent is based on extensive research that examined the dynamics of the civil war in Syria and the role of foreign fighters, especially those from Bosnia and Herzegovina. It provides the first comprehensive analysis of the foreign fighter phenomenon in BiH and points to key trends in radicalization, recruitment, facilitation, and financing of individuals poised to travel to and fight in the Syrian and Iraqi war theatres. This study also explored the economic, geographic, social, and educational background of these individuals, as well as their previous criminal records, age distribution, patterns and means of travel, and the duration and location of their activities in Syria and Iraq. Further, the research exposed links between foreign fighters from BiH and radical and militant groups and individuals, and assessed the level of threat that foreign fighters could pose upon their return to their respective communities. Finally, this study offers policy recommendations meant to contribute to more effective (security, political, social, and other) measures for understanding the phenomenon and better countering its impact.

The following key findings have been established through investigation into open and classified sources, as well as extensive interviews with officials in positions that require their expertise on these issues.

KEY FINDINGS

- The foreign fighter (FF) phenomenon is not a recent development. States and individuals have actively participated in internal conflicts in other countries throughout history. States usually intervene in other state's wars to protect their interests, perceived or real. Individuals, however, tend to fight for money (mercenaries) or ideology (belief system, core values, worldview, identity).
- A number of security and other concerns are associated with the FF phenomenon; but historical patterns reveal 3 most prominently: (1) with little exception, transnational recruits are responsible for higher levels of violence than local insurgents; (2) insurgencies that manage to recruit foreign fighters are oftentimes disproportionately unsuccessful compared to other rebel groups; and (3) residual foreign fighter forces have a proven record of becoming spoilers in the implementation of negotiated peace settlements.
- Despite international pressure and the rather serious security risk associated with Bosnian foreign fighters, there is no single database of BiH citizens that are believed to have participated – or are participating – in the conflict in Syria and Iraq. Data on FFs from BiH is mostly scattered, often incomplete or disorganized, and therefore difficult to analyse. Generally, there is a lack of coordination between local law enforcement agencies on FF-related issues, as well as an overlap of competencies and jurisdiction due to the total of 22 police agencies that operate in the country. This results in significant gaps in understanding and monitoring of the phenomenon.
- The BiH citizens that travelled to Syria from December 2012 through December 2014 were: 156 men, 36 women, and 25 children. By January 2015, 48 men and 3 women have returned, while 83 men and 32 women still presumably remain in Syria or Iraq. A total of 26 (25 men and 1 women) BiH citizens have been killed.
- The majority of foreign fighters from BiH originally resided in the Cantons of (1) Zenica-Doboj, (2) Tuzla, (3) Sarajevo, and (4) Una-Sana.
- A significant number of FFs from BiH, as well as their families, have at some point either resided or visited well-known Salafist communities in Gornja Maoča, Ošve, and Dubnica, or frequented Salafist mosques that operate outside the official structures of the Islamic Community in BiH, usually in and around major cities such as Sarajevo, Zenica, and Tuzla.
- The research has established that at least 20% of the BiH contingent of foreign fighters either permanently or temporarily resides abroad, mostly in Western Europe and the US.
- Police and court records show that of the 156 men counted among FFs, at least 44 (almost one-third) have previous criminal histories (arrests and/or sentences), including offences such

as: terrorism, illegal possession of arms and explosives, robbery, assault and battery, extortion, illegal trafficking, statutory rape, and more.

- In the initial phase of FF departures (in 2013), fighters stayed in Syria for a two- or three-month tour of duty before returning to BiH, oftentimes only to depart again for Syria with their wives and children. This trend gradually subsided in 2014, when number of departures from BiH far surpassed returns from Syria. This indicates the likelihood that BiH foreign fighters currently in Syria or Iraq do not intend to return to BiH.
- Travel to Syria from BiH occurred primarily through Sarajevo International Airport. Typically, those departing flew from Sarajevo to Istanbul and then to Gaziantep or Hatay, travelling further by car and on foot to Kilis and Azaz, or Reyhanli and Bab al-Hawa respectively.
- Like many countries faced with the prospect of returning foreign fighters, Bosnia and Herzegovina has yet to develop risk assessment tools to help officials determine the extent to which returning individuals and groups pose a threat to regional and international security.
- There appear to be two sets of underlying motives linked to two distinct generations of volunteers. The first includes former members of, or individuals close to, the El-Mujahid Unit from the 1992-1995 war in Bosnia – most of whom are in their mid- and late 40s. The second is comprised of “born again” Islamists and converts to Islam, mostly in their late teens and early 20s. While the first group sees the war in Syria and Iraq as continuation of the jihad they felt was ended prematurely in 1995 with the Dayton Peace Accord, the second group is driven mostly by adrenaline and a quest for self-validation, self-respect, group belonging, and purpose.
- Other contributing socio-economic factors provide additional, less visible (and perhaps subconscious) incentives for departure to the war in Syria and Iraq. Bosnia and Herzegovina is a decaying post-conflict society that has experienced a rapid erosion of socio-cultural values and norms, where violence or retrograde ideologies are often perceived as the only measures for self-affirmation and protection. An official unemployment rate hovering around 44% and a youth unemployment rate of almost 63% (the highest in the world) make youth a particularly targeted group (ages 15 to 24) because they are seen as most susceptible to radicalisation into violent extremism.
- A single or predominant pattern of ideological radicalisation of these groups and individuals could not be established through this research. Changes in someone’s worldview and in their perception of their own purpose is usually encouraged or facilitated by a figure of spiritual authority (through direct communication), but is also reinforced through social interaction with like-minded individuals, especially through various media platforms and on social networks.

- The recruitment of FFs to the Syrian and Iraqi war theatres often involves a number of socially, morally, and legally controversial or punishable acts framed as not only legitimate but as a theological imperative. This is a norm-setting practice that has a particular opening in which to take hold in an otherwise norm-less (Bosnian) society. This trend carries inherent potential for the continuation of existing security challenges, but also the emergence of new ones.
- Bosnia and Herzegovina must develop effective mechanisms for the repression and criminalization of this phenomenon; but must also understand that these measures alone cannot stop the spread of dangerous ideologies or discourage individuals from embracing them. It is imperative that BiH society abandon its voyeuristic attitude toward this phenomenon and work toward developing social responses. This will require strengthening remaining social correctives – from families, to schools and academia, to the media, to civil society – and developing a clear and universal system of values and norms.

FOREIGN FIGHTERS

"A man leaves his home to fight for the oppressed people... sounds heroic until you add in 'Muslim man'. Then he's a terrorist/extremist," wrote Iftikhar Jaman in one of his last Twitter messages. Jaman was a young Brit who fought in the Syrian civil war as a volunteer and died at the end of 2013. His comments on social media serve as evidence of the depth of Jaman's frustration, and are a reminder of the sometimes unpleasant truth that our willingness to understand and rationalise something is usually dependent on whether or how much that something aligns with our self-view and values. The participation of foreign fighters in other states' wars – in our times, in Syria and Iraq – has been an unexpected temptation of this willingness.

Foreign interference has probably always been a factor in war. In various contexts and with various motives, there has always been direct and indirect interference in the conflicts of other countries, whether invited or not. These foreign elements have ranged from conquering armies, paramilitaries, and secret formations to ideological actors, special agents, and common mercenaries. And, while states have typically interfered in foreign wars in the interest of alleged or real protection of their strategic and national interests, mercenaries and volunteers have done so for personal reasons.

Such interference in conflict has been gradually placed within a normative framework with some success, though legal ambiguities and numerous grey areas remain. Still, since the Westfall Peace Agreement (1648) and through to the United Nations Charter (1946) and the North Atlantic Treaty (1949), attempts have been made to restrict or define the conditions under which states and military alliances can engage in wars outside their borders.¹ The issue of mercenaries has also been resolved in International Law. The Geneva Conventions (1977) and the United Nations Convention on Mercenaries (2001) stipulate that any person identified as a mercenary by a responsible court shall lose the status of a prisoner of war, shall be considered an "illegal fighter," and shall be processed in further proceedings as a common criminal.²

- 1 See: the United Nations Charter, Chapter VII: "Actions with respect to threats to the peace, breaches of the peace and acts of aggression" (Articles 39-51); and the North Atlantic Treaty, Articles 5 and 6.
- 2 One of the protocols to the Geneva Conventions of 1977 describes a mercenary as a person who is not a citizen or resident of the country where a conflict is being led, but who participates for the purpose of personal gain when one of the parties to the conflict promises them financial compensation, which typically amounts to considerably more than that paid to members of the regular armed forces. For more, see: Protocol Additional GC 1977 (APGC77), a 1977 amendment to the Geneva Conventions. Article 47 discusses mercenaries. On 4 December 1989, the United Nations also adopted Resolution 44/34, "International Convention Against the Recruiting, Use, Financing and Training of Mercenaries," which came into force on 20 October 2001 and is known colloquially as the UN Convention on Mercenaries.

At the cognitive level, it may be easier to understand and justify wars waged in the name of national interests or financial gain than wars waged for ideas. This is not only because there are so many ideas and we cannot comprehend all of them, but because we simply disagree with many of the ideas other people hold. And so, naturally, our support for those who fight in someone else's war depends on whether they are fighting for the values and ideas to which we ourselves are committed. Indeed, support for these fighters may be both more divisive and more devotional, reflecting the strong link between our ideas and our sense of identity.

History is filled with stories of foreign fighters motivated by ideas. Lord Byron (1788-1824), one of England's greatest Romantic poets, fought in the Greek-Turkish War (1821-1832) in recognition of the struggle of the "subjugated descendants of ancient Greeks for liberation from the centuries-long Ottoman repression." American folk hero Davy Crockett (1783-1836) led armed American volunteers in support of a rebellion in Texas – a Mexican province at the time. Byron died from sepsis in Greece and Crockett famously died in the battle for the Alamo.

A huge number of foreign fighters were drawn into the Spanish Civil War (1936-1939), on both sides: the Republicans were loyal to the democratically-elected government of the Second Spanish Republic and the Nationalists were an anti-government coalition that consisted of conservative, monarchist, and fascist groups. Highly regarded writers Andre Malraux and George Orwell fought on the side of the Republicans, "against fascism," they claimed. So did around 40,000 volunteers from some 50 countries.³ The Nationalists, on the other hand, were supported by the German, Italian, and Portuguese ruling regimes, as well as by several thousand volunteers who arrived to Spain believing they were defending traditional (Christian) values from communism. Or, as a prominent Romanian volunteer wrote at the time, "to defend Christ and the Cross against... Satan and his Judeo-Masonic henchmen."⁴

In the post-Cold War period, foreign volunteers have been documented in Afghanistan, Pakistan, Bosnia and Herzegovina, Chechnya, Iraq, Somalia, Uzbekistan, Yemen, Syria, and, recently, Ukraine. Yet, the majority of modern states are working to restrict or prevent their citizens from engaging in other countries' wars, for several key reasons. Foreign fighters in an internal conflict

3 The Republicans had 10,000 volunteers from France, over 5,000 from Germany and Austria, and around 3,500 from Italy, as well as over 1,000 volunteers each from: Great Britain, the Soviet Union, Canada, Poland, and Hungary. Around 2,800 Americans also fought for the Republicans – in the "Abraham Lincoln Brigade" – and more than 750 died in combat. A significant contingent of volunteers from the Kingdom of Yugoslavia also arrived to Spain. They were mainly deployed in the "Georgi Dimitrov" and "Đuro Đaković" battalions and most of them passed through the Komintern Recruitment Centre in Paris, led by Tito. Almost half of the 1,600 Yugoslavs who volunteered died in combat.

4 Judith Keene, *Fighting for Franco: International Volunteers in Nationalist Spain During the Spanish Civil War, 1936-39* (London: Leicester University Press, 2001).

typically: (1) lead to a substantially higher level of violence than when the conflict involves domestic forces alone; (2) bring lower levels of success for parties to an internal conflict, compared to when they rely only on their own forces; (3) pose an impediment to peace agreements and their implementation; and (4) represent a serious security risk when they return to their country of origin or arrive in other destinations, because some are inclined to engage in further acts of violence, including terrorism.⁵

The “foreign fighter phenomenon” has attracted particular international attention in relation to the Syrian conflict. The mobilisation of foreigner fighters there has been the largest since the Soviet occupation of Afghanistan (1979-1989); with over 20,000 engaged up to the beginning of 2015. The threat that this phenomenon could become ever more common, and due to its regional and global impact, key international actors – primarily the US – have initiated a legal framework to suppress this trend.

The campaign that has been waged against the Islamic State of Iraq and the Levant (for which the English acronym is ISIL and the Arabic is DAESH, originating from *ad-Dawla al-Islamiya fi al-Iraq wa al-Sham*) – which has arguably become the group most known to the public for its use of foreign fighters – relies on UN Security Council Resolution 2170, adopted 15 August 2014, and UNSCR 2178, adopted 24 September 2014. Both were adopted pursuant to Chapter VII of the United Nations Charter, which allows use of military force. Resolution 2178 is very detailed and uses the term “foreign terrorist fighters” specifically, defining them as “individuals who travel abroad to a state other than their states of residence or nationality for the purpose of the perpetration, planning, preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training.”⁶ The Resolution also identifies three groups in the Syrian conflict that especially concern the UN for their recruitment of these fighters: the Islamic State of Iraq and the Levant (ISIL), the al-Nusra Front (ANF) and Al-Qaeda and its affiliates. According to Resolution 2178, the influx of foreign fighters to these organisations has inflamed conflict and contributed to the expansion of violent extremism. It demands that they cease all violence and terrorist activities immediately, and that they disarm and demobilise.

5 For more insight into the consequences of the participation of foreign volunteers in internal conflicts, see: David Malet, *Foreign Fighters: Transnational Identity in Civil Conflicts* (Oxford University Press, 2013).

6 The definition of a “foreign terrorist fighter” that was adopted in Resolution 2178 was drawn mostly from a document known as *The Hague-Marrakech Memorandum on Good Practices for a More Effective Response to the FTF Phenomenon*, which defines these fighters as: “individuals who travel abroad... to engage in, undertake, plan, prepare, carry out or otherwise support terrorist activity or to provide or receive training to do so.” See the Memorandum here: https://www.thegctf.org/documents/10162/159879/14Sept19_The+Hague-Marrakech+FTF+Memorandum.pdf. Also see: Ali Hussein Bakeer, “Dobri teroristi’ u Iraku i Siriji,” *Al Jazeera*, 4 January 2015, <http://balkans.aljazeera.net/vijesti/dobri-teroristi-u-iraku-i-siriji> (accessed 22 March 2015).

Exactly what defines a foreign fighter is not entirely universal, though, and the authors found other definitions which, at least in their nuance, reflect differences in how the role of foreigner combatants is perceived. According to the Geneva Academy of International Humanitarian Law and Human Rights, for instance, a foreign fighter is “an individual who leaves his or her country of origin or habitual residence to join a non-state armed group in an armed conflict abroad and who is primarily motivated by ideology, religion and kinship.”⁷ EUROPOL also accentuates that foreign fighters are “individuals motivated by religion, who leave their country of origin in order to train, fight or perform extremist activities in war zones,” but its definition also makes note of the threat they pose “upon return to their community of origin.” In the narrowest sense, this definition excludes individuals not motivated by religion but by criminality, adventure, or the desire to gain combat experience or travel to a war zone.

Although a single, commonly accepted, and comprehensive definition of a foreign fighter does not exist, the one used by the London-based International Centre for the Study of Radicalisation (ICSR) seems particularly appropriate for the purposes of this study. It defines a foreign fighter as “any person who has travelled to Syria to join any group opposed to the Syrian government, who performs combat activities and lacks Syrian citizenship (or, if ethnically Syrian, is ordinarily domiciled outside of the country).”⁸ Since the focus of this research is the Bosnian contingent in Syria (and not Bosnian fighters in foreign wars more generally), this is the definition that will be applied here.

7 *Foreign Fighters under International Law*, The Geneva Academy of International Humanitarian Law and Human Rights, Academy Briefing no. 7, October 2014.

8 Joseph A. Carter, Shiraz Maher, Peter R. Neumann, *Greenbirds: Measuring Importance and Influence in Syrian Foreign Fighter Networks*, ICSR, 2014.

THE WAR IN SYRIA: A HISTORICAL BACKGROUND

Syria gained official independence on 17 April 1946; but the state suffered from constant destabilisation caused by frequent military coups and power struggles. Following the Arab-Israeli War in 1948, a series of coup d'états led to the assumption of power by the Ba'ath Party in 1949. When Syria and Egypt merged in 1958, forming the United Arab Republic, it marked the golden era of pan-Arabic ideals. However, only three years later, Syria left the union after another military coup and once again declared independence. It soon became obvious that the Alawite community (a branch of Shiism) had gained more power in Syria – a reflection of the fact that the dominance of Sunni Arab Egypt had been a key reason for discontent with the Union among Syrians.

This period of political instability and frequent coups continued until a secret cadre of discontented Alawite officers, including Hafez al-Assad and Salah Jadid, helped the Ba'ath Party regain power and then gradually took control over the ruling party. In 1966, these Alawite officers and their allies crushed the opposition and expelled old Ba'ath Party members that remained loyal to the ideas of Michel Aflaq, an Arab Christian, and Salah ad-Din al-Bitar, a Sunni and the founder of the Party. They imposed Alwaite Zaki al-Arsuzi as the new leading Ba'ath ideologist, who they called the Socrates of reformed Ba'athism.⁹ This enabled these officers to impose a military dictatorship that has been shaping major decisions in Syria and firmly ruling its people ever since, and which became formalised in 1970 when Air Force General Hafez al-Assad, the father of current Syrian President Bashar al-Assad, assumed power.

The Hama Massacre

The Alawite coup left Sunni Arabs feeling deceived again, just as on several other occasions during colonial rule of the Middle East when minorities were favoured. In Hama – known as a Sunni stronghold throughout history – attempts to prevent Alawite dominance were expected, and another bloody story was written when they did. What happened in Hama actually began in 1964, when a rebellion there almost overthrew the Ba'ath regime and its highly positioned Alawites. Then, in February 1982, Sunni Arabs from the Muslim Brotherhood gained control over the city and executed officials who had been installed by the Alawites. These Sunni rebels had attacked Alawite soldiers in Aleppo, too, reacting against a brutal regime that was already developing the repressive methods of rule we see today. In response, Assad openly expressed his support for

⁹ Robert D. Kaplan, "Syria: Identity Crisis," *The Atlantic* (February 1993).

Maronite Christian militants in the Lebanese civil war of the late 1970s, which Syrian Sunnis saw as yet more proof of an Alawite-Christian conspiracy against them. Assad's answer to the Sunni rebellion in Hama was the deployment of 12,000 Alawite soldiers, who massacred 30,000 Sunni civilians and almost flattened the city.¹⁰ These events were evidence of the turbulence that shook Assad's seemingly stable rule and showed that national unity was no closer than it had been after the departure of the Turks and the French.

When the recent Syrian conflict began in 2011, old wounds that had never properly healed were opened again, sparking the terror of civil war. And, amid various ideological and geo-strategic confrontations in the region, one of the oldest conflicts within Islam – the Sunni-Shia conflict, with roots in the earliest centuries of the religion – was revived. Yet, imprudent and reductionist depictions of the Syrian war as an exclusively Sunni-Shia war may have an immeasurable impact on Muslim communities around the world and a destabilizing effect on societies far outside Al-Sham. The sectarian background of the Syrian conflict will certainly play a significant role in inspiring young Sunni men to mobilise; for they perceive the fight against Bashar al-Assad's regime not only as a struggle against dictatorship but as a chance to rectify historic injustices experienced by Sunnis.

The Arabic word 'Sunni' comes from the term *ahl as-sunnah wa l-jama'ah*, meaning followers of the traditions of the Prophet and of the Ummah (the community of Islam). Adherents of Shiism, which is derived from the Arabic term *Shi'atu Ali*, are followers of Ali bin Abi Talib, the Prophet's son-in-law – who Shia Muslims consider the rightful successor to Muhammed. After the death of the Prophet, though, the majority of his disciples chose his father-in-law Abu Bakr, Muhammad's contemporary and trusted companion, as their leader. Because Abu Bakr was seen to be carrying on the Prophet's traditions (*sunnah*), his followers became known as Sunni Muslims. And so, Abu Bakr was bestowed the title of Rashidun Caliphate or the "Rightly Guided," a title that was also taken by subsequent Muslim rulers of the Umayyad, Abbasid, and Fatimid dynasties.

Followers of Ali nonetheless assembled around him, forming the first nucleus of Shiism; but Ali refused to stand up to Abu Bakr. In fact, he worked closely with him and with two of his successors, Umar and Uthman, until Ali himself became the fourth "Rightly Guided" caliph of Sunni Islam. Still, the divide between those who saw Ali as the Muhammed's successor and those who followed Abu Bakr instead was already set, and Shiism became a religio-political movement in Iraq after Ali was killed by a member of the Kharijites – an extremist group that rejected both Ali and

¹⁰ Ibid.

Muawiyah, his successor.¹¹ This history is once again the subject of discussion among Muslims around the world, including in Islamist circles in BiH and the region, and is reflected in attempts to reinterpret the events that led to the Islamic schism from the Shia or extreme Sunni perspective.

“A Surplus of History”

In Syria, the danger of playing with identities and politicizing a “surplus of history” is on display. Relations among ethnic and religious groups in Syria have been deeply complex and are thus rich with the potential for interpretative manipulation, including regarding Sunni-Shia relations. And now, the brutality of the totalitarian Assad regime toward its own people is being viewed, interpreted, and analysed exclusively through the Sunni-Shia lens. Over the course of the conflict, the rhetoric used to inspire the mobilisation of Muslims from Syria and around the world against Assad has shifted from calls to resist a dictatorship that failed to provide freedom, rights, and prosperity to its people to calls to correct a “historic injustice” and settle Sunni-Shia accounts. Eventually, this discourse spread through virtual online communities in the Balkans and among the Muslim diaspora in the EU, including in Bosnia and Herzegovina.

Notably, particularly among the most conservative and radical Sunni ulema, the main argument against Syrian Shia and their branch of Alawites is not the brutality of the Assad regime but their alleged heretic interpretation of religion. Such framing of the conflict has changed the focus from a struggle against a regime to a sectarian battle that may serve to ideologically indoctrinate and radicalise far beyond Syrian borders.

Alawites or Nusayris?

It may be easy to fall into the trap of accepting the paradigm of Sunni-Shia conflict in Syria. However, historical analysis of the relationship between the Alawites – with Shia roots – and Syrian Sunnis (not to mention the economic, military, and strategic interests of the states now involved in the conflict) reveals problems much more complicated than theology. Syrian Alawites¹² are members of the sect known in Sunni literature as the “Nusayris,” a mystical religious group considered a branch of Shia Islam. The Nusayris were followers of Abu Shu’ayb Muhammad ibn Nusayr, who died around A.D. 863 and is believed to have taught in the study circles (*halaqa*) of the last

11 Seyyed Hossein Nasr, *The Heart of Islam* (New York: Harper Collins, 2004), 66.

12 It is important to note that Syrian Alawites and Turkish Alevi are not members of the same sect, and despite sharing some similar beliefs, practice very differently.

three imams recognized by most Shias as the successors and descendants of the Prophet.¹³ Today's Nusayris find this name unacceptable and offensive and call themselves Alawites, which they claim expresses their devotion to Ali. In fact, the term 'Alawites' was advocated by the French occupation forces in September 1920, to refer to Syrian residents from the coastal region of Latakia, because they sought to "accentuate the sect's similarities to Shi'ite Islam."¹⁴

Although history witnessed long periods of cooperation or at least tolerance between the Nusayris and other Islamic denominations, conflicts, oppression, and persecution were also common. The Nusayris frequently organised rebellions during Ottoman rule, for example; but, these were suppressed by force like all others across the Empire. After the collapse of Ottoman rule, which the Nusayris substantially contributed to, French occupation followed.

In the wake of the First World War, and fresh off the experiences of colonial rule in Algeria and Tunisia, the French sought to forestall the rise of Sunni Arab nationalism, which had turned out to be the biggest obstacle to colonial domination. For this reason, they gave full autonomy to the Alawites in Latakia, establishing the Alawite State, and to the Druze – another Shia sect – in the Jabal al-Druze State. The goal was to separate these groups from Sunni Arabs in Damascus and thereby consolidate French power. But in the early years of the French occupation, the Alawites, led by Saleh al-Ali, put up a strong fight and the French barely managed to suppress their rebellion, which resulted in a great deal of bloodshed. And so, to prevent the Alawites from organizing further rebellions, the French indulged them.¹⁵

The Alawite population in Latakia had historically inhabited rural areas and lived in a position of servitude toward the Sunnis, who owned the majority of land. But the French began to act to protect the interests of the Alawites, Druze, and other minorities by demanding fewer taxes from them and offering development subsidies. This added to tension between the Sunnis and the Alawites, which was even further aggravated by the fact that these minority groups – along with the Kurds and Circassians – were recruited to serve in special colonial forces known as The Army of the Levant.¹⁶

French favour and service in the name of the occupier contributed significantly to the image of Alawites as collaborators and enemies of both Islam and Arabs. But, the military had become

13 Encyclopaedia Britannica, 11th edition from 1911, "Nosairis." <http://www.1911encyclopedia.org/Nosairis> (accessed 15 May 2012).

14 Ayse Baltacioglu-Brammer, "Alawites and the Fate of Syria," *Origins* 7, no. 4 (January 2014). Available at: <http://origins.osu.edu/article/alawites-and-fate-syria/page/0/0>

15 Matti Moosa, *Extremist Shiites: The Ghulat Sects* (Syracuse, NY: Syracuse University Press, 1987), 282-283.

one of the most promising occupations for poor, young Alawite peasants.¹⁶ After liberation from French occupation, they gained significant influence in society, where the military played a key role and instigated frequent coups.¹⁷ But as the French had been pushing Syrian minorities up the social ladder, the colonial administration had done everything in its power to keep Syrian Sunnis under siege. Damascus was treated as occupied territory, with the presence of a huge military force consisting mostly of troops from Senegal along with Alawite and Druze detachments. When Syrians fought for their independence, Sunnis did not forget this disparate treatment and numerous Alawites were identified as enemy collaborators and traitors as the independent Alawite State was merged with what would become the new Syria.

The Dynamics of the Syrian War

The current war in Syria rose out of the primarily peaceful attempts of its citizens – living in one of the least liberal countries in the world and brutally ruled by a single family and its small group of loyal associates for decades – to obtain greater freedom and better living conditions. Syrian authorities responded to peaceful demonstrations with violence, mass imprisonment, and executions, using the full power of the armed forces against protestors. In response, armed resistance by small, uncoordinated groups that called themselves the “*Suwwas*” (Revolutionaries) began. Each of these local groups had its own name and command structure and ran its own operations, usually trying to prevent the Syrian Army and loyalist paramilitary formations, known as the “*Shabiha*,” from entering cities and villages.

The anti-regime armed rebellion spread throughout the country and eventually reached the outskirts of Damascus. Rebels took control of numerous border crossings, particularly with Turkey, and weapons and volunteers began arriving shortly thereafter from countries that wanted to see the fall of President Bashar al-Assad. It was then that attempts were first made to place scattered resistance formations under a single command. Collectively, these formations were soon known as the Free Syrian Army (FSA), but the FSA had neither a centralised command nor mechanisms for co-ordination. Finally, on 7 December 2012, military commanders from different units across Syria announced the establishment of a joint command consisting of 30 members, which they called the “Supreme Military Council” and which is also known as the Supreme Military Command (SMC).

The formation of the SMC and the invitation to all resistance groups to merge under the command of the FSA brought to light that some of these armed groups had such different ideologies

¹⁶ Kaplan, “Syria: Identity Crisis.”

¹⁷ Ibid.

and goals from the majority of Syrian rebels that they lacked even the most minimum basis for joint action. ISIL and the al-Nusra Front refused to submit to a joint command, though the latter did agree to co-ordinate operations and activities with the FSA in the field.

The establishment of a joint command strengthened the revolutionaries and, at one point, the SMC claimed that it had 80% of operational military formations under its control. Indeed, it appeared that the regime and the Syrian Army were on the losing side of the conflict. The Syrian Army, like most conventional armies, lacked training for a guerrilla war with its own citizens and soldiers had therefore remained in their barracks, only performing air strikes against rebel-held cities and villages. Then, a pivotal moment occurred: pro-Iranian Shia Hezbollah from neighbouring Lebanon entered the war on the regime side. Their soldiers were trained for exactly the type of war Syria was fighting and had previously demonstrated admirable endurance against a conventional army; and, not just against any army, but the Israeli Defence Forces, which suffered several painful defeats at the hands of Hezbollah.

This marked the turning point when the struggle of a people for freedom became a sectarian war between Syrian Sunnis, numerous Sunni countries, and their Western allies on one side and Alawite and pro-Iranian forces supported by Russia on the other. In media, and on social networks in particular, the conflict has been depicted as an aggression by the Shia minority over the Sunni majority and as an Iranian conspiracy against Sunni Muslim nations in the Middle East. Crimes perpetrated by the regime have also been described in terms that ignite historic animosities. The word *Rafida* (a derogatory name used by Sunnis for Shia, which means “rejectors”) is often used in association with loyalists and this has mobilised hundreds of primarily Salafi volunteers from around the world, including from Bosnia and Herzegovina, to assist their Sunni brothers.

Of particular note regarding the Bosnia and Herzegovinian context is that the Islam which has been taught and practiced in the Balkans has not carried the burden of the internal Muslim schism. Muslims in the region have had no experience with Shiism except through exposure to several Sufi orders, which have inherited certain elements of the Shia tradition. Thus, Muslims in Bosnia and Herzegovina have never felt any antagonism toward the Shia and significant effort has had to be invested in translating books, lectures, and online propaganda in order to convince Bosnian Muslims that “Shiism is the biggest enemy of Islam, and one which attacks it from the

inside.”¹⁸ This process has run concurrently with a rise in Shia proselytism by some governmental and non-governmental organizations and educational institutions in BiH and the region.¹⁹ And this has actually served to deepen polarisation, making it easier to convince local Sunni youth to travel to other parts of the world to kill “guilty Muslims.”

The Iranian trainers who have entered Syria have acted with multi-faceted logistical support from Hezbollah, Iran, Russia, and the Assad regime. They are the same trainers who have worked with Hezbollah members in Lebanon, numerous Shia militias in Iraq, Houthis in Yemen, and various other proxy paramilitary formations. They formed territorial defence and small militia groups in Syria, which operated without a central command in Shia, Alawite, Christian, and Sunni towns loyal to the regime. This was the turning point at which the rebels no longer had an advantage in the field, and the fall of the strategically important town of Qusayr, on the border with Lebanon, was symbolic of this new equilibrium. Following several weeks of siege, Hezbollah soldiers managed to take control of Qusayr in June 2014.

In the meantime, the SMC tried to hold different factions of the Syrian military opposition together; and in order to ensure continued support from Western countries, they maintained a secular official discourse, claiming that their goal was to overthrow the regime so that the people could then decide on their government in free elections. This was also reflected in an operational sense, by a preferential attitude toward professional military personnel that had crossed from the regime side, which the SMC hoped would create the impression that they were slowly taking control of the Syrian Army. However, the situation in the field soon developed into an entirely non-secular conflict.

This transformation into a sectarian war, and a brutal one at that, along with the suppression of religious freedoms, resulted in strengthened religious feelings among both soldiers and citizens. And the failure and lack of determination of the West to help the Syrian opposition and its people only strengthened groups that were instrumentalising Islam. News of disagreements over logistic routes and frequent clashes among rival factions for control of liberated territories additionally weakened the authority of the central command. Soon, a flood of volunteers arrived in order to fight for their own vision of jihad and the establishment of an Islamic state, by joining ISIL. ISIL had

18 The list of anti-Shia literature now available in the Bosnian language is far too long. Perhaps the first example was *Veliki Sejtan* (The Great Devil) by Halid Tulić, which was printed in Jordan in 1996 and distributed in BiH. Since then, numerous anti-Shia brochures have been translated, and are often printed by unknown publishers. Two have been especially widely distributed in BiH: “Osnove učenja Šija imamija isna `ašerija” by Es-Sejjid Muhibbuddina El-Hatib and “Ši`iti i ši`izam” by Ihsan Ilahej Zahir.

19 A lot of pro-Shia literature has been translated into Bosnian since the war (after 1995). Although it is rarely extremely anti-Sunni, it clearly promotes an interpretation of history and theology that deviates from official Sunni doctrine. At one point, the lead organisation in this effort was Muslimanski zivot (Muslim Life), which translated and distributed Shia literature across BiH and among the BiH diaspora, and published a magazine of the same title.

declared an Islamic state in territories that had already been liberated, thereby connecting those territories with the parts of Iraq that they had already seized from the “Shia enemy.”

As roles of the Supreme Military Command and the Free Syrian Army weakened, other umbrella organizations – now more frequently entitled “Islamic” instead of “Syrian” – tried to take their place. The latest in a series of attempts to unite the fragmented groups that make up the Syrian opposition was the founding of the Syrian Islamic Front (*al-Jabha al-Islamiyya as-Suriyyah*). This coalition, officially established on 22 November 2013, consists of some of the largest and most belligerent military formations, such as the Salafi detachment of Ahrar ash-Sham, Liwa al-Haqq from Homs, and the Suqour al-Sham Brigade from Idlib, as well as the Army of Islam (Jaysh al-Islam) – recently established in Damascus and believed to be directly supported by Saudi Arabia. They have a vested interest in containing ISIL, which is anti-Saudi and has been influenced by Al-Qaeda, and are also trying to diminish the influence of the al-Nusra Front, which is ideologically similar to Al-Qaeda but does not share tactics or command.

At the time this study was completed, moderate Syrian forces were weak; and there remains no prospect for a military solution in the country. Meanwhile, a serious spring offensive was launched against the so-called Islamic State in Tikrit, in Iraq. But the offensive was marked by many controversies, including the presence of Iranian Revolutionary Guard Commander Qassem Soleimani, numerous atrocities, and acts of revenge directed not only toward members of ISIL but also local Sunnis. Further, Sunnis were prevented from returning to liberated cities and their property was destroyed by Shia paramilitary formations driven strongly by ideology and sectarian motivations, such as *Jaysh al-Shabi*, *Katibat Ali*, *Katibat al-Battar*, the Al-Abbas Brigade, and others – all of which have committed atrocities against Sunnis in the past.²⁰ Unless Iraqi Sunnis understand that they are not the target of anti-ISIL operations, that they will be protected in a new Iraq after the withdrawal of ISIL, and that they will be involved in the government, the problems of the Tikrit operation may become a basis for additional radicalisation of Sunnis, not only in Iraq and neighbouring Syria but throughout the world. In this way, even an ISIL defeat in the field strengthens their ideological draw as long as they continue to portray themselves as the protectors of Sunnis, who they claim are victims of a joint conspiracy between America, Iran, and corrupt Arab despots.

20 A look at the Twitter profiles of those reporting from and operating near the battlefields makes clear the brutality of these Shia paramilitary formations, which equal the brutalities perpetrated by ISIL members. In some cases, anti-ISIL propaganda has featured virtually the same pictures in the same places where brutal executions at the hands of ISIL members have occurred; only, the victims are ISIL fighters. For example, see the Twitter profile of @XxhassanXxm, who calls himself “Support to the Iraqi Army” (دعم الجيش العراقي).

The Roots of the So-called Islamic State

When we speak about foreign volunteers in the Syrian war, we assume that the majority of them are fighting in formations which are ideologically related to Al-Qaeda and the ideas of a global Salafi jihad. Indeed, ISIL is such a group, first appearing in Iraq at the beginning of 2004 under the name *Jama'at al-Tawhid wal-Jihad* (the Organization of Monotheism and Jihad). Its founder was a militant of Jordanian origin, Abu Musab al-Zarqawi. In October of the same year, the group changed its name to *Tanzim Qaidat al-Jihad fi Bilad al-Rafidayn*, but they were known as Al-Qaeda in Iraq after swearing an oath of obedience to global Al-Qaeda leaders (as with the Islamic concept of "bayat," or an oath of obedience to a caliph or emir). In January 2006, that group united with several minor organisations that called themselves the *Shurat al-Mujahideen*, and in October 2006, they proclaimed the Islamic State of Iraq (*ad-Dawla al-Islamiya fi al-Iraq*). According to well informed sources, this was the moment when a divide began to form between leaders of the Islamic State and of Al-Qaeda, though it was not apparent for quite some time. Since April 2013, the group has been calling themselves the Islamic State of Iraq and the Levant in order to stress their presence in Syria.

Since the group's founding, their official goal was always the establishment of an "Islamic Caliphate" in Iraq, where they consider Baqubah their capital. During the most recent war in Iraq, they were a significant military presence in the provinces of Anbar, Ninevah, Kirkuk, Saladin, Diyala, and Baghdad. Leaders of Sunni Arab tribes turned against the Islamic State and their vision of a post-Sadam Iraq, organising militias – known as Sahwa – with the assistance of the Americans and the central government in Baghdad. This pushed their members to act more secretly for a while, using terrorist tactics and attacking Shia civilian targets and the government.

With the escalation of violence in Syria, the Islamic State deployed some of its people there to gather new volunteers and obtain weapons and equipment. Interestingly, former Iraqi Ba'athist officers played a role in this process. They were demobilized by the Americans after the occupation of Iraq, lost their privileges, and then felt further marginalised in the new Shia-dominated country they had once controlled. As a consequence, many turned overnight toward "the fight against the internal enemies of Islam" that was promoted by Abu Musab al-Zarqawi at the time; and they now represent the core of ISIL.²¹ Indeed, according to available reports, ISIL is a carbon copy of the brutal Iraqi police state, run by all-mighty intelligence and security agencies. Only

21 For more details about the role of Saddam's officers in the creation of ISIS, see: Christoph Reuter, "The Terror Strategist: Secret Files Reveal the Structure of Islamic State," *Der Spiegel*, 18 April 2015. The text is based on documents that were seized by members of the Free Syrian Army from the architect of ISIL's strategy of expansion toward Syria, known as Haji Bakr, after his assassination.

now, these officers are hiding behind Islam and offering absolute obedience to the “Caliph” instead of to Saddam. The presence of former high-ranking officers in ISIL helps explain the military skill and tactical advantage they have demonstrated in rapidly conquering vast amounts of territory – which they now consider their own state and thus the battlefields of Iraq and Syria a single battlefield.

At the end of December 2013, ISIL refocused on Iraq, taking advantage of the discontent of the Arab Sunni population, particularly those from tribes that felt politically marginalised and persecuted by the pro-Shia government of Nouri al-Maliki. When it became obvious that al-Maliki would secure sufficient votes to take control of the Iraqi government again, these Sunnis surrendered their cities in the northwestern part of the country to a small group of ISIL fighters that arrived from neighbouring Syria. And so, without any major resistance, ISIL took Mosul, the second largest city in Iraq, in June 2014; and at one point, even approached the suburbs of Baghdad. By the end of that month, following displays of indescribable brutality played out before the entire world and mass executions of all those unwilling to accept their authority, ISIL consolidated its power over a large portion of Iraqi and Syrian territory. They removed the borders between these states, proclaimed a Caliphate, and changed the organisation’s name to just Islamic State.²²

The Islamic State or Al-Qaeda?

Groups that shared the ideology of Al-Qaeda had split into two at an early stage. One became the al-Nusra Front, led by Abu Mohammad al-Julani, who recognises the leadership of new global Al-Qaeda head Ayman al-Zawahiri. The other decided to follow Abu Bakr al-Baghdadi, leader of the Iraqi branch of Al-Qaeda. Baghdadi denies the authority of Zawahiri and considers himself the ruler of the Islamic State as well as the Muslim Caliph – “the only religious and political leader of all Muslims in the world.”

The split between ISIL and Al-Qaeda leaders occurred when Zawahiri asked ISIL to fight under the command of al-Nusra in Syria, while retaining operational independence in Iraq. Baghdadi refused, accusing Zawahiri of moving away from Sharia and offering loyalty to Taliban leader Mullah Omar, which Baghdadi asserts runs contrary to the Prophet’s statement that only someone from the Quraysh tribe may become a caliph. Meanwhile, Baghdadi claims that he is of Qurayshi origins and that all other Islamist factions should therefore be subordinated to him.

22 For more, see: “What is Islamic State?,” BBC, 26 September 2014, <http://www.bbc.com/news/world-middle-east-29052144> (accessed 18 March 2015).

When the conflict in Syria escalated between the Free Syrian Army and other rebels on one side and ISIS on the other, al-Nusra attempted to stay out of the conflict. However, the situation soon slipped out of control and al-Nusra is presently applying ISIL's own tactics around Aleppo, squeezing out other "moderate factions of the Syrian opposition," and particularly those found to be supported by the US. The best indicator of this strategy is the collapse of the Hazzm Movement, which the Americans and other Western allies had great hopes for.²³

The implications of this division among Salafi jihadists – as the two factions now struggle to dominate global jihad – go far beyond the Syrian war theatre, though they are most obvious there. But this development has meant that ISIL is now Al-Qaeda's primary opponent, after having been considered an Al-Qaeda branch for some time. The schism can be seen in the virtual world of Bosnian Islamists, too, where each side has followers advocating their version of developments in Syria and Iraq. And so, the question now is: Which of these groups will be weakened more by this division? Some see the split as proof that Zawahiri did not manage to impose himself as leader after the death of Osama bin Laden and is thus losing support in the field, where a new generation is taking ownership. Others believe that ISIL and their tactics will lose legitimacy among jihadist circles and that the situation will develop in favour of the al-Nusra Front.

Still, with more territory under its control in Iraq and Syria than ever before, and using all means to demonstrate to the regional and global public that they are a state administration and not a just a warring faction, ISIL could easily take over the leadership of global jihad from Al-Qaeda. By some assessments, ISIL has a much higher and more stable income stream than al-Nusra, primarily due to an extensive donor network motivated by their struggle against the Assad regime. But they also profit from war time theft and control over oil and gas fields in eastern Syria, selling these resources on the black market, and make even more money from abductions and looting.

It is clear that the outcome of the war in Syria will help establish the future leadership of the global jihadi movement. The strengthening of ISIL could completely marginalise Al-Qaeda at the global level and nobody really knows how a possible ISIL triumph would affect the ideological framework of Al-Qaeda. Further, it remains to be seen how global security will be impacted by

23 Jeffrey White, "Rebels Worth Supporting: Syria's Harakat Hazm," The Washington Institute, Policy Analysis, 28 April 2014, <http://www.washingtoninstitute.org/policy-analysis/view/rebels-worth-supporting-syrias-harakat-hazm> (accessed 18 March 2015).

the transformation of Al-Qaeda from a terrorist organisation to a combat formation that seeks to create a state and control territories from the Mediterranean coast to the heart of the Arab world.²⁴

ISIL's Operational Strategy and the "Management of Savagery"

The current strategy employed by ISIL is based on a doctrine known as the "management of savagery." This has been rather obvious in Iraq and Syria, but is also being played out in the places ISIL is trying to expand its operations, such as the Sinai in Egypt, Libya, Afghanistan, Yemen, Nigeria, and Tunisia, along with many other countries in which organizations are emerging that are prepared to pledge obedience to Caliph al-Baghdadi and fight under ISIL insignia. ISIL's approach is rooted in a combined field manual and manifesto entitled *Management of Savagery: The Most Critical Stage through Which the Ummah Will Pass*. This book was written by an Islamist ideologue known as Abu Bakr Naji and first appeared on social networks in 2004, initially in closed forums and later on a number of portals for militants as well as on the websites of specialized centres which monitor trends within terrorist organizations.²⁵

The identity of Abu Bakr Naji has never been officially confirmed, but Egyptian journalist Hani Nasira found during his research that Naji was an Egyptian by the name Muhammad Khalil al-Hukaymah. Al-Hukaymah has authored several other studies on individuals and organisations linked to global Al-Qaeda, asserting that only a civil war within Islam itself can lead to the establishment of a Sunni caliphate. He has proposed that an escalation of brutal campaigns of violence in Muslim countries will result in the polarization of these societies and new conflicts, and should expose the inability of security agencies and ruling elites to maintain control. This, Naji claims, should attract new jihadi troops and ultimately create pockets of insecurity and areas where fear, uncertainty, and brutality prevail. Naji's vision of the "management of savagery" relies on an intentionally manufactured anarchy, which militants would then manage by imposing themselves as the only forces capable of restoring order and removing incompetent and corrupt authorities from power. They would do so on the basis of Islamic principles and traditions, and Sharia Law.

Abu Bakr Naji also developed a combat plan meant to weaken enemy states through the "power of harassment and exhaustion," which foresaw dragging the United States into an open armed conflict as opposed to a proxy war. Once American soldiers were killed by Mujahideen in the

24 On the conflict between the Islamic State and Al-Qaeda, see: Aaron Y. Zelin "The War between ISIS and al-Qaeda for Supremacy of the Global Jihadist Movement," Washington Institute for Near East Policy, *Research Notes*, no. 20 (June 2014).

25 The book is available online at: <https://azelin.files.wordpress.com/2010/08/abu-bakr-naji-the-management-of-savagery-the-most-critical-stage-through-which-the-umma-will-pass.pdf>.

battlefield, Naji believed that the notion of the invincibility of US troops would disappear and Muslims – “dazzled” by the damage inflicted on a morally corrupt superpower and outraged with the occupation of their countries – would support jihad. He called for attacks focused on the economic and cultural institutions of “apostate” regimes allied with the US, and said that “at this point, savagery and chaos begin and these regions will start to suffer from the absence of security.”²⁶

For ISIL, the value of the *Management of Savagery* is how it separates jihad from other religious matters. Naji argues that the way “theoretical jihad” is taught makes it difficult for young Muja-hideen to understand the true meaning of the concept. Jihad, he writes, is “naught but violence, crudeness, terrorism, frightening (others), and massacring.” But he clarifies that the nature of jihad and combat is not the nature of Islam and that “one should not confuse them.”²⁷

Baghdadi is now trying to implement Naji’s ideas – creating anarchic levels of instability that result in a politico-legal vacuum to be filled by ISIL. In her new book, *The Islamist Phoenix: The Islamic State and the Redrawing of the Middle East*, Italian analyst and journalist Loretta Napoleoni writes about the success of this methodology and highlights the skill with which Baghdadi has convinced Sunnis in Syria and Iraq that the Islamic State will succeed where others have failed, calling this an “achievement of modernity.” According to Napoleoni, no jihadist group yet has been equipped to lead a functional state because they have not had the capacity to manage infrastructure or use the Internet for global recruitment and fundraising. She cites the errors made by Mullah Omar in Afghanistan, attributing them to the pre-modern vision of society projected by Salafism. Indeed, she writes that “the dream of the jihadist movement has always been the restoration of the Caliphate,” but that “it was just a vague, romantic idea, completely inapplicable in modern times because Salafism has rejected the development of a modern state.”²⁸

Through this lens, Baghdadi’s success in drawing the borders of ISIL within Syria and Iraq is rather astonishing; for he now leads “as a political authority with all the instruments of a modern state.”²⁹ He has managed to “fuse the political Islamists’ aim of seizing state power with the neo-traditionalists’ more global vision to create a recognisable if rough-edged state that is simultaneously supposed to be a launchpad for greater expansion. This unprecedented combination is a powerful

26 Ibid. Also see: Michael Weiss and Hassan Hassan, *ISIS: Inside the Army of Terror* (New York City: Regan Arts, 2015), 40-41.

27 Ibid.

28 Loretta Napoleoni, *The Islamist Phoenix: The Islamic State and the Redrawing of the Middle East* New York City: Seven Stories Press, 2014), 83-84.

29 Ibid.

one.”³⁰ And not the least for attracting a wide spectrum of Islamist sympathizers and serving as an important mobilising factor. For many young Muslims, the establishment of an Islamic State is the materialisation of their desire for the return of the Caliphate – a political framework they believe will allow Muslims to restore the reputation and respect they have historically held.

Christian Factions in the Syrian Conflict

It is very difficult to comprehend the dynamics of factions fighting in Syria and Iraq, even by tracing the flow of money and volunteers. It is a challenge to identify which world and regional powers are supporting which groups, especially because new alliances are being created on a daily basis and factions are continually dissolving or joining others that have better logistics and weapons. Apart from Sunni and Shia factions, and Iraqi and Syrian government forces, numerous Kurdish groups are also involved in the fight. They are trying to protect Kurdish territories and create the conditions for possible autonomy within a re-organised Syrian state after the fall of Assad's regime; and are leaving open the possibility of independence or a merger with a future Kurdish State.

Still, while numerous reports in world media have discussed Sunni, Shia, and Kurdish volunteers and military groups, Christian volunteers and their military organisations in Syria have rarely been mentioned. Stories on the Christian minority in Syria most frequently focus on the high price they are paying, trapped between two other warring factions. However, the situation in the field is much more complex than this framing suggests. Starting in early 2014, increasing numbers of Christian fighters from a variety of European countries were said to be arriving to Syria in order to fight with Kurdish military formations and pro-regime forces against Al-Qaeda-related groups and the Islamic State. These volunteers are primarily of Syrian origin, but hold citizenship in European countries, where most lived for years.

Among new Christian factions is the Sutoro formation, which operates in the northeast Syrian province of al-Hasakah “alongside Kurdish groups and against Al-Qaeda militants.”³¹ The first to notice this new development in the already convoluted Syrian conflict were researchers at independent European think-tank Agenfor. According to Agenfor founder Sergio Bianchi, the name

30 Jason Burke, “The ISIS Leader’s Vision of the State is a Profoundly Contemporary One,” *The Guardian*, 24 August 2014, <http://www.theguardian.com/commentisfree/2014/aug/24/isis-abu-bakr-al-baghdadi-jason-burke> (accessed 28 May 2015).

31 The first report came from BBC Arabic in February 2014 (http://www.bbc.co.uk/arabic/multimedia/2014/02/140219_eu_christians_syria.shtml?ocid=socialflow_twitter). For an English translation of that report, see: “Video: European Christians fighting in Syria in “protection of their faith,” BBC Arabic 19/02/14,” *The Edinburgh Arabic Initiative* (blog), 19 February 2014, <https://edinburgharabicinitiative.wordpress.com/2014/02/19/2875/> (accessed 29 May 2015).

"Sutoro" comes from old Aramaic – which may be an attempt to accentuate the Christian character of the formation. He claims that one of the group's trainers is a former Swiss Army officer named Johan Kosar, who "is of Syriac origins and Turkish roots" and was allegedly raised in Syria. According to Bianchi, Kosar left Switzerland for the Syrian border town of Qamishli holding multiple passports, as many Christian volunteers from EU member states do. The exact number of European Christians participating in the war in Syria is unknown, though it is not estimated to be very high, but researchers have emphasized the risk that they may be "treated as mercenaries when they return to their home countries."³²

Christians represent 10% of the Syrian population.³³ According to Aymenn Jawad al-Tamimi, an expert on relations among the Syrian factions, Christians are currently divided into three categories: those supporting the regime and fighting with official regime forces, those fighting on the side on the Free Syrian Army against the regime, and those fighting for the autonomy of Christian majority provinces. Foreign volunteers most frequently align themselves with this third faction while domestic Christians mainly fight with the regime because they fear a future dominated by radical groups that may not recognise them as equal citizens.³⁴

The war in Syria has been one of the most brutal wars in recent history and all ethnic groups have paid a high price. Nevertheless, it is no surprise that minorities feel particularly vulnerable and that Western media often focus on the suffering of Syrian Christians; and these reports are attracting increasing numbers of Arab European Christians to the conflict. Time will tell whether the war in Syria, all but forgotten by the international community, will lead to the radicalisation of more Muslim groups in the Middle East and in Europe, or whether a new form of militancy in the Christian religion may develop in some parts of the world. Indeed, it is difficult to say whether we are witnessing the birth of a revitalised "crusade ideology" that will feed on Christian solidarity in the example of militant Muslims organisations.

32 "European Christians fighting with Syria Kurdish factions," *Al-Monitor*, 21 February 2014, <http://www.al-monitor.com/pulse/iw/security/2014/02/european-christians-fighting-syria-kurdish-groups-syriac.html#> (accessed 29 May 2015).

33 "Syria," *The World Factbook*, Central Intelligence Agency of the United States, <https://www.cia.gov/library/publications/the-world-factbook/geos/sy.html> (accessed 29 May 2015).

34 For example, see: Aymenn Jawad Al-Tamimi, "Christian Militia and Political Dynamics in Syria," *Syria Comment* (blog), 23 February 2014, <http://www.joshualandis.com/blog/christian-militia-political-dynamics-syria/> (accessed 29 May 2015).

BIH CITIZENS IN SYRIA AND IRAQ

Trends and Numbers

Research on the participation of foreigners in the wars in Syria and Iraq over the past years has focused chiefly on their numbers, with assessments of the total number of foreign fighters thought to have operated in the theatre between the end of 2011 and the beginning of 2015. How many volunteer contingents come from individual countries has also been analysed. Yet, these assessments have been motivated more by a desire to draw attention to the phenomenon of foreign fighters in the conflict than by the personal ambition of researchers to determine exact numbers, and even a superficial examination of this effort reveals serious issues with this research.

Assessments of the numbers of foreigners on the battlefields of Syria and Iraq are usually cumulative, covering the entire conflict period at the time of publication, and each of these counts typically includes:

- Persons believed to be in Syria/Iraq at the moment
- Persons that tried but failed to reach Syria/Iraq
- Persons that showed intent to travel or are preparing for a trip to Syria/Iraq
- Persons believed to be on their way to Syria /Iraq
- Persons that have returned from Syria/Iraq
- Persons that were killed in Syria/Iraq

There are certainly also a substantial number of people for whom no information on whether they have resided or still reside in Syria/Iraq is available. For example, after the revolution in Tunisia in 2010/2011, some 20,000 people emigrated from the country – most of whom were young people whose whereabouts are still unknown – and local intelligence sources there believe an unidentified number ended up in Syria and Iraq.³⁵ It is also worth mentioning that the numbers of foreign fighters determined to be involved in the conflict accounts for only those fighting on the side of Sunni factions. There are no cumulative assessments of the numbers of Shia volunteers and Hezbollah members, including various Shia formations that have arrived to Syria and Iraq from Iran. Nonetheless, based on insight into over 1,500 sources, the International Centre for the Study of Radicalisation and Political Violence (ICSR) assessed that up to 11,000 fighters from 74 states had fought alongside various Sunni opposition groups in Syria through the end of 2013; a

35 From a conversation with a Tunisian official who wished to remain anonymous.

number that was twice the estimate publicised that spring. The number of individuals from Western Europe in Syria tripled in that same interim period (spring-autumn), from 600 in April to 1,900 in December.³⁶ Just over a year later, the ICSR published a new assessment suggesting that more than 20,000 foreign fighters from almost 90 states had operated in Syrian or Iraqi combat zones by the beginning of 2015. This is more than the number of foreign fighters in Afghanistan during the ten-years-long conflict that took place between rebels and Soviet and regime forces.³⁷

The majority of foreign fighters in Syria and Iraq originate from the Middle East and North Africa (11,000), and then from Western Europe (4,000) and countries of the former Soviet Union (3,000). Among Western European countries, these fighters are predominantly coming from France (1,200), followed by Germany and Great Britain (600 each). If we look at the number of foreign fighters as a proportion of European countries' populations, though, the largest percentage come from Belgium, Denmark, and Sweden.³⁸

ICSR research indicates that volunteers from Southeastern Europe include, at last count, some 90 foreign fighters from Albania, 330 from Bosnia and Herzegovina, 150 from Kosovo, 12 from Macedonia, and 70 from Serbia.³⁹ For this research – which is focused on BiH specifically – ICSR assessments have been verified for countries in the region, through open sources and interviews with people who, by the nature of their work, have insight on this subject. Several regional countries were not analysed by the ICSR; but Slovenia has reportedly had 10 citizens leave for Syria or Iraq so far, and 13 have departed from Montenegro.⁴⁰ And, this research found that ICSR estimates were sometimes conservative, with sources reporting that closer to 100 people have left from

36 Aaron Y. Zelin, "ICSR Insight: European Foreign Fighters in Syria," International Centre for the Study of Radicalisation, 2 April 2013, <http://icsr.info/2013/04/icsr-insight-european-foreign-fighters-in-syria-2/>; Aaron Y. Zelin, "ICSR Insight: Up to 11,000 foreign fighters in Syria; steep rise among Western Europeans," International Centre for the Study of Radicalisation, 17 December 2013, <http://icsr.info/2013/12/icsr-insight-11000-foreign-fighters-syria-steep-rise-among-western-europeans/> (accessed 29 May 2015).

37 Peter R. Neuman, "Foreign fighter total in Syria/Iraq now exceeds 20,000; surpasses Afghanistan conflict in the 1980s," International Centre for the Study of Radicalisation, 26 January 2015. <http://icsr.info/2015/01/foreign-fighter-total-syriairaq-now-exceeds-20000-surpasses-afghanistan-conflict-1980s/>

38 Ibid.

39 Ibid.

40 These numbers were confirmed in conversations with Slovenian and Montenegrin officials, who wished to remain anonymous.

Serbia, some 200 from Kosovo, and 50 from Macedonia.⁴¹ Finally, the number of Albanians that have departed for Syria or Iraq may be a bit lower than the ICSR claim of 90 and closer to 70 or 80.⁴²

The purpose of this analysis is not to question the ICSR's methodology or final tally, but to demonstrate the near impossibility of determining exact numbers of foreign fighters in Syrian and Iraqi combat zones. And although these people are referred to as "foreign fighters," it is impossible to ascertain their actual roles in the conflict and how many are actively involved in combat. Further, this kind of assessment attempts to measure dynamic metrics that tend to change rapidly; and so all such assessments, including those laid out in this research, should be viewed with caution and only as a tool to better understand this important security challenge.

Records of Departures of BiH Citizens for Syria and Iraq

To date, Bosnia and Herzegovina lacks a single and consolidated database of individuals believed to be in Syria and Iraq. The "assumed" status of fighters in foreign war theatres is one of the factors that complicate the creation of such records. In some cases, it is impossible to determine whether someone has really left the country, is still in a foreign combat zone, or has returned home; and information about peoples' intent to leave does not always come from reliable sources. In fact, records often allege that "someone told someone else" about their intent to depart for Syria, but lack confirmation of that departure.

Another difficulty in cataloguing BiH citizens that have gone to Syria and Iraq is the fact that a number of people from BiH, who still hold BiH citizenship, are living or working elsewhere.⁴³ Domestic law enforcement agencies do not track the whereabouts of these people and foreign part-

41 This assessment was presented by Serbian Foreign Minister Ivica Dačić at a conference on co-operation in counter-terrorism held in Vienna on 20 March 2015. For more, see (in B/C/S): "Izbeći poistovećivanje islama sa terorizmom," *Beta News Agency*, 20 March 2015. On Kosovo, a study was published in April 2015 by the Kosovo Centre for Security Studies (KCSS) which claimed that there were 232 individuals from Kosovo in the battlefields in Iraq and Syria. See: Shpend Kursani, *Report inquiring into the causes and consequences of Kosovo citizens' involvement as foreign fighters in Syria and Iraq*, KCSS, 14 April 2015.

42 Albanian intelligence sources say that it is difficult to determine the total number of ethnic Albanians in Syria and Iraq because they hail from Kosovo, Macedonia, southern Serbia, and Albania. There is also an Albanian diaspora that is widely spread across Central and Western Europe and the US.

43 Profiles of BiH citizens who were, or still are, in Syria indicate that a significant number had citizenship, residence permits, or work permits in other countries. The percentage of such fighters in the BiH contingent in Syria and Iraq is said to be about 20%, though the authors believe it may be higher. The dual citizenship some of these fighters hold complicates their registration in existing databases and brings into question the validity of assessments of the numbers of foreign fighters, not only from BiH, but generally, since dual citizenship of any kind may create tracking problems. For example, a BiH citizen who died in Syria in the spring of 2014 was born in Slovenia, had residences registered in both Velika Kladusa (BiH) and Ljubljana (Slovenia), and dual Bosnian and Slovenian citizenship. Over the last few years, they resided in Speyer, in Germany, from where they travelled to Syria. The mobility of such people makes them harder to monitor and register, and one can conclude that they have not been recruited by coincidence

ner agencies often either fail to respond quickly enough or at all to inquiries. Assessment of the number of BiH citizens in foreign war theatres is additionally complicated by the fact that some have dual citizenship and are therefore classified both as citizens of BiH and another country. In the course of this research, the authors have also seen multiple cases of persons originally from BiH who no longer have BiH citizenship but are recorded as among “foreign fighters from BiH.”

Naturally, the decentralised police structure in Bosnia and Herzegovina – with 22 operational police agencies – represents a further impediment to consolidated record-keeping. Most of the agencies responsible for security issues in BiH, as well as prosecutor’s offices, maintain such records independently, so that information on the same persons of interest is often scattered or incomplete and lacks systematisation. This makes it much more difficult to process and analyse data. It appears, too, that until late summer 2014, some police structures in BiH failed to appreciate the security risks related to the foreign fighter phenomenon; only recognising the threat after stronger international involvement in, better co-operation between, and increased co-ordination among the umbrella state agencies of SIPA, OSA, and the Office of the Prosecutor.⁴⁴

A General Assessment

This research has entailed three years of monitoring the departures and experiences of BiH citizens who have left for war zones in Syria and Iraq, followed by a six-months-long period of examining, processing, and analysing the data. The results indicate that, between the spring of 2012 (with the first departure registered on 25 March 2012) and the end of 2014, a total of 156 male BiH citizens departed from BiH and other places. At the beginning of the summer of 2013, female BiH citizens started travelling to Syria as well (with the first departure registered on 17 June 2013), and a total of 36 women departed through the end of 2014. Children have also been registered, usually accompanied by one or both parents, with at least 25 children having left BiH by the end of 2014. All told, this means that 192 adult citizens (male and female) and at least 25 children have travelled to Syria or Iraq in the period analysed.⁴⁵ Considering the BiH population of about 3.8 million people, the country has one of the largest contingents of foreign fighters in Europe by proportion, even when just counting the males who have departed – with more than 41 fighters per million residents.

44 The State Investigation and Protection Agency (SIPA) is the official state police agency in BiH and the OSA (*Obavještajno sigurnosne agencije*) is the state’s security and intelligence agency.

45 The authors of this study are aware that some political leaders and key security agency personnel in BiH have told foreign diplomats in private discussions that a significantly larger number of BiH citizens has been, or is, in Syria and Iraq; but this research did not confirm those allegations.

Estimates are that 48 men and 3 women have returned to BiH from Syria and Iraq through the beginning of 2015, while 83 men and 32 women are thought to be there currently. The number of male returnees from BiH (30%) matches the upper limit of the average established by the ICSR (10-30%) in their assessment of the number of foreign fighters that had returned to their original communities. This research has established that 26 BiH citizens (25 male and 1 female) have been killed in Syria or Iraq so far. Compared to the ICSR appraisal of average casualty numbers in foreign contingents (5-10%), the mortality rate for BiH citizens is much higher (16%). Notably, just five people were killed in 2013, and the remaining 21 in 2014 – mainly in the first months of the year, in internal struggles between the Al-Nusra Front and ISIL, and then in coalition air strikes against ISIL positions or in clashes with the Kurdish forces. The authors have also seen allegations of an unidentified number of people from BiH wounded in those clashes.

TRENDS AND CHARACTERISTICS

Since citizens of BiH began travelling to fight in Syria in 2012, the frequency of this travel and type of engagement in the field has gradually changed. The first departures were motivated entirely by humanitarian concerns; but over time, and particularly in 2013, departures from BiH increased and the roles of BiH citizens in Syria changed. People began travelling there to hold religious classes for members of various military formations that belonged to the wide coalition opposing Bashar al-Assad. Some BiH citizens arriving to Syria had military skills and war experience. Indeed, there was a particular demand for veterans capable of using anti-tank weapons. According to several anonymous sources, BiH citizens joined the Farouq Brigades in the initial phases of the conflict, but the unit soon splintered and was incorporated into other larger formations. With increased numbers of BiH citizens in Syria over the course of 2013, their role in all activities – ranging from humanitarian work to religious teaching to military training and direct conflict – was more pronounced.

Based on our research and with the assistance of confidential sources, it was possible to reconstruct the trends of departures from BiH to Syria and Iraq between 2012 and the end of 2014. According to registered exit and entry dates, of the 156 men believed to have travelled to Syria, 15 did so in 2012, 114 in 2013, and 19 in 2014. In 8 cases, it was impossible to determine an individual's dates of departure and return.⁴⁶ Some of these men travelled several times, particularly between the spring and early autumn of 2013, when they returned from Syria for a few weeks and then departed again for that country. Many were accompanied at that time by their wives and, fairly frequently, their children. Some of these men had already been married, but some got married during their short break in BiH, largely because of the benefits offered to foreign fighters who arrive with their families to Syria – where they are allowed to inhabit the abandoned houses of Syrians refugees. Apart from serving as an economic impetus for incoming volunteers, this measure also indirectly eliminates the traditional sense of alienation felt by foreign fighters in a conflict. This motivates people to fight not only for the fulfilment of what they see as their mission in a distant country, but to protect their next of kin.

The average age of men from Bosnia and Herzegovina in Syrian battlefields is around 32. At the time of arrival, the youngest male was 18 years old and the oldest was 74. Compared to foreign fighters from other countries, which average 18 to 29, BiH volunteers are somewhat older. And,

⁴⁶ In the final phase of this research, the authors found that another 20 men from BiH have gone to Syria or Iraq since the beginning of 2015. It was impossible to check this information and determine the identities of these men, as was possible for the earlier registered departures, and thus these newest departures have not been included in the total number (156) of BiH men that left for Syria or Iraq.

there are two clear generational categories of those who have come from BiH to Syria – the first includes people in their early and mid-40s, often with experience from the 1992-1995 war, and the second includes younger men, just teenagers or slightly older. These groups have had somewhat different reasons for travelling to foreign battlefields, which will be discussed in more detail later.

Women from BiH started travelling to Syria in 2013, following the trend of family departures. A total of twenty four departed that year, and 10 in 2014. In 2 cases, it was impossible to determine the dates of departure from BiH. In a few isolated instances, women have arrived to Syria without their husbands, brothers, or fathers; but they have been met with pressure to either get married against their will or be provided with guardians.

The average age of BiH women in Syria and Iraq is 27. At the time of arrival, the youngest woman was 18 and the oldest was 55. The percentage of women among (20%) BiH citizens who have travelled to Syria or Iraq is almost twice the average found in foreign fighter contingents from other countries; and this proportion is expected to soon reach one-third. The vast majority of these women are performing traditional family-oriented roles.⁴⁷ In fact, there is only one case in which a woman from BiH has been armed, as a member of an ISIL police formation. According to her own testimony, she took part in violence, participating in the execution of another female member of the same formation who was accused of espionage and was subsequently shot to death.⁴⁸

The ages of the children who have travelled from BiH to Syria range from 5 months to 17 years old, and they have arrived with their parents. At least two more children were born in Syria during or after 2013, although this number could be higher. In a few cases, underage males are reported to have joined combat formations and underage females have entered into marriage, usually with men from the BiH contingent.

Children are particularly vulnerable in any armed conflict, and the battlefields of Syria and Iraq are certainly no exception. So far, there have been no confirmed deaths or injuries to children from BiH, but they are surely undergoing traumatic experiences. The authors of the study were made aware of a 4-year-old boy, for instance, who was taken to Syria from Italy by his father in late 2013, without the consent of his mother. When his father was killed in the beginning of 2014, the boy was adopted by the family of another combatant, but he was also killed, in early 2015.

47 For an interesting review of possible motives for women departing for Syria and Iraq, see: Rafia Zakaria, "ISIL's feminine mystique," *Al Jazeera*, 24 March 2015, <http://america.aljazeera.com/opinions/2015/3/isils-feminine-mystique.html> (accessed 29 May 2015). Also see: "Caliphate calling: How Islamic State appeals to Women," *The Economist* (28 February 2015).

48 For more, see: Anita Peresin and Alberto Cervone, "The Western *Muhajirat* of ISIS," *Studies in Conflict & Terrorism* 38, no. 7 (2015).

Children who are left alone in BiH without the care of one or both parents are also susceptible to trauma. During this research, a case emerged of a father of five children who went to Syria in 2013 and died soon after, leaving his children behind with their unemployed mother. There is also the case of a mother of two (10 and 13 years old) who abandoned her children and husband for Syria, where she married an ISIL member from BiH.⁴⁹ Very young children from BiH have also been used in a propaganda film issued by the Islamic State, titled "Mujatweets Episode #5: Children of the Muhajideen from Bosnia."⁵⁰

Patterns of Travel

Citizens of BiH have travelled to Syria mainly by plane, primarily from Sarajevo International Airport via Istanbul. Once in Turkey, they have continued their travel on internal flights with Turkish airlines, usually to cities in close proximity to the border with Syria. Most frequently, they have travelled to Gaziantep and then by road through Kilis to Azaz. Others have flown from Istanbul to Hatay, then travelled by road to Reyhanli, across the border at Bab al-Hawa, and then on to Aleppo. A flight from Sarajevo to Gaziantep or Hatay via Istanbul is relatively inexpensive – just a little over 100 Euros.⁵¹ A smaller number of people have opted to make the entire trip by car, usually through Serbia, Bulgaria, and Turkey.

Regardless of the route, BiH citizens have contacted support networks near the border of Syria that have helped them reach the Syrian side, as have most foreign fighters and their families. These networks usually include local smugglers and representatives of military factions of the Syrian opposition. In some cases, volunteers have stayed briefly in safe houses either before entering Syria or upon departure from the country. The authors found during the course of this research that it is still impossible to enter Syria and join local formations without proper references and announcement of arrival. These references can be obtained in Bosnia and Herzegovina from people who, together with compatriots in Syria and Iraq, form a network to recruit and support volunteers.

Analysis of travel indicates that it occurred in three clear phases. In the first, between the winter of 2012 and late spring of 2013, individuals and groups – at that time consisting only of men – de-

49 Similar cases have been noted in other communities with significant numbers of foreign fighters, and some have reached the media. For example, see (in B/C/S): "Ostavila muža i dvoje djece i otišla u džihad," *Avaz*, 12 December 2013.

50 The film is available on YouTube at: <https://www.youtube.com/watch?v=UZ-bFHCx0jQ>

51 For the purpose of this research, the authors made several airline ticket reservations from Sarajevo to Gaziantep. Depending on the airline (Turkish or Pegasus) and the amount of time preceding the travel date, the average price was around 103 Euros. This explains how lower income individuals have been able to afford the trip to Syria. In fact, the authors are aware of one volunteer who spent months collecting and selling used paper, plastic, and iron in order to save for the trip. Due to the ease of travel to Syria, particularly from Europe, the phrase "Easy Travel Jihad" was coined in some media.

parted to Syria for stays of approximately two months. This appears to have been the duration of one “shift” or “rotation” in the theatre. During the second phase, which began in early summer 2013 and lasted until that winter, a noticeable number of men returned to BiH for a few weeks before travelling back to Syria in the company of their wives and children.⁵² The third phase, which lasted all of 2014, was characterised by a smaller number of departures and an even a smaller number of returns, suggesting that a number of these BiH citizens in Syria has no intention of returning to their country of origin. The majority of them are now (as of early 2015) members of units that are directly or indirectly subordinated to ISIL and they have demonstrated their allegiance in a ceremonial burning of their identity documents, which is a ritual for all new ISIL members.

The reduction of departures from BiH to Syria and Iraq during 2014 can be interpreted in several ways. At the beginning of the year, internal struggles between the Al-Nusra Front and ISIL involved BiH fighters. Upon their arrival, at the border between Turkey and Syria, volunteers from BiH mostly just followed whatever unit met them on the Syrian side; and as a result, BiH fighters inadvertently found themselves on both sides of the conflict between ANF and ISIL. At least 15 BiH citizens died in those clashes during the first months of 2014. News about the “war among brothers” in Syria and the confusion there spread among the volunteer base in BiH, apparently decreasing enthusiasm for new departures to Syria.⁵³

Further, in the spring of 2014, amendments to the BiH Criminal Code were announced, criminalising those who depart or prepare others for departure to wars in foreign countries. The law came into force that summer and was most likely a deterrent to the departure of a number of potential fighters. Those who still chose to depart for Syria risked detention if their trip were to follow previously used routes, so they sought new ones from airports outside BiH (Zagreb, Ljubljana, Rome, Milan, and Vienna, for example), which substantially increased travel costs and made the journey unaffordable for many.⁵⁴

52 The frequency of departures at this time brought significant public attention to the issues, so that every “disappearance” of someone from their home in BiH was depicted by media as “another departure for Syria.”

53 At the beginning of 2014, clashes among the factions on the ground in Syria were played out on domestic social networks and internet portals, which became a virtual battlefield for the followers of the al-Nusra Front and ISIL. For more, see: “Urednik ‘Put a vjernika’ je Husein Ademi zvani Ebu Idriz,” *Saff*, 10 January 2014; “Čuvajte se njihovog puta vjernika!” *Saff*, 18 March 2014; “Širenje sukoba među pristalicama tekfirske ideologije u regiji zbog rata u Siriji,” *Saff*, 24 March 2014; “Allahu moj, ja nemam ništa s onim što je učinio Halid,” *Put vjernika*, 24 March 2014; “Zaustavimo tekfirsku koljačku propagandu,” *Saff*, 10 April 2014; “Poruka Balkanaca iz Nusre zemljacima iz IDIŠ-a: Braćo obmanuta, napustite skupinu sa kojom Allah nije zadovoljan,” *Saff*, 15 June 2014; “Pismo Nusreta Imamovića: neovisno svjedočenje o fitni u Siriji,” *Vijesti ummeta*, 13 August 2014; “Hutbom na pismo: Bilal Bosnić poručio Nusretu Imamoviću da je pogriješio što je pisao protiv Bagdadijevog hilafeta,” *Saff*, 23 August 2014.

54 The possibility of criminal prosecution for those believed to be travelling to Syria or Iraq, or returning from the battlefields there, has led some of these people to report alleged disappearances of their passports and change their physical appearance (most frequently by shaving their beard) and identity (name and surname), in order to avoid being discovered.

Life in Syria

This research sought not only to establish the numbers and trends of BiH citizens travelling to and volunteering in Syria and Iraq, but also to identify the activities they engaged in once they arrived.⁵⁵ Interestingly, it seems that some people simply believed they could live more in accordance with their values in Syria or Iraq, where many expected to find Sharia Law and did not anticipate the extent of war.⁵⁶ Clearly, others deployed to battle formations, though it is impossible to determine the extent to which those formations have been involved in combat. We do know that military engagement resulted in numerous disappointments for volunteers who arrived to Syria during the first two years of war, who reported that rebel groups lacked a solid command and operational structure at that time. In fact, fighters had to obtain weapons, ammunition, power generators, and even bottled water on their own. And adaptation to the climate and food was difficult, with fighters often suffering from chronic abdominal infections due to food and water poisoning.

The authors also found several testimonies about theft, smuggling, and fraud, and stories of positions being surrendered without struggle or soldiers switching sides for money.⁵⁷ This is not altogether surprising, though, given that monthly combat pay is between 50 and 100 US dollars and additional income is commonly earned through the sale of weapons and ammunition appropriated in combat. BiH volunteers have also testified that, in most cases, the formations in which they fought have had no medical personnel or facilities and that soldiers with non-lethal wounds died on the battlefield due to untreated bleeding.

Some BiH citizens also became part of the support network for incoming foreign fighters, in Syria. In March 2015, one such individual was convicted of human trafficking by the Court of BiH (receiving a 6-year prison sentence and a 20,000 KM fine), and has been identified by several people

55 Personal testimonies found on social networks and minutes from police hearings have provided a snapshot of various aspects of life in Syria.

56 Minutes of police hearings of returnees from Syria and Iraq revealed almost identical statements about the experiences of this group of BiH citizens. For example: "I wanted to live in accordance with my own beliefs, but there was no Sharia Law there, there was anarchy and no laws were respected. There were groups attacking each other, and I did not go there to fight wars... I looked for a way to exit the country but whoever I asked, people laughed at me... we were first in Haritan, in one room, and it was so cold that the stove could not warm it and my children were freezing. I heard planes dropping barrel bombs, it was horrific." For more, see: "Nisam želeo da ratujem u Siriji," *Večernje novosti*, 18 March 2015; "Govoreći o životu u Siriji, optuženi plakao," *FTV*, 17 March 2015, <http://www.federalna.ba/bhs/vijest/124835/nastavljeno-sudenje-za-dzihadiste-u-srbiji>.

57 Journalists from *Slobodna Bosna* published this testimony: "These groups act spontaneously, without any strategy, order, discipline... The only serious military formations are those led by the Chechens. With others, you cannot know who drinks or who pays... It often happened that they won an enemy position and, instead of fortifying it and preparing for a counter-offensive, they went away...to loot. The enemy forces take advantage of this, recover the position and, of course, kill a few of our own. It happened that brothers were fighting to win a position and, at the same time, just a few hundred meters away, others were smuggling goods with the same enemy." See: S. Mijatovic, "Bosnjacki bratoubilacki dzihad," *Slobodna Bosna*, 18 March 2014.

as the key point person for the transport of newly arrived volunteers from the Balkans into Syria.⁵⁸ Several other open and confidential sources have indicated that at least one fighter from BiH has advanced in the military and political hierarchy in Syria, through engagement in several formations that were ultimately integrated into ISIL. Allegedly, he is now among the leading officials in the new ISIL administration in Syria. Criminal records of this person indicate that he was a repeat offender, convicted and imprisoned for participating in the preparation of terrorist attacks.

A Criminal Past

Research into the personal pasts of BiH citizens believed to have resided or still be residing in Syria or Iraq revealed that at least 44 out of 156 men (one-third) had criminal records and, in some cases, were multiple offenders.⁵⁹ The crimes for which these men have been investigated, convicted, or imprisoned include: terrorism, illegal possession of weapons and ammunition, theft, armed robbery, illicit weapons trade, drug trafficking and human trafficking, rape, and domestic violence. However, this is not unique to the BiH contingent of foreign fighters in Syria; and a recent analysis conducted by a Western intelligence agency established that more than one half (52%) of foreign fighters that had arrived to Syria and Iraq from EU countries were known to the police in their home communities.⁶⁰

The presence of hardened criminals in ISIL units helps explain, to some extent, the brutality and bloodthirstiness that has been demonstrated in confrontations with their opponents. And indeed, people engaged in this violence feel freed from responsibility because they interpret their own acts as the execution of a divine order. ISIL's mobilisation campaign has clearly been directed toward a target group that includes those with a criminal past. In fact, the essence of this campaign is enshrined in ISIL's slogan: "People with the worst past can sometimes create the best future."

58 "Govoreći o životu u Siriji, optuženi plakao", *FTV*, 17 March 2015.

59 A similar study conducted in Kosovo recently indicates a similar trend there. Among the Kosovo contingent of fighters in Syria and Iraq, 40% have prior police and judicial records, and some 47% are multiple offenders. For more, see: Kursani, *Report inquiring into the causes and consequences of Kosovo citizens' involvement...*

60 From a discussion with a senior Western intelligence official who wished to remain anonymous. It is important to note that, despite this trend, there are exceptions. The vast majority of foreign fighters coming from France do not have criminal records, and in Morocco, almost 80% of volunteers have had no criminal records.

The Geography of the Phenomenon

It was established during this research that the largest number of BiH volunteers in Syria and Iraq have come from well-known Salafi communities, such as in Gornja Maoca or Osve in the north-eastern part of the country. More than 60% have spent time in these communities, visiting or maintaining contact with residents. A number of volunteers have also come from similar communities on the outskirts of bigger cities such as Sarajevo and Zenica. This study also found that the number of volunteers from Bosanska Krajina (northwest BiH) is gradually increasing, though the fact that some of these people have never resided at their registered residence created difficulties in this part of the research.

Motives for Departure from BiH to Syria and Iraq

As in any other religious or social community, Muslims have an articulated feeling of belonging to a community – at the local (*Jamaat*) and global (*Ummat*) levels. “Muslims are brothers,” said the Prophet, as a reminder to believers that they must demonstrate solidarity and support for each other, like a wall in which “each stone supports the other.” And, classic Islamic literature is rich with texts that talk of the obligation of all Muslims to help their brothers in need. This is a religious duty based on the Qur’an and is so central that Islamic lawyers once argued that it was the duty of Muslims in one town to help another Muslim city if attacked by an enemy, even before the Caliph declared a jihad.⁶¹ According to Islamic legal tradition (*fiqh*), which was developed in the first centuries of Islam following the death of Muhammad, jihad was an institutional military intervention of the state and could not be led “outside the institution” or at the initiative of an individual or group; with the one exception of an immediate threat against Muslims that made it impossible to wait for a procedural “declaration of jihad.”

Volunteers now travelling to Syria refer to these classic *fatwa*, asserting that they oblige believers to do everything in their power to protect Muslim civilians in other countries from injustice and violence and to oppose anti-Islamic and anti-religious forces. But this obligation, in the context of military engagement, is being reinterpreted from the traditional Islamic legal position, which required parental consent for participation in battle. Religious texts also insist on this, though some lawyers again assert that this law is inapplicable when Muslims are threatened by direct aggression, and young Muslims often use this argument when they decide to join the war in Syria.

61 “And if they seek help of you for the religion, it is your duty to help...” Qur’an, Anfāl [8:72]

Islamist volunteers from all over the world have endeavoured to organise not only military formations but institutions that resemble a state infrastructure – to administer the “Islamic State” they have declared in part of Syrian and Iraqi territories. The idea of a renewed Islamic state reaches back to March 1924 and the abolition of the Caliphate in Istanbul, and this is a very important factor for the mobilization of new soldiers and for the inhabitants of that new “state.” According to certain Salafist interpretations of Islam, the religion cannot fully function in a state that does not implement Sharia Law; and this view is particularly accentuated among groups that advocate the idea of *takfir*.⁶² For that reason, they live in closed communities across Europe and in some cases, as in BiH, attempt to establish their vision of a Sharia-led society to the extent permitted by authorities.

The establishment of an “Islamic State” in which Sharia Law is followed – at least in the interpretation of ISIL ideologues – obliges all Muslim believers who cannot fully practice Islam in secular and democratic societies to emigrate, following in the footsteps of the Prophet when he undertook the *Hijra* to Medina. In some communities, this alone serves as motivation for travel to Syria or Iraq, and explains the departure of a relatively large number of women and children. And so, voluntary departure to the so-called Islamic State may not necessarily be for purposes of combat, but also because Muslims feel obliged to leave societies they view as apostate.

This is reflected in this research, which found that many BiH citizens who left for Syria and Iraq were initially motivated by a feeling of religious duty to assist fellow Muslims. BiH is perceived as an infidel country in this context, and migration to what is now ISIL-controlled territory represents a choice to walk in the path of Muhammad when he left infidel Mecca and, together with his followers, established a new community of believers in Medina. It is also possible that some older fighters from BiH were close to the El Mujahid Unit, which fought in the 1992-1995 war, and see the conflict in Syria as a continuation of efforts that were interrupted by the signing of the Dayton Agreement.⁶³

For younger generations of volunteers, particularly older teenagers and young men in their early 20s, joining the war in Syria is probably also motivated by the adrenaline rush it guarantees. People of that age have the natural desire to prove themselves and often accept very risky challenges

62 This refers to the practice of declaring that Muslim communities and countries in which Sharia Law is *not* enforced are apostate, as are the individuals who agree to live in them.

63 Numerous leaders of El Mujahid opposed the peace agreement for BiH and the cessation of what they perceived as a Jihad. Foreign fighters were particularly disappointed with the decision of Bosniak political leadership to opt for a secular state. According to former members of the unit, their disappointment ran so deep that an attack on the Army of BiH and a continuation of the jihad was considered at one point. However, the idea was never implemented due to the military superiority of the opponent and resistance from several influential leaders of the detachment.

in order to validate their belonging in a community, gain respect, and find their purpose. Departure for remote war theatres in Syria and Iraq and involvement with military formations tempts young men with the possibility of self-determination and belonging. A similar motive has driven young men from BiH to join the French Foreign Legion in recent years.⁶⁴

Young people between 15 and 24 often have plenty of free time. In BiH, they happen to have more than in many places due to a soaring 63% unemployment rate among people in this age group, which is the highest in the world and is significantly higher than the official BiH unemployment rate (accounting for all age groups) of 44%. And so, for some BiH citizens in Syria and Iraq, it is possible that their departure was at least subconsciously influenced by socio-economic factors. A substantial number of BiH citizens who have departed for those theatres come from the geographic, social, and economic margins; and according to police records, some of them "lack permanent income, engage in sales of various objects, small house items, resale of cigarettes and smuggling of foreign currencies."⁶⁵ Also, apart from rare exceptions, the majority of these individuals have only an elementary school education, do not possess marketable skills or work experience, and live in dilapidated houses far from main roads with at least two generations of relatives. Departure to Syria, particularly for married men who are offered the houses of Syrians who have fled, presents the chance to have their own home, and in just a few weeks. This is something that would take ten or more years to achieve in BiH.

The post-conflict society of BiH, which is gradually losing the ability to manage itself, is another contributing factor to the trend of departures of BiH citizens to foreign war theatres. The rapid erosion of pre-war systems of social, moral, and ethic values and norms has resulted in the increased involvement of young people in both violence and the adoption of retrograde ideologies, which are often perceived as the only ways to affirm and protect individuals or a community. For over two decades now, BiH society has been unable to produce an articulated system of universal values that can serve and be equally comprehensible and attractive to the majority and to the most marginalised.

⁶⁴ The authors are aware of several cases from a few years ago, of young men from BiH who reported to the French Foreign Legion without the knowledge of their parents. In some instances, the boys were forcibly returned to BiH upon the request of their parents and with international assistance.

⁶⁵ From an original police document which was available to the authors for further examination.

Patterns of Radicalisation

It has been impossible to identify a single typical or dominant form of ideological radicalisation that has preceded the departure of citizens to Syria or Iraq, in BiH or elsewhere. According to some sources, the radicalisation process is supervised by local or travelling “persons of authority,” and an accelerated process has preceded the departure of young, alienated, and often confused individuals. It is possible that some suffer from emotional or mental disorders and, in some cases, ideological transformations have followed “alternative” treatment of apparent psychiatric conditions – usually administered by an authority figure in the micro-community in which recruits live. The influence of these authorities on the radicalisation process certainly seems significant; but without greater insight into the psycho-social characteristics of recruits, it is impossible to determine how crucial the influence of such authorities is on the decision to go to war.

Analysis of the ideological motivations for mobilisation to the battlefields of Syria and Iraq suggests that individuals and groups are not radicalised in relation to injustices (real or imagined) that they may be directly exposed to in their communities of origin, but to their perception of the suffering of a wider, global community which they also perceive as their own. Indeed, the majority view Islam as under attack and see it as their duty to defend it; and messaging from local ideological authorities as well as from war returnees encourages the defence of the *Ummah* and a final clash with its apostate enemies.

This research also found that radicalisation, particularly among youth, is often self-initiated and supported by external factors such as Internet forums and social networks. In a communications sense and due to modern technology, participants in the war in Syria and Iraq are constantly in direct contact with a potential global base of new fighters. This two-way “virtual traffic” is practically immeasurable and impossible to monitor. According to some assessments, there were 25,000 registered Twitter accounts established by ISIL alone by the beginning of 2015, sending an average of 200,000 messages per week.⁶⁶ This is an unprecedented level of communication between a front and a recruitment base; and the majority of police and intelligence agencies across the world have neither the technical capability nor the expertise to monitor and analyse it. Bosnia and Herzegovina is no exception.

66 From a conversation with an official source that wished to remain anonymous. Subsequent insight into the activities of one of the three British teenage girls who went to Syria without the knowledge of their parents at the beginning of 2015 revealed that she had simultaneously monitored 74 ISIL Twitter identities. For more, see: “How a schoolgirl was radicalised: Shamima’s List,” *The Economist* (28 February 2015). Also see: Kym Agius, “Queensland teenager who fled to join Al Qaeda affiliate became radicalised over the Internet, an Islamic leader says,” *Australian Broadcasting Corp.*, 15 May 2015, <http://www.abc.net.au/news/2015-05-16/queensland-teenager-radicalised-over-the-internet/6474790> (accessed 20 May 2015).

The authors of this research believe it is necessary to invest additional efforts in analysing the radicalisation process of young people, particularly adolescents. While it was possible to identify the early stages of that process through examination of several individual cases, only additional and more comprehensive research can provide insight into all key phases. Still, analysis of just some cases has revealed how an altered view of the world, supported by a specific interpretation of religion – particularly among youth in a generational conflict with their parents – can create a sense of superiority among young people vis-a-vis their elders, which may be additionally strengthened by a sense of authority these youth extract from their own notion of religion and God.

In the early stages of their radicalisation, young people may rely on this sense of empowerment to confront their parents; but in the next phase, they tend to cease all communication with their parents, or reduce it to minimum, believing they exhibit greater faith (*iman*) than their elders, who they see as living in ignorance and sin. Eventually, youth enter a total self-isolation from their family and deepen their connections with a “new family” of like-minded believers who often live elsewhere, or are known only in a virtual space. These young people most often leave for Syria or Iraq without the knowledge or consent of their parents.

Although it was impossible to determine due to the limits of this research, the authors believe that people raised in families that did not practice traditional religion are more susceptible to this sort of radicalisation. Though it may seem counterintuitive, a significant number of known cases indicate that persons with previous little access to religion, or who have considered it unimportant, have been more inclined to radicalise; including converts, mostly from Christianity, to Islam. This trend is particularly apparent in Western Europe, but is evident in BiH as well.⁶⁷

67 An 2008 MI5 analysis found that a number of radicalised youth had little knowledge about religion and very few had grown up in religious families; and some of them had consumed narcotics, drunk alcohol, and visited prostitutes. The MI5 analysis indicated that traditional religious identity actually protects against radicalisation toward violent extremism. See: Alan Travis, “MI5 report challenges views on terrorism in Britain,” *The Guardian*, 20 August 2008.

COMING HOME

Perhaps the key and most difficult question to answer in research of this phenomenon is what threat returnees from war theatres in Syria and Iraq pose in their communities of origin. They are veterans of conflict who have potentially been additionally radicalised, and they remain connected to a network of people who share their worldview – in the region and across the globe. But, are they willing to engage in violence and terrorism at home?

It seems that some of them are, and fear of the possible danger of returnees is thus not unfounded. Several studies have shown that the perpetrators and planners of a number of terrorist attacks over the past few years were former foreign fighters.⁶⁸ And, a recent analysis of the global operational base of Al-Qaeda indicates that it consists of foreign fighter veterans of various wars fought from the late 20th century through the present. Indeed, every ninth returnee (or 11%) has engaged in some form of violence after returning to their original community, and terrorists with combat experience were found to be far more dangerous than those who belong to cells that have only ever operated domestically.⁶⁹ For these reasons, the behaviour of returnees from Syria and Iraq to BiH deserves special attention.

A significant number of people have already returned to BiH from the Syrian theatre. According to this research, 48 men and 3 women have returned so far. It is possible that these people were disappointed with what they found in Syria or believe that they have fulfilled their duty. In either of these cases, one would expect that they wish to live a normal and peaceful life in BiH; but global and local trends do not seem to bear this out.

Adding to the valid fear that foreign fighters return with heightened ideological motivations, in recent months, there have been over 20 terrorist attacks in Canada, Australia, Belgium, France, and Tunisia – all of which have found to be related to the conflict in Syria and Iraq and directly incited or encouraged by ISIL. MI5 Director Andrew Parker has also said that the service prevented 3 terrorist attacks in Great Britain between late 2014 and early 2015, and that all of these planned attacks were connected to the developments in Syria and Iraq as well.⁷⁰ The authors of this re-

68 Council of the European Union, "Foreign fighters and returnees from a counter-terrorism perspective, in particular with regard to Syria," Document No. 9036/13, 2 April 13.

69 Thomas Hegghammer "Should I Stay or Should I Go? Explaining Variation in Western Jihadists' Choice between Domestic and Foreign Fighting," *American Political Science Review* 107, no. 1 (February 2013): 1-15.

70 Fraser Nelson, "Six key points from MI5's Andrew Parker speech on the terror threat in Britain," *The Spectator*, 9 January 2015.

search are aware that terrorist attacks have been prevented in other European countries, too.⁷¹ And ISIL has indeed provoked terrorism abroad. In a speech in late 2014, ISIL spokesman Sheikh Abu Muhammad al-Adnani al-Shami explicitly directed violence against “infidels,” saying: “If you are not able to find an IED [improvised explosive device] or a bullet, then single out the disbelieving American, Frenchman, or any of their allies. Smash his head with a rock, or slaughter him with a knife, or run him over with your car, or throw him down from a high place, or choke him, or poison him. Do not lack. Do not be contemptible. Let your slogan be: ‘May I not be saved if the cross worshipper and taghut (ruler ruling by manmade laws) patron survives.’ If you are unable to do so, then burn down his home, car, or business. Or destroy his crops.”⁷²

A weakening of the self-declared Islamic State is likely to compel acts of revenge by its loyalists in other parts of the world, particularly in anti-terrorist coalition member states. In some instances, foreign fighters may even return to their countries of origin with the predefined and precise goal to do so; or at least it is impossible to exclude the prospect of such a scenario. It remains to be seen what will happen to thousands of foreign volunteers upon the military defeat of ISIL. Where will they go? Can they go home? These questions are under serious consideration in all of the countries from which these volunteers come.

In the context of Bosnia and Herzegovina, citizens who spent time in the battlefields of Syria and Iraq – particularly in formations subordinated to or within ISIL – have created friendships and connections with fellow combatants from Serbia, Montenegro, Macedonia, Albania, and Kosovo; and with their mostly Chechen commanders. Existing and newly created regional networks of extremists and militants have thus been established and 2 suicide bomb attacks in 2014 have emerged from this operational matrix. The perpetrators were from Kosovo and BiH. Another fighter from the region has also attracted media attention for decapitating an imprisoned Syrian soldier.⁷³ It would be far too audacious and paranoid to assume that the majority of ISIL members or former foreign fighters, including those that have returned to BiH, approve of these actions and are prepared to act similarly. Still, one of the main problems related to veterans of foreign wars

71 Their specific character cannot be elaborated here due to the confidential nature of relevant intelligence.

72 More on this call in: Kyle Shideler, “ISIS’s New Threat is Anything But New.” Available on the internet: <http://www.centerforsecuritypolicy.org/2014/09/22/isiss-new-threat-is-anything-but-new/>.

73 Blerim Heta a.k.a. Abu Habbab al-Kosowi, the first suicide bomber from the Balkans, struck in Baghdad on 25 March 2014, killing 52. Emrah Fojnica, alias Hattab, who was acquitted of charges for his attack against the US Embassy in Sarajevo on 28 October 2011 due to lack of evidence, committed a suicide attack in a suburb of Baghdad on 7 July 2014, killing 24 – including 11 women and 6 children. Lavdrim Muhaxheri, an ISIL member from Kosovo first attracted media attention in the summer of 2014, in a video that showed him as the leader of a group of ISIL fighters engaging in a ritual burning of their passports and the beheading of an imprisoned young man believed to have been a member of the Syrian Army.

that return to BiH and elsewhere is the lack of standardised tools for assessing the risk they pose to their communities.

Theoretical deliberations infer that returnees from Iraq and Syria could assume a number of roles, some of which may overlap. According to those analyses, former fighters may be engaged in: (1) preventing potential volunteers from going to foreign war theatres; (2) returning to normal life; (3) attempting to radicalise and mobilise new volunteers; (4) providing logistic, financial, and other support to the process of recruitment, mobilisation, and travel; (5) returning to the war theatre; (6) planning and perpetration of terrorist attacks in their original communities or elsewhere; and (7) utilising their skills in handling weapons and explosives to join a criminal group. It is worth adding that, among the individuals returning with combat experience, a majority will very likely return with or develop symptoms of post-traumatic stress.⁷⁴

Social Challenges

Analysis of radicalisation, recruitment, travel, and eventual residence of BiH citizens in Syria and Iraq brought to light that all of these phases and activities often involved a number of socially, morally, and legally controversial or punishable activities (adultery, rape, family violence, abandonment of children, abductions, theft), which were not only justified but presented as a theological imperative or God's order. In essence, this is an indirect attempt to introduce new norms into a society that is practically without any in the post-conflict and transitional space it still occupies. In the absence of a visible and relatable value alternative to this trend, it may have real formative potential in BiH, particularly for young people. And, even if we assume that the majority of returned fighters will not engage in violence, veterans from the Syrian and Iraqi theatres could easily become heroes and role models in their local communities, particularly influencing youth from the margins, who are already vulnerable to radicalisation and recruitment.

74 During this research, the authors came across at least one case in which a returnee had to undergo emergency medical treatment upon exiting the plane in Sarajevo, due to obviously disordered thinking. They were temporarily hospitalised and doctors reported that they showed violent and suicidal intent. Of particular concern in this case is the fact that the patient's escort from the hospital was an individual suspected of encouraging and organising departures for Syria, where the patient travelled again following treatment by "alternative methods" (a so-called exorcism of the *Jinn* that possessed him).

Prevention and Repression

Mass departures of citizens from many countries to the battlefields of Syria and Iraq, and the fear that they could engage in recruitment or the preparation or perpetration of violence when they return, has prompted the United Nations to instruct member states to prepare their legal and judicial systems to prosecute and punish such individuals. This obligation was defined in UN Security Council Resolution 2178, which stipulates, inter alia, the establishment of closer co-operation in accessing relevant personal data to prevent the travel of persons suspected to be participating in terrorist activities, as well as interventions in communities considered particularly susceptible to recruitment (see Annex 2 for the entire text of the Resolution).

Along with this international effort, states are also taking independent actions. The Dutch have outlined a plan to revoke the citizenship and residence permits from people found to have travelled to foreign battlefields, and Germany has put forth a similar proposal to confiscate passports, ban departures, and invalidate identity cards. Great Britain has also introduced a “management system” for the return of citizens suspected of terrorist activities abroad. And, in Austria, a citizen’s citizenship may be revoked if they have participated in terrorist activities outside the country; and the French have broad powers to prevent their own citizens from leaving the country. Among Western Balkan countries, criminal codes of Macedonia (FYRM), Montenegro, Kosovo and Serbia include sanctions for participation in foreign wars (see Annex 3).

Bosnia and Herzegovina introduced amendments to its Criminal Code in the summer of 2014, even before some of the states mentioned above. Article 162 (b) – *Unlawfully establishing and joining foreign paramilitary or para-police formations* – introduces sanctions for individuals that organize, lead, train, equip, or mobilise individuals or groups to join foreign military, paramilitary, or para-police formations that operate outside BiH territory. Any association with such formations, as well as activities that encourage or support such crimes, can also bring sanctions (see Annex 1). However, in its first case against an individual considered to be a key link in the process of recruitment and encouragement for departures to Syria and Iraq, the BiH Office of the Prosecutor (OTP) did not use Article 162 (b) as the basis for the indictment, relying instead on earlier amendments.⁷⁵ It was not until earlier this year (2015) that the first indictments were made against persons claimed to have perpetrated a crime pursuant to Article 162 (b). Both cases involve people

⁷⁵ The indictment invoked Article 202 (a) (*Public encouragement for terrorist activities*), Article 202 (b) (*Recruitment for terrorist activities*), and Article 202 (d) (*Organisation of a terrorist group*).

arrested during the three phases of Operation Damascus, which was undertaken by the State Investigations and Protection Agency and the BiH OTP, between late summer 2014 and winter 2015.

Yet, the criminalization of departures to foreign war theatres addresses the consequences and not the causes of increased numbers of foreign fighters. BiH was among the first to react to this phenomenon, but unlike other countries – which have begun to implement programmes to prevent and deter it – BiH lacks a discernible strategy in this regard.⁷⁶ Without one, criminalization and repression alone will not only be insufficient but may also prove counterproductive.

⁷⁶ Not only does BiH lack a strategy for the prevention of radicalization, but as of April 2015, still lacks a new counter-terrorism strategy, the last of which expired in 2013.

FINAL CONSIDERATIONS AND POSSIBLE RECOMMENDATIONS

Once a destination country for foreign fighters in the 1990s, BiH is now the country of origin for volunteers in other people's wars.⁷⁷ Although the largest wave of departures of BiH citizens for Syria and Iraq has probably passed, it is safe to assume that the trend of ideological radicalisation, recruitment, and support for new departures will continue. And, further radicalisation in the public space, primarily on social networks and the internet, can certainly be expected.⁷⁸ Thus, the state and BiH society must insist on a strategy for the prevention or deterrence of such trends. It is up to the state to use instruments and mechanisms including repression and criminalization; and it is up to society to call for effective correctives and counter-narratives that oppose radicalisation processes in a decisive and timely manner. Families, the educational system, civil society organisations, the academic community, and the media must play a role in this intervention, and to do so will require some understanding of the seriousness of the problem and some consensus on desired norms.

It will be necessary for domestic political institutions to increase their operational coordination, possibly through a special police body or special department of the Office of the Prosecutor. Confusion and disagreements resulting from the overlapping competencies of different agencies has created certain problems that this would resolve.⁷⁹ Radicalisation and recruitment that takes place on the Internet and on social networks, which target youth, must also be monitored. It is crucially important to understand and recognise the different stages of radicalisation, especially the first signs in the thought processes and behaviour of young people who are susceptible; for only then can tools for early intervention in the process be developed. Raising awareness about Internet (in)security will be an important part of this effort as well, especially as the level of Internet saturation rises in the country.

77 It should be noted that, apart from Syria and Iraq, BiH citizens have also been registered in units fighting in Ukraine. A high-ranking official from one BiH's security agencies reported that 3 such people have been identified, by 2015. Meanwhile, the State Information and Protection Agency announced that there were five BiH citizens known to be on the battlefields in Ukraine and that the number is presumably higher. See (in B/C/S): "SIPA: U Siriji ratuje 80 bh. Državljana," *Avaz*, 29 March 2015.

78 Reactions (in online comments, in blogs, etc.) to the attack against French magazine *Charlie Hebdo* in January 2015 are a demonstration of this sort of radicalisation in the public space in BiH. Justification and approval of this act dominated the social networks, where an internal analysis by a domestic security agency found that over 80% of comments on the act and its perpetrators were positive.

79 For example, in one case that the authors became aware of in the course of this research, a domestic security agency contacted representatives of the Republic of Turkey and asked for the enforcement of an inter-state agreement between the two countries on co-operation in counterterrorism and combating organised crime, from 2001. The intent was to allow the presence of BiH police officers at the most frequently used border crossings in Turkey, in order to monitor and report on BiH citizens travelling to Syria. The Turkish side agreed and offered several dates for meetings in Ankara in order to establish the details; however, the BiH side cancelled the meeting because it was unable to agree on which police agency would represent the country at the meeting. The initiative was never implemented.

This research also found that ideological radicalisation toward violent extremisms occurs in prisons, where many of the individuals who have later ended up in Syria and Iraq have spent time. Further analysis of the prisoner population and how these processes work in that context could point to possible ways to suppress such radicalisation.⁸⁰ It also appears that efforts to establish lines of communication between authorities or NGOs and the families of fighters who have departed (particularly with families that opposed their departure), and with the returnees themselves, should be made. This would build support networks for their successful reintegration into society (if desired) and would vitally inform the development of tools to assess the readiness of returnees for such reintegration.⁸¹

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80 In some countries, prisoners convicted for terrorism or crimes incited by ideological extremism live separately from the rest of the prison population. The motives for this are twofold – to prevent their having any ideological influence on other prisoners and to prevent their contact with other perpetrators that could help them establish operational co-operation with the convicts or the groups they belong to.

81 For more details on useful measures that the state and society can implement to prevent and deter voluntary departure to foreign war theatres, see: *The Hague-Marrakech Memorandum on Good Practices for a More Effective Response to the FTF Phenomenon*.

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ANNEX 1: LAW AMENDING THE CRIMINAL CODE OF BOSNIA AND HERZEGOVINA - ARTICLE 162 B. UNLAWFUL ESTABLISHING AND JOINING FOREIGN PARAMILITARY OR PARA-POLICE FORMATIONS

Official Gazette of Bosnia and Herzegovina, 47/14

Pursuant to Article IV(4)a) of the Constitution of Bosnia and Herzegovina, at the 67th session of the House of Representatives, held on 28 May 2014, and at the 38th session of the House of Peoples, held on 6 June 2014, the Parliamentary Assembly of Bosnia and Herzegovina adopted the following

LAW AMENDING THE CRIMINAL CODE OF BOSNIA AND HERZEGOVINA

Article 1

In the Criminal Code of Bosnia and Herzegovina ("Official Gazette of BiH", No. 3/03, 32/03, 37/03, 54/04, 61/04, 30/05, 53/06, 55/06, 32/07 and 8/10) after Article 162 (a), a new Article 162 (b) shall be added to read as follows:

Article 162 (b).

(Unlawful establishing and joining foreign paramilitary or para-police formations)

1. Whoever, in violation of the Law on Defence of Bosnia and Herzegovina or the Law on Service in the Armed Forces of Bosnia and Herzegovina, organises, directs, trains, equips or mobilises individuals or groups in the purpose of their association in any way with foreign military, foreign paramilitary or foreign para-police formations that are acting outside the territory of Bosnia and Herzegovina, shall be punished by imprisonment for a term not less than five years.
2. Whoever joins in any way a foreign military, foreign paramilitary or foreign para-police formation, trained, equipped or mobilised as specified in paragraph (1) of this Article, shall be punished by imprisonment for a term not less than three years.
3. Whoever procures or renders operable the means, removes obstacles, creates plans or makes arrangements with others or recruits another person or undertakes any other action creating

the conditions for the direct perpetration of this crime, shall be punished by imprisonment for a term between one and ten years.

4. Whoever publicly, by way of public media, distributes or in any other way conveys a message to the public, which has the purpose of inciting another person to perpetrate this crime, shall be punished by imprisonment for a term between three months and three years.
5. A perpetrator of the crime referred to in paragraph (1) of this Article, who, by exposing the group prevents the perpetration of the crime or exposes the group prior to the perpetration of the crime, shall be punished by imprisonment for a term between six months and three years, but may also be released from punishment.
6. Provisions of this Article shall not be applicable to the persons who have acquired in a lawful manner the citizenship of a foreign country recognized by Bosnia and Herzegovina in whose army or military formation they serve, or they serve in the military formations under the control of governments internationally recognized by the United Nations, established on the basis of law."

Article 2

This Law shall enter into force on the eighth day following the date of its publication in the "Official Gazette of BiH".

No. 01,02-02-1-49/13

6 June 2014

Sarajevo

Chairman
House of Representatives
BIH Parliamentary Assembly
Dr. Milorad Zivkovic

Chairman
House of Peoples
BIH Parliamentary Assembly
Dr. Dragan Covic

ANNEX II: UNITED NATIONS SECURITY COUNCIL RESOLUTION 2178, ADOPTED 24 SEPTEMBER 2014

United Nations Security Council Resolution 2178, adopted 24 September 2014

The Security Council,

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and *remaining* determined to contribute further to enhancing the effectiveness of the overall effort to fight this scourge on a global level,

Noting with concern that the terrorism threat has become more diffuse, with an increase, in various regions of the world, of terrorist acts including those motivated by intolerance or extremism, and *expressing* its determination to combat this threat,

Bearing in mind the need to address the conditions conducive to the spread of terrorism, and *affirming* Member States' determination to continue to do all they can to resolve conflict and to deny terrorist groups the ability to put down roots and establish safe havens to address better the growing threat posed by terrorism,

Emphasizing that terrorism cannot and should not be associated with any religion, nationality or civilization,

Recognizing that international cooperation and any measures taken by Member

States to prevent and combat terrorism must comply fully with the Charter of the United Nations,

Reaffirming its respect for the sovereignty, territorial integrity and political independence of all States in accordance with the Charter,

Reaffirming that Member States must ensure that any measures taken to counter terrorism comply with all their obligations under international law, in particular international human rights law, in-

ternational refugee law, and international humanitarian law, *underscoring* that respect for human rights, fundamental freedoms and the rule of law are complementary and mutually reinforcing with effective counter-terrorism measures, and are an essential part of a successful counter-terrorism effort and notes the importance of respect for the rule of law so as to effectively prevent and combat terrorism, and *noting* that failure to comply with these and other international obligations, including under the Charter of the United Nations, is one of the factors contributing to increased radicalization and fosters a sense of impunity,

Expressing grave concern over the acute and growing threat posed by foreign terrorist fighters, namely individuals who travel to a State other than their States 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, and *resolving* to address this threat,

Expressing grave concern about those who attempt to travel to become foreign terrorist fighters,

Concerned that foreign terrorist fighters increase the intensity, duration and intractability of conflicts, and also may pose a serious threat to their States of origin, the States they transit and the States to which they travel, as well as States neighbouring zones of armed conflict in which foreign terrorist fighters are active and that are affected by serious security burdens, and *noting* that the threat of foreign terrorist fighters may affect all regions and Member States, even those far from conflict zones, and *expressing* grave concern that foreign terrorist fighters are using their extremist ideology to promote terrorism,

Expressing concern that international networks have been established by terrorists and terrorist entities among States of origin, transit and destination through which foreign terrorist fighters and the resources to support them have been channelled back and forth,

Expressing particular concern that foreign terrorist fighters are being recruited by and are joining entities such as the Islamic State in Iraq and the Levant (ISIL), the Al-Nusrah Front (ANF) and other cells, affiliates, splinter groups or derivatives of Al-Qaida, as designated by the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011), *recognizing* that the foreign terrorist fighter threat includes, among others, individuals supporting acts or activities of Al-Qaida and its cells, affiliates, splinter groups, and derivative entities, including by recruiting for or otherwise supporting acts or activities of such entities, and *stressing* the urgent need to address this particular threat,

Recognizing that addressing the threat posed by foreign terrorist fighters requires comprehensively addressing underlying factors, including by preventing radicalization to terrorism, stemming recruitment, inhibiting foreign terrorist fighter travel, disrupting financial support to foreign terrorist fighters, countering violent extremism, which can be conducive to terrorism, countering incitement to terrorist acts motivated by extremism or intolerance, promoting political and religious tolerance, economic development and social cohesion and inclusiveness, ending and resolving armed conflicts, and facilitating reintegration and rehabilitation,

Recognizing also that terrorism will not be defeated by military force, law enforcement measures, and intelligence operations alone, and *underlining* the need to address the conditions conducive to the spread of terrorism, as outlined in Pillar I of the United Nations Global Counter-Terrorism Strategy (A/RES/60/288),

Expressing concern over the increased use by terrorists and their supporters of communications technology for the purpose of radicalizing to terrorism, recruiting and inciting others to commit terrorist acts, including through the internet, and financing and facilitating the travel and subsequent activities of foreign terrorist fighters, and *underlining* the need for Member States to act cooperatively to prevent terrorists from exploiting technology, communications and resources to incite support for terrorist acts, while respecting human rights and fundamental freedoms and in compliance with other obligations under international law,

Noting with appreciation the activities undertaken in the area of capacity building by United Nations entities, in particular entities of the Counter-Terrorism Implementation Task Force (CTITF), including the United Nations Office of Drugs and Crime (UNODC) and the United Nations Centre for Counter-Terrorism (UNCCT), and also the efforts of the Counter Terrorism Committee Executive Directorate (CTED) to facilitate technical assistance, specifically by promoting engagement between providers of capacity-building assistance and recipients, in coordination with other relevant international, regional and subregional organizations, to assist Member States, upon their request, in implementation of the United Nations Global Counter-Terrorism Strategy,

Noting recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism, and *noting* the work of the Global Counterterrorism Forum (GCTF), in particular its recent adoption of a comprehensive set of good practices to address the foreign terrorist fighter phenomenon, and its publication of several other framework documents and good practices, including in the areas of countering violent extremism, criminal justice, prisons, kidnapping for ransom, providing support to victims of terrorism, and communi-

ty-oriented policing, to assist interested States with the practical implementation of the United Nations counter-terrorism legal and policy framework and to complement the work of the relevant United Nations counter-terrorism entities in these areas,

Noting with appreciation the efforts of INTERPOL to address the threat posed by foreign terrorist fighters, including through global law enforcement information sharing enabled by the use of its secure communications network, databases, and system of advisory notices, procedures to track stolen, forged identity papers and travel documents, and INTERPOL's counter-terrorism fora and foreign terrorist fighter programme,

Having regard to and highlighting the situation of individuals of more than one nationality who travel to their states of nationality for the purpose of the perpetration, planning, preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, and *urging* States to take action, as appropriate, in compliance with their obligations under their domestic law and international law, including international human rights law,

Calling upon States to ensure, in conformity with international law, in particular international human rights law and international refugee law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, including by foreign terrorist fighters,

Reaffirming its call upon all States to become party to the international counter-terrorism conventions and protocols as soon as possible, whether or not they are a party to regional conventions on the matter, and to fully implement their obligations under those to which they are a party,

Noting the continued threat to international peace and security posed by terrorism, and *affirming* the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts, including those perpetrated by foreign terrorist fighters,

Acting under Chapter VII of the Charter of the United Nations,

1. *Condemns* the violent extremism, which can be conducive to terrorism, sectarian violence, and the commission of terrorist acts by foreign terrorist fighters, and *demand*s that all foreign terrorist fighters disarm and cease all terrorist acts and participation in armed conflict;
2. *Reaffirms* that all States shall prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents,

and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents, *underscores*, in this regard, the importance of addressing, in accordance with their relevant international obligations, the threat posed by foreign terrorist fighters, and *encourages* Member States to employ evidence-based traveller risk assessment and screening procedures including collection and analysis of travel data, without resorting to profiling based on stereotypes founded on grounds of discrimination prohibited by international law;

3. *Urges* Member States, in accordance with domestic and international law, to intensify and accelerate the exchange of operational information regarding actions or movements of terrorists or terrorist networks, including foreign terrorist fighters, especially with their States of residence or nationality, through bilateral or multilateral mechanisms, in particular the United Nations;
4. *Calls upon* all Member States, in accordance with their obligations under international law, to cooperate in efforts to address the threat posed by foreign terrorist fighters, including by preventing the radicalization to terrorism and recruitment of foreign terrorist fighters, including children, preventing foreign terrorist fighters from crossing their borders, disrupting and preventing financial support to foreign terrorist fighters, and developing and implementing prosecution, rehabilitation and reintegration strategies for returning foreign terrorist fighters;
5. *Decides* that Member States shall, consistent with international human rights law, international refugee law, and international humanitarian law, prevent and suppress the recruiting, organizing, transporting or equipping of individuals who travel to a State other than their States 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, and the financing of their travel and of their activities;
6. *Recalls* its decision, in resolution 1373 (2001), that all Member States shall ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice, and *decides* that all States shall ensure that their domestic laws and regulations establish serious criminal offenses sufficient to provide the ability to prosecute and to penalize in a manner duly reflecting the seriousness of the offense:
 - a. their nationals who travel or attempt to travel to a State other than their States of residence or nationality, and other individuals who travel or attempt to travel from their territories to a State other than their States 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;
- b. the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to finance the travel of individuals who travel to a State other than their States 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; and,
 - c. the wilful organization, or other facilitation, including acts of recruitment, by their nationals or in their territories, of the travel of individuals who travel to a State other than their States 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;
7. *Expresses* its strong determination to consider listing pursuant to resolution 2161 (2014) individuals, groups, undertakings and entities associated with Al-Qaida who are financing, arming, planning, or recruiting for them, or otherwise supporting their acts or activities, including through information and communications technologies, such as the internet, social media, or any other means;
8. *Decides* that, without prejudice to entry or transit necessary in the furtherance of a judicial process, including in furtherance of such a process related to arrest or detention of a foreign terrorist fighter, Member States shall prevent the entry into or transit through their territories of any individual about whom that State has credible information that provides reasonable grounds to believe that he or she is seeking entry into or transit through their territory for the purpose of participating in the acts described in paragraph 6, including any acts or activities indicating that an individual, group, undertaking or entity is associated with Al-Qaida, as set out in paragraph 2 of resolution 2161 (2014), provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals or permanent residents;
9. *Calls upon* Member States to require that airlines operating in their territories provide advance passenger information to the appropriate national authorities in order to detect the departure from their territories, or attempted entry into or transit through their territories, by means of civil aircraft, of individuals designated by the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) ("the Committee"), and further *calls upon* Member

States to report any such departure from their territories, or such attempted entry into or transit through their territories, of such individuals to the Committee, as well as sharing this information with the State of residence or nationality, as appropriate and in accordance with domestic law and international obligations;

10. *Stresses* the urgent need to implement fully and immediately this resolution with respect to foreign terrorist fighters, *underscores* the particular and urgent need to implement this resolution with respect to those foreign terrorist fighters who are associated with ISIL, ANF and other cells, affiliates, splinter groups or derivatives of Al-Qaida, as designated by the Committee, and *expresses* its readiness to consider designating, under resolution 2161 (2014), individuals associated with Al-Qaida who commit the acts specified in paragraph 6 above;

International Cooperation

11. *Calls upon* Member States to improve international, regional, and subregional cooperation, if appropriate through bilateral agreements, to prevent the travel of foreign terrorist fighters from or through their territories, including through increased sharing of information for the purpose of identifying foreign terrorist fighters, the sharing and adoption of best practices, and improved understanding of the patterns of travel by foreign terrorist fighters, and for Member States to act cooperatively when taking national measures to prevent terrorists from exploiting technology, communications and resources to incite support for terrorist acts, while respecting human rights and fundamental freedoms and in compliance with other obligations under international law;
12. *Recalls* its decision in resolution 1373 (2001) that Member States shall afford one another the greatest measure of assistance in connection with criminal investigations or proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings, and *underlines* the importance of fulfilling this obligation with respect to such investigations or proceedings involving foreign terrorist fighters;
13. *Encourages* Interpol to intensify its efforts with respect to the foreign terrorist fighter threat and to recommend or put in place additional resources to support and encourage national, regional and international measures to monitor and prevent the transit of foreign terrorist fighters, such as expanding the use of INTERPOL Special Notices to include foreign terrorist fighters;

14. *Calls upon* States to help build the capacity of States to address the threat posed by foreign terrorist fighters, including to prevent and interdict foreign terrorist fighter travel across land and maritime borders, in particular the States neighbouring zones of armed conflict where there are foreign terrorist fighters, and *welcomes* and *encourages* bilateral assistance by Member States to help build such national capacity;

Countering Violent Extremism in Order to Prevent Terrorism

15. *Underscores* that countering violent extremism, which can be conducive to terrorism, including preventing radicalization, recruitment, and mobilization of individuals into terrorist groups and becoming foreign terrorist fighters is an essential element of addressing the threat to international peace and security posed by foreign terrorist fighters, and *calls upon* Member States to enhance efforts to counter this kind of violent extremism;
16. *Encourages* Member States to engage relevant local communities and non-governmental actors in developing strategies to counter the violent extremist narrative that can incite terrorist acts, address the conditions conducive to the spread of violent extremism, which can be conducive to terrorism, including by empowering youth, families, women, religious, cultural and education leaders, and all other concerned groups of civil society and adopt tailored approaches to countering recruitment to this kind of violent extremism and promoting social inclusion and cohesion;
17. *Recalls* its decision in paragraph 14 of resolution 2161 (2014) with respect to improvised explosive devices (IEDs) and individuals, groups, undertakings and entities associated with Al-Qaida, and *urges* Member States, in this context, to act cooperatively when taking national measures to prevent terrorists from exploiting technology, communications and resources, including audio and video, to incite support for terrorist acts, while respecting human rights and fundamental freedoms and in compliance with other obligations under international law;
18. *Calls upon* Member States to cooperate and consistently support each other's efforts to counter violent extremism, which can be conducive to terrorism, including through capacity building, coordination of plans and efforts, and sharing lessons learned;
19. *Emphasizes* in this regard the importance of Member States' efforts to develop non-violent alternative avenues for conflict prevention and resolution by affected individuals and local communities to decrease the risk of radicalization to terrorism, and of efforts to promote

peaceful alternatives to violent narratives espoused by foreign terrorist fighters, and *underscores* the role education can play in countering terrorist narratives;

United Nations Engagement on the Foreign Terrorist Fighter Threat

20. *Notes* that foreign terrorist fighters and those who finance or otherwise facilitate their travel and subsequent activities may be eligible for inclusion on the Al-Qaida Sanctions List maintained by the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) where they participate in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of, Al-Qaida, supplying, selling or transferring arms and related materiel to, or recruiting for, or otherwise supporting acts or activities of Al-Qaida or any cell, affiliate, splinter group or derivative thereof, and *calls upon* States to propose such foreign terrorist fighters and those who facilitate or finance their travel and subsequent activities for possible designation;
21. *Directs* the Committee established pursuant to resolution 1267 (1999) and 1989 (2011) and the Analytical Support and Sanctions Monitoring Team, in close cooperation with all relevant United Nations counter-terrorism bodies, in particular CTED, to devote special focus to the threat posed by foreign terrorist fighters recruited by or joining ISIL, ANF and all groups, undertakings and entities associated with Al-Qaida;
22. *Encourages* the Analytical Support and Sanctions Monitoring Team to coordinate its efforts to monitor and respond to the threat posed by foreign terrorist fighters with other United Nations counter-terrorism bodies, in particular the CTITF;
23. *Requests* the Analytical Support and Sanctions Monitoring Team, in close cooperation with other United Nations counter-terrorism bodies, to report to the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) within 180 days, and provide a preliminary oral update to the Committee within 60 days, on the threat posed by foreign terrorist fighters recruited by or joining ISIL, ANF and all groups, undertakings and entities associated with Al-Qaida, including:
 - a. a comprehensive assessment of the threat posed by these foreign terrorist fighters, including their facilitators, the most affected regions and trends in radicalization to terrorism, facilitation, recruitment, demographics, and financing; and

- b. recommendations for actions that can be taken to enhance the response to the threat posed by these foreign terrorist fighters;

- 24. *Requests* the Counter-Terrorism Committee, within its existing mandate and with the support of CTED, to identify principal gaps in Member States' capacities to implement Security Council resolutions 1373 (2001) and 1624 (2005) that may hinder States' abilities to stem the flow of foreign terrorist fighters, as well as to identify good practices to stem the flow of foreign terrorist fighters in the implementation of resolutions 1373 (2001) and 1624 (2005), and to facilitate technical assistance, specifically by promoting engagement between providers of capacity-building assistance and recipients, especially those in the most affected regions, including through the development, upon their request, of comprehensive counter-terrorism strategies that encompass countering violent radicalization and the flow of foreign terrorist fighters, recalling the roles of other relevant actors, for example the Global Counterterrorism Forum;
- 25. *Underlines* that the increasing threat posed by foreign terrorist fighters is part of the emerging issues, trends and developments related to resolutions 1373 (2001) and 1624 (2005), that, in paragraph 5 of resolution 2129 (2013), the Security Council directed CTED to identify, and therefore merits close attention by the Counter-Terrorism Committee, consistent with its mandate;
- 26. *Requests* the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) and the Counter-Terrorism Committee to update the Security Council on their respective efforts pursuant to this resolution;
- 27. *Decides* to remain seized of the matter.

ANNEX 3 – AN OVERVIEW OF NEW LAWS AND AMENDMENTS TO THE CRIMINAL CODES IN WESTERN BALKAN COUNTRIES THAT CRIMINALIZE PARTICIPATION IN FOREIGN WARS

REPUBLIC OF KOSOVO

Law No. 05/L -002

ON PROHIBITION OF JOINING THE ARMED CONFLICTS OUTSIDE STATE TERRITORY

Assembly of Republic of Kosovo,

Based on Article 65 (1) of the Constitution of the Republic of Kosovo, Approves

LAW ON PROHIBITION OF JOINING THE ARMED CONFLICTS OUTSIDE STATE TERRITORY ⁸²

Article 1

Purpose

With the aim of protecting the state interests and national security, this Law determines criminal offence of joining or participating in a foreign army or police, in foreign paramilitary and para-police formations, in organized groups or individually, in any form of armed conflict outside the territory of the Republic of Kosovo.

Article 2

Scope

1. Provisions of this law shall be applicable to each person that participates or organizes, recruits, finances, incites, leads or trains persons or groups of persons with the aim of joining or participating in a foreign army or police, in foreign paramilitary and parapolice formations, in organized groups or individually, in any other form of armed conflict outside the territory of the Republic of Kosovo.

⁸² Kosovo's Parliament adopted the law in March 2015.

2. Provisions of this law shall not apply to citizens of the Republic of Kosovo who have citizenship of a foreign country, and are part of the army or military formation of the respective country, or who serve in military formations under the control of internationally recognized governments or international organizations.
3. Provisions of this law shall not apply for structures of security sector of the Republic of Kosovo, which based on law act outside the territory of the Republic of Kosovo.

Article 3

Joining or participation in a foreign army or police, in foreign paramilitary and parapolice formations, in organized groups or individually, outside the territory of the Republic of Kosovo

1. Whoever organizes, recruits, leads or trains persons or group of persons with the aim of joining or participating in a foreign army or police, in foreign paramilitary or parapolice formations, in organized groups or individually, in any form of armed conflicts outside the territory of the Republic of Kosovo, shall be sentenced with imprisonment from five (5) to fifteen (15) years.
2. Whoever in any direct or indirect manner, offers, requests, gathers or conceals funds or other material means intentionally, knowingly or there are reasonable grounds to believe that will be used entirely or partially for committing criminal offence as stipulated in paragraph 1. of this Article shall be sentenced with imprisonment from three (3) to fifteen (15) years.
3. Whoever participates in a foreign army or police, in foreign paramilitary or parapolice formations, in organized groups or individually, in any form of armed conflicts outside the territory of the Republic of Kosovo, shall be sentenced with imprisonment from three (3) to fifteen (15) years.
4. Whoever publicly, at a gathering or through publications, audiovisual recordings, including and not limited to social networks or any other form of communication calls or incites others to commit criminal offences as stipulated in paragraphs 1., 2. and 3. of this Article, shall be sentenced with imprisonment from six (6) months up to five (5) years.
5. Hiding or failure to report planning of criminal offence, or committed criminal offence and its perpetrators as stipulated under this Article shall be sentenced with imprisonment from 6 (six) months up to five (5) years.

6. Whoever shelters the perpetrator of criminal offence as stipulated with this Article or assists him in avoiding detection or arrest through concealing of means, proofs or on the other manner, or whoever shelters the sentenced person or undertakes actions for hindering of arrest, execution of sentence, shall be punished from six (6) months up to five (5) years.
7. Perpetrator of the criminal offence stipulated under this Article, who by disclosing the group to competent criminal prosecution bodies avoids commitment of the criminal offence , or who discloses the group to competent criminal prosecution bodies before committing the criminal offence, shall be sentenced with imprisonment up to 3 (three) years or may be exempted from sentence.

Article 4

Procedures for criminal investigation and prosecution

1. Criminal offence as stipulated with this law is considered a serious crime in terms of Article 22 of the Criminal Procedure Code.
2. Criminal prosecution of perpetrators of the criminal offence as stipulated with this law is under the competence of the Special Prosecution of the Republic of Kosovo.
3. The procedure for investigating and prosecuting perpetrators of criminal offenses stipulated by this law and the imposition of sentence is based on the Criminal Procedure Code.
4. Covert and technical measures of surveillance and investigation as envisaged in the Criminal Procedure Code can be implemented during the investigation and criminal prosecution of committed criminal offence as per this law.
5. Provisions on sequestration and confiscation as envisaged in the Criminal Procedure Code and the Law on Extended Powers for Confiscation of Assets Acquired by Criminal Offence may be implemented accordingly for criminal offence as stipulated in this law.

Article 5

Entry into force

This law shall enter into force fifteen (15) days after its publication in the Official Gazette of the Republic of Kosovo.

Law No. 05/L -002

12 March 2015

President of the Assembly of the Republic of Kosovo

Kadri Veseli

REPUBLIC OF MACEDONIA

Criminal Code

Participation in a foreign army, police, paramilitary or parapolice formations⁸³

Article 322-a

1. Whosoever, contrary to the law, creates, organizes, recruits, transports, organizes transportation, equips, trains or in other manner prepares a person or a group for participation in a foreign army, police, paramilitary or parapolice formations, organized groups or individually, outside the territory of the Republic of Macedonia, shall be sentenced to imprisonment of at least five years.
2. Whosoever, contrary to the law, in whatever manner, directly or indirectly, offers, gives, provides, seeks, gathers or conceals financial means, funds, material means or equipment the purpose of which is, fully or partially, the commitment of the crime referred to in paragraph (1) of this Article, shall be sentenced to imprisonment of at least five years.
3. A citizen of the Republic of Macedonia who, contrary to the law, participates in or is trained by a foreign army, police, paramilitary or parapolice formations, organized groups or individually, outside the territory of the Republic of Macedonia, shall be sentenced to imprisonment of at least four years.
4. Whosoever, contrary to the law, at a gathering, by a written text, by audio-visual tapes, through the social networks or by any other means of communication calls, by spreading or making a message available to the public in any other manner or recruits or encourages other to commit the crimes referred to in paragraphs (1), (2) or (3) of this Article, shall be sentenced to imprisonment of at least four years.
5. If the crime referred to in paragraphs (1), (2), (3) or (4) of this Article is committed in relation to a child, the offender shall be sentenced to imprisonment of at least five years.
6. Whosoever hides the offender of the crime referred to in paragraphs (1), (2), (3), (4) or (5) of this Article or aids the prevention of revealing the crime or the offender by hiding the means used to commit the crime, the evidence or in any other manner, shall be sentenced to imprisonment of one to five years.

⁸³ New amendments to the Macedonian Criminal Code entered into force in September 2014.

7. The offender of the crime referred to in this Article who shall disclose the offenders referred to in paragraphs (1), (2), (3), (4) or (5) of this Article, may be acquitted from punishment.
8. The offender who holds the citizenship of the state in whose regular military or police formations he/she participates or who is a member of military or paramilitary formations or police forces under the control of internationally recognized governments or international organizations shall not be punished for the crime referred to in paragraph (3) of this Article.
9. The attempt is punishable.
10. The means and objects used to commit the crime shall be seized.

REPUBLIC OF MONTENEGRO

Criminal Code

Participation in foreign army formations⁸⁴

Article 449b

1. Whoever, in contravention of law, other regulations and rules of international law, incites, recruits, prepares, organizes, leads, transports or arranges for transportation, or trains an individual or a group of people with the aim of their joining or participating in foreign army formations outside the territory of Montenegro shall be sentenced to a term of imprisonment from two (2) to ten (10) years.
2. Whoever, in contravention of law, other regulations and rules of international law, travels for the purpose of joining or participating in a foreign army formation operating outside the territory of Montenegro, individually or in organized groups, shall be sentenced to a term of imprisonment from six (6) months to five (5) years.
3. Whoever directly or through a third party offers, gives, provides, requests, collects or conceals financial means, funds, material means or equipment that is entirely or partially intended for committing criminal offence as referred to in paragraphs 1 and 2 of this Article shall be sentenced to a term of imprisonment from one (1) to eight (8) years.
4. Whoever publically calls or incites others to commit criminal offence under paragraphs 1, 2, and 3 of this Article shall be sentenced to a term of imprisonment from six (6) months to five (5) years.
5. The person referred to under paragraph 1 to paragraph 4 of this Article who by disclosing an individual or a group prevents commission of criminal offence shall be sentenced to a term of imprisonment from six (6) months to three (3) years, and may be exempted from sentence.
6. A foreign army formation, pursuant to this Article, is considered to be a foreign army or police, foreign paramilitary or parapolice formation established in contravention of law, other regulations and rules of international law".

⁸⁴ New amendments to the Montenegrin Criminal Code were introduced in March 2015.

Article 5

After Article 488 a new Article is added which reads as follows:

"Article 488a

Provision of Article 37, paragraph 1, of this Law shall apply from the day when provisions of law regulating court decision making procedure on provisional release enter into effect."

Article 6

This Law shall come into force on the eight day after it is published in the "Official Gazette of Montenegro".

I CONSTITUTIONAL GROUNDS FOR ENACTMENT OF THE LAW

The constitutional grounds related to enactment of the Law on Amendments to the Criminal Code of Montenegro are contained in Article 16, item 5, of the Constitution of Montenegro which prescribes that law, in accordance with the Constitution, shall also regulate other issues of interest for Montenegro.

II REASONS FOR ENACTMENT OF THE LAW

Enactment of the Law on Amendments to the Criminal Code of Montenegro is based on several reasons. The most important reason is a need to prosecute engagement in the form of participation of foreign fighters in conflicts abroad, taking into account that the aforesaid engagement may produce serious security implications, and may also negatively impact upon countries which are not directly involved in conflicts.

Also, one of the reasons for the enactment of the Law on Amendments to the Criminal Code of Montenegro is a need for further compliance with recommendations provided by the Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), and reforms which are being implemented in the area of the execution of criminal sanctions.

Participation of citizens of Montenegro in foreign army formations is expected to be suppressed by the enactment of this Law, and at the same an adequate pronouncement of sentences to perpetrators and organizers of this criminal offence is expected too.

III COMPLIANCE WITH EUROPEAN LEGISLATION AND RATIFIED INTERNATIONAL CONVENTIONS

The Draft Law on Amendments to the Criminal Code of Montenegro is fully complied with the United Nations Resolution 2178(2014) on Foreign Terrorist Fighters / mercenaries, which was adopted by the Security Council at its 7272nd session held on 24th September 2014.

On 17 October 2014 the Ministry of Justice convened a public debate at which the Resolution 2178 (2014) was presented including similar solutions provided by states in the region aimed at complying the Draft Law with international standards.

Also, the Draft Law is harmonized with recommendations I, II, and III and Special Recommendations by the Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), and International Convention on the Suppression of Terrorism.

IV EXPLANATION OF BASIC LEGAL INSTITUTES

Article 1 of the Draft Law introduces court competence in making decisions on provisional release, based on which the court is fully competent for issuing and revoking provisional release. According to existing decisions the Commission for Provisional Release, established by Minister of Justice, makes decisions on provisional release regarding convicted individuals in accordance with the Law on Execution of Criminal Sanctions while the court is competent for making decisions on revoking provisional release. At the same time criteria to be considered by the court when deciding on provisional release are extended based on the aforementioned change.

Provisions under Article 2 of the Draft Law introduce a definition of property as defined in the Criminal Code of Montenegro based on which this Law is harmonized with Recommendations I, II and III by the Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL).

Provisions under Article 3 of the Draft Law are harmonised with Special Recommendation II by the Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) and Annex to the International Convention on the Suppression of Terrorism.

A new criminal offence Participation in Foreign Army Formations is proposed under Article 4 of the Draft Law, as in accordance with Chapter XXXV and the protected object foreseen therein,

that pertains to the criminal offenses against humanity and other values protected by international law.

The proposed Draft Law prescribes that whoever, in contravention of law, other regulations and rules of international law incites, recruits, prepares, organizes, leads, transports or arranges for transportation or trains an individual or a group with the aim of their joining or participating in foreign army formations operating outside Montenegro shall be sentenced to a term of imprisonment from two (2) to ten (10) years.

A term of imprisonment from six (6) months to five (5) years shall be imposed upon anybody who, in contravention of law, other regulations or rules of international law, individually or in organized groups, joins or participates in a foreign army formation operating outside the territory of Montenegro.

Under the Draft Law, pursuant to Resolution 2178(2014), whoever directly or indirectly offers, gives, provides, requests, collects or conceals financial means, funds, material means and equipment intended for the perpetration of this criminal offence shall be criminally prosecuted. It is also proposed that whoever publically calls or incites others to commit this criminal offence shall be criminally prosecuted. The purposes of these provisions is to sanction incitement to commission of this criminal offence including collection of financial means necessary for the commission of criminal offences.

Legislator prescribes a more lenient sentence, with a possibility of exemption, to anybody who prevents the commission of criminal offence by disclosing an individual or a group.

The Draft Law also defines the term foreign army formation, which in accordance with this Article, is considered to be a foreign army or police, paramilitary or parapolice formation established in contravention of law, other regulations and rules of international law.

Article 5 of the Draft Law stipulates delay of the application of provision under Article 37, paragraph 1, of the Criminal Code of Montenegro until law regulating court decision making procedure on provisional release enters into force.

Article 6 of the Draft Law prescribes that the Law on Amendments to the Criminal Code of Montenegro shall enter into force within eight day deadline from the day it is published in the Official Gazette of Montenegro.

V. ESTIMATION OF FINANCIAL FUNDS FOR THE IMPLEMENTATION OF THE LAW

The Draft Law on Amendments to the Criminal Code of Montenegro does not envisage any additional allocation of funds to the budget of Montenegro.

VI REASONS FOR ENACTMENT OF THE LAW IN SHORTENED PROCEDURE

Pursuant to Article 151 of the Rules of Procedure of the Assembly of Montenegro ("Official Gazette of the Republic of Montenegro", number 51/06, 66/06 and "Official Gazette of Montenegro", number 88/09, 80/10, 39/11, 25/12, and 49/13) we find that it is necessary to enact the Draft Law on Amendments to the Criminal Code of Montenegro in a shortened procedure, taking into account the fact that a failure to enact the said Law in a shortened procedure could cause harmful consequences upon life of people, security of Montenegro, work of state and other authorities and organisations.

Also, since 47th plenary session of MONEYVAL is scheduled for the period between 13 and 17 April 2015 in Strasbourg it is necessary to enact the said Law in a shortened procedure. In that way the recommendations by MONEYVAL will be implemented, and Montenegro will remove recognised deficiencies until the next session, and by proceeding in this manner it will keep its position in the evaluation process.

REPUBLIC OF SERBIA
Law on Amendments to the Criminal Code

Article 1

In the Criminal Code ("Official Gazette of the Republic of Serbia", number 85/05, 88/05 –correction, 107/05 – correction, 72/09, 111/09, 121/12 and 104/13), titles of Articles are added after Article 386, and Articles 386a and 386b are added as follows:

Participation in a war or an armed conflict in a foreign state ⁸⁵

Article 386a

1. Citizen of Serbia who participates in a war or an armed conflict in a foreign state, as a member of military or paramilitary formations of the conflicting parties, and who is not a citizen of that foreign state, nor is a member of an official mission of international organization of which Serbia is a member, shall be sentenced to a term of imprisonment from six months to five years.
2. Provided that the criminal offence as referred to in paragraph 1 of this Article is committed within a group, the perpetrator shall be sentenced to a term of imprisonment from one to eight years.

Organizing participation in a war or an armed conflict in a foreign state

Article 386b

1. Whoever, with an intention to commit the criminal offence referred to in Article 386a on the territory of Serbia, recruits or incites other person to commit that criminal offence, organizes a group or trains another person or a group for committing that criminal offence, equips or makes equipment available for the purpose of committing that criminal offence, or collects means for committing that criminal offence, shall be sentenced to a term of imprisonment from two to ten years.
2. Regarding the offence referred to in paragraph 1 of this Article the perpetrator shall be sentenced to a sentence as foreseen for that criminal offence also when individuals involved in the organization thereof are not citizens of Serbia".

Article 2

This Law shall come into force on the eight day after it is published in "Official Gazette of the Republic of Serbia".

⁸⁵ Assembly of Serbia adopted this amendment to the Law in October 2014.

The Lure of the Syrian War - The Foreign Fighters's Bosnian Contingent
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