



“Jihadist Safe Havens: Efforts to Detect and Deter Terrorist Travel”

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In recent years, the US and its allies have faced threats emanating from terrorist safe havens in countries such as Afghanistan, Pakistan and Yemen. The most recent areas of concern to have developed are in Iraq and Syria. In the short-term, the greatest danger to emerge from these safe havens is the Islamic State of Iraq and al-Sham (ISIS, and formerly known as the Islamic State of Iraq, or ISI, and al-Qaeda in Iraq) and Westerners returning to their homeland having fought in Iraq and Syria. Formulating effective policies to counter this threat is now a priority for the US and its allies.

ISIS

The danger ISIS poses to the West is becoming increasingly clear, highlighted by General David Petraeus, European Union counterterrorism coordinator Gilles de Kerchove and British Prime Minister David Cameron in recent weeks.¹ These concerns are understandable. ISIS now controls a stretch of territory the size of Jordan and has declared an Islamic caliphate, acquiring recruits, weapons and money to the extent that it is now more of a terrorist army than a terrorist group.

ISIS has succeeded in establishing a base in the Levant from which to expand its influence throughout the region. In a recently released ISIS video, a British jihadist proclaimed that ISIS ‘understand no borders’ and will fight ‘wherever our sheikh wants to send us.’ He specifically cites Iraq, Jordan, Lebanon and Syria as targets.² All of these countries have been targeted on multiple occasions for terrorist attack by ISIS and its precursor organisations in the last decade.

Yet the danger posed by ISIS is not limited to the Middle East. ISIS and its precursor groups have also been connected to a series of attacks in Europe over the last decade.

- The perpetrators of a June 2007 attack against targets in London and Glasgow, Scotland – operations which consisted of a car bombing attack on Glasgow Airport and car bombs in London’s West End – had the telephone numbers of ISI members on their cell phones. At the time, counterterrorism officials called the Glasgow and London attacks ‘the closest collaboration’ between ISI and terrorists outside the Middle East to date.

¹ ‘ISIS’ Western Ambitions’, *Foreign Affairs*, 30 June 2014, available at <http://www.foreignaffairs.com/articles/141611/robin-simcox/isis-western-ambitions>

² Ibid.

- In 2010, a captured senior ISI operative admitted to Iraqi forces that ISI was preparing to carry out an attack in the West at the end of the year. Later that year, Taimour Abdulwahab al-Abdaly, an Iraqi-born militant who was thought to have trained with ISI in Mosul, carried out a suicide attack in Stockholm, Sweden. ISI praised this attack and in an audio message released after his death, al-Abdaly cited the Swedish artist Lars Vilks' insulting cartoons of Islam's Prophet Mohammed as a motivation for his act. ISI had previously offered \$150,000 to anyone who 'slaughtered' Vilks.
- In June 2013, the Iraqi defense ministry said it had arrested members of a cell in Baghdad that had been attempting to manufacture chemical weapons to smuggle into Canada, the US and Europe.
- In May 2014, Mehdi Nemmouche, a French citizen thought to have joined ISIS in Syria, shot and killed three people at the Jewish Museum in Brussels. His gun was wrapped in an ISIS flag.³

While it is not known whether ISIS and its precursor groups directed or merely inspired these plots, it certainly appears connected to them. Therefore, ISIS is not just a local threat. Over the last decade, it has carried out attacks in four Middle Eastern countries and been connected to three others in Europe; offered financial reward for the assassination of Europeans; and allegedly planned to smuggle chemical weapons into the West. This is not the behaviour of a group obsessed with local, sectarian concerns.

'Iraq fatigue' in Washington and London is significant. There is a temptation towards isolationism: to dismiss this as sectarian bloodletting or a complex civil war which has no relevance to international security. This temptation must be avoided. Following its recent successes, ISIS is now likely to attract fresh recruits – including those from the West – to its safe haven in Iraq, where they can receive training and attempt to carry out terrorist attacks against the Western homeland.

Earlier this year, Abu Bakr al-Baghdadi, the supposed new caliph, warned the US that, 'soon we'll be in direct confrontation' and to 'watch out for us, for we are with you, watching'.⁴ This warning should not be dismissed lightly.

RETURNING FIGHTERS

However, the threat the West faces from terrorism today is multi-pronged. An area of great concern to intelligence agencies is that of the dangers posed by those returning from fighting jihad in Syria.

The geographical proximity of Turkey to Syria has made accessing this conflict zone from Europe easier than past jihadist fronts. One analysis has concluded that as many as 2,000 Europeans have travelled to fight in Syria.⁵

Focusing specifically on the British angle, it is thought that between 400 – 500 Brits have done so.⁶ This is a higher number than with the jihads in Afghanistan or Iraq near the beginning of the century.⁷ Charles Farr, Britain's top counterterrorism official, stated this year that Syria was 'different from any other counter-terrorism challenge that [the UK] have faced since 9/11 — because of the number of terrorist

³ Ibid.

⁴ Ibid.

⁵ 'Up to 11,000 foreign fighters in Syria; steep rise among Western Europeans', International Centre for the Study of Radicalisation, 17 December 2013, available at <http://icsr.info/2013/12/icsr-insight-11000-foreign-fighters-syria-steep-rise-among-western-europeans/>

⁶ 'Iraq and Ending Sexual Violence in Conflict', House of Commons, 16 June 2014, available at <http://www.publications.parliament.uk/pa/cm201415/cmhansrd/cm140616/debtext/140616-0001.htm#14061619000710>;

'Counter-terror cop: 500 Brits fighting in Syria and Iraq', *ITV*, 21 June 2014, available at <http://www.itv.com/news/update/2014-06-21/counter-terror-cop-500-brits-fighting-in-syria-and-iraq/>

⁷ 'Europeans are flocking to the war in Syria. What happens when they come home?', *Washington Post*, 29 January 2014, available at http://www.washingtonpost.com/world/europe/europeans-are-flocking-to-the-war-in-syria-what-happens-when-they-come-home/2014/01/29/772f56d0-88f6-11e3-833c-33098f9e5267_story.html?hpid=z3

groups now engaged in the fighting, their size and scale, the number of people from this country who are joining them, ease of travel, availability of weapons and the intensity of the conflict'.⁸

Those fighters who return to the UK will likely do so battle-hardened, well trained and exposed to extremist ideology. Richard Walton, speaking at the time as the head of the London Metropolitan Police's counter-terrorism unit, has described an attack in the UK by a fighter returning from Syria as 'almost inevitable'.⁹

It is unlikely that every returning fighter is going to be a national security threat and aspire to carry out attacks domestically. Yet according to Henry Jackson Society research, almost half of those who had committed al-Qaeda related offenses in the US had received terrorist training. Almost one in five had combat experience abroad.¹⁰ In the UK, over a quarter of those who committed Islamism-related offenses had received training abroad.¹¹

To add to these security concerns, there have been recent reports that bomb-makers in Yemen are co-ordinating their efforts with terrorists in Syria in order to construct undetectable explosives targeting Western aviation. This led to a new round of security measures across airports targeting cell phones and other electronic devices. Attorney General Eric Holder recently stated these new threats were something he found 'more frightening' than anything else he'd seen in his time in office yet.¹² This is quite an admission when considering some of al-Qaeda in the Arabian Peninsula's aspirational and actual attempts to target the US in recent years (including bombs concealed in operatives' underwear, in printer toner cartridges or even surgically implanted; ricin and cyanide plots; and poisoning Western water and food supplies).¹³

MEASURES TAKEN BY THE UK

Attorney General Holder also recently spoke about the need for European nations to take a more preemptive approach in preventing its citizens travelling to Iraq or Syria in the first place, including undercover investigations and prosecuting those for preparatory acts of terrorism. In the US, the material support law – which covered almost a quarter of all charges used in al-Qaeda related offenses in the US¹⁴ – is a useful piece of legislation for this type of crime. However, similar legislation does not exist in all countries that suffer from a severe terrorist threat. For example, it took France until 2012 to bring in a new statute that made 'criminal association with the intent to commit terrorist acts' prosecutable.¹⁵

The UK has taken a tough stance on Syria-related offences. In the last 18 months there have been 65 Syrian related arrests in the UK.¹⁶ Some of these cases – such as that of former Guantanamo Bay detainee Moazzam Begg, who has been charged with providing terrorist training in Syria and raised funds to aid

⁸ 'Syria extremism is unlike any threat UK has seen since 9/11, security chief warns', *Evening Standard*, 25 February 2014, available at <http://www.standard.co.uk/news/uk/exclusive-syria-extremism-is-unlike-any-threat-uk-has-seen-since-911-security-chief-warns-9151894.html>

⁹ 'Anti-terrorism chief warns of British girls inspired by Jihad', *Evening Standard*, 23 January 2014, available at <http://www.standard.co.uk/news/crime/exclusive-antiterrorism-chief-warns-of-british-girls-inspired-by-jihad-9080110.html>

¹⁰ Robin Simcox & Emily Dyer, *Al-Qaeda in the United States: A Complete Analysis of Terrorism Offenses* (Henry Jackson Society, February 2013)

¹¹ Robin Simcox, Hannah Stuart, Houriya Ahmed & Douglas Murray, *Islamist Terrorism: The British Connections* (Henry Jackson Society, July 2011)

¹² 'Latest Syria Threat "More Frightening Than Anything" Else, Holder Says', *ABC News*, 13 July 2014, available at <http://abcnews.go.com/ThisWeek/latest-syria-threat-frightening-holder/story?id=24538221>

¹³ 'Terror Attempt Seen as Man Tries to Ignite Device on Jet', *New York Times*, 25 December 2009, available at http://www.nytimes.com/2009/12/26/us/26plane.html?_r=0; 'Cargo plane bomb plot: ink cartridge bomb "timed to blow up over US"', *The Telegraph*, 10 November 2010, available at <http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/8124226/Cargo-plane-bomb-plot-ink-cartridge-bomb-timed-to-blow-up-over-US.html>; 'Al-Qaeda Yemen plane bomb plot foiled by "insider"', *BBC News*, 8 May 2012, available at <http://www.bbc.co.uk/news/world-us-canada-17994493>; 'Al Qaeda's Body Bombs: Al-Asiri's Next Threat', *Newsweek*, 14 May 2012, available at <http://www.newsweek.com/al-qaedas-body-bombs-al-asiris-next-threat-65057>; Daniel Klaidman, *Kill or Capture: The War on Terror and the Soul of the Obama Presidency* (HMH), p.216

¹⁴ Simcox & Dyer, *Al-Qaeda in the United States* (Henry Jackson Society, 2013)

¹⁵ 'Attorney General Holder Urges International Effort to Confront Threat of Syrian Foreign Fighters', United States Department of Justice, 8 July 2014, available at <http://www.justice.gov/opa/pr/2014/July/14-ag-704.html>

¹⁶ 'UK will feel fallout of war in Syria "for years to come", warns top Met officer', *Guardian*, 22 June 2014, available at <http://www.theguardian.com/world/2014/jun/22/uk-syria-islamic-extremism-isis-muthana-cressida-dick>

terrorist causes there¹⁷ – are now beginning to work their way through the British court system. The first conviction of a British citizen relating to Syria-related terrorism offences occurred in May 2014 and others have already followed.¹⁸

This is a welcome change. Beforehand, not a single individual who fought in Afghanistan, Iraq or any other jihadist conflict had been charged for doing so in a British court. This was largely a problem of political will, as well as some shortcomings in legislation. Yet this government has shown more determination to start prosecuting such offenses.

The government has also stepped up stripping dual national fighters in Syria of their British citizenship. Under the British Nationality Act, the home secretary can deprive someone of their citizenship if it 'is conducive to the public good' and it does not leave them stateless. This power was used twenty times last year, which is a significant increase on previous years. While this does not only apply to jihadists in Syria – for example, it has also been used against those fighting in Somalia – one former Foreign & Commonwealth official has said that it is an 'open secret' that it is being applied to the conflict there.¹⁹

Another available option – although not one that has been used so far – is the use of Terrorism Prevention and Investigation Measures (TPIMs), which enable the government to place a series of restrictions on the movements of terror suspects they are unable to deport or prosecute. TPIM subjects are, for example, given a curfew, an electronic tag, restricted from meeting certain individuals and attending certain mosques. While these are not measures available to the US, the need to detain those who are deemed a national security threat but who the state may not be able to prosecute is certainly a dilemma that it is familiar with (those detained at Guantanamo Bay being the perfect example).

However, the UK's approach is not only based on tough measures against those who have already travelled. If prosecution is not possible, then Channel – the Home Office's de-radicalisation programme – is a viable alternative. Over 500 terror suspects have already been placed through this scheme, and this number will only grow as the fallout from Syria continues.²⁰ The Police have also launched a national campaign aimed at supporting the families – with a focus on women – of those who are concerned about their relatives travelling abroad, encouraging them to seek help from authorities if so.²¹

Another approach to consider is one that has been launched in Belgium and which could be considered by the West more broadly. Belgian authorities discovered that some of those who had joined the rebels in Syria were still receiving social security benefits and subsequently stopped these payments.²² This could act as an effective deterrent. If an aspiring fighter knows that his departure would lead to his family being evicted, for example, that may cause him to reconsider his options.

THE ONGOING THREAT

The exact amount of fighters that have already returned to the UK is unknown. One security official claimed the number could be as high as 250.²³ However, since there is ambiguity over the amount who have already travelled, there will inevitably be ambiguity over how many have returned. The former head

¹⁷ 'Ex-Guantanamo Bay detainee Moazzam Begg charged with terror offences', *The Telegraph*, 1 March 2014, available at <http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/10669848/Ex-Guantanamo-Bay-detainee-Moazzam-Begg-charged-with-terror-offences.html>

¹⁸ 'Syria conflict: First Briton convicted of terrorist offences', *BBC News*, 20 May 2014, available at <http://www.bbc.co.uk/news/uk-27488006>; 'Two British men admit to linking up with extremist group in Syria', *Guardian*, 8 July 2014, available at <http://www.theguardian.com/world/2014/jul/08/two-british-men-admit-linking-extremist-group-syria>

¹⁹ 'No way back for Britons who join the Syrian fight, says Theresa May', *Independent*, 23 December 2013, available at <http://www.independent.co.uk/news/uk/politics/exclusive-no-way-back-for-britons-who-join-the-syrian-fight-says-theresa-may-9021190.html>

²⁰ '500 terror suspects "deradicalised" by Home Office', *BBC News*, 26 March 2013, available at <http://www.bbc.co.uk/news/uk-21940899>

²¹ 'Police make Syria plea to UK Muslim women', *BBC News*, 24 April 2014, available at <http://www.bbc.co.uk/news/uk-27131707>

²² 'Belgian jihadists in Syria stripped of welfare benefits', *France 24*, 19 August 2013, available at <http://www.france24.com/en/20130819-belgian-jihadists-syria-stripped-welfare-payments-assad-antwerp/>

²³ 'After fighting in Syria 250 British jihadis are "back in the UK" say intelligence officers', *Daily Mirror*, 21 June 2014, available at <http://www.mirror.co.uk/news/world-news/after-fighting-syria-250-british-3739504>

of counterterrorism at MI-6 has said it is ‘out of the question’ to be able to monitor all those who have returned from fighting in Syria.²⁴ The UK simply does not have the capacity.

For example, in 2007, MI-5 acknowledged they were currently tracking 2,000 terror suspects in the UK.²⁵ Assuming that the threat has remained reasonably consistent – a safe assumption, considering that Britain has either suffered from, or managed to foil, at least one major terrorist plot approximately every year since 9/11²⁶ – and assuming that 500 Brits have travelled to Syria, that would mean that Syrian returnees could take up a quarter of MI-5’s casework.

In reality, the number will not be that high yet – some fighters have already been killed in Syria; others have no intention of ever returning; some will be legally barred from returning by the government; while others may not be assessed to be a threat to the UK. Yet this gives some indication of the scale of work that Syrian returnees could cause British security agencies.

Furthermore, by its own admission MI-5 can only ‘hit the crocodiles nearest the boat’ and has to ‘prioritise ruthlessly’.²⁷ This means that someone who is on the periphery of the Security Services’ radar eventually drops off. Inevitably, the wrong decisions are occasionally made. Last year, Michael Adebolajo, an extremist of interest to MI-5 who had previously attempted to travel to Somalia but not regarded as posing an imminent danger, stabbed a British soldier to death in broad daylight on the streets of London.

SHARED CHALLENGE

The UK and the US face a differing level of threat from returnee fighters. The US is yet to see the numbers travel to Syria that the UK has, although this probably has just as much to do with the geographical proximity as it does ideological intent. Despite this, the solutions are broadly similar.

Those who have attempted or successfully joined up with, fundraised for and/or received training from terrorist groups in Iraq and Syria should be prosecuted. If prosecution is not possible, trained fighters assessed to be the most dangerous should be monitored by domestic security agencies. The UK can call upon Channel, its de-radicalization programme; in the US, the Countering Violent Extremism initiative is a work in progress and our governments should continue to co-ordinate their efforts on this work. The removal of citizenship and social security benefits are other potentially useful national security tools.

Ultimately, we need to show an unflinching determination to face down the threats being posed to the West by the dangers emerging from this region.

²⁴ “‘Not possible’ to monitor all UK Syria fighters”, *BBC News*, 23 June 2014, available at <http://www.bbc.co.uk/news/uk-27968963>

²⁵ “‘Thousands’ pose UK terror threat”, *BBC News*, 5 November 2007, available at <http://news.bbc.co.uk/1/hi/uk/7078712.stm>

²⁶ Simcox, Stuart, Ahmed & Murray, *Islamist Terrorism* (Henry Jackson Society, 2011)

²⁷ ‘Could 7/7 Have Been Prevented? Review of the Intelligence on the London Terrorist Attacks on 7 July 2005’, Intelligence & Security Committee, HM Government, May 2009, available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/224542/7-7_attacks_intelligence.pdf