Belgium’s Returning Foreign Fighters
How European State Declarative Strategies Influence Domestic Terror Incidents

Capstone Paper

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Abstract

According to The Soufan Group – a strategic security consulting and research organization – as of December 2015 between 27,000 and 31,000 people from at least 86 countries travelled to Iraq and Syria to join the Islamic State or other extremist groups. Given the probability that the Syrian conflict is unlikely to cease any time soon, the question of foreign fighter prevention and reintegration will remain extant for years to come. In Europe, the majority of fighters originate from just four countries: France, the United Kingdom, Germany, Belgium, Denmark, the Netherlands, Austria, and Sweden. In fact, Belgium is known as the “EU capital for foreign fighters”. Experts estimate that roughly 30% of foreign fighters will attempt returning to their country of origin and that 11% of returnees pose a security threat. This amounts to few hundred people who possess the skills, connections, and the intent to conduct a domestic terror attack. My research examines data on returning foreign fighters in order to evaluate the relationship between eight Western European states’ declarative strategies and the frequency of domestic terror attacks between 2010 and 2015. This study contributes to the growing dialogue concerning returning foreign fighters by making policy recommendations for the prevention of future domestic terror incidents through the implementation of a comprehensive reintegration strategy specifically as they apply to Belgium.

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II. Background

A. Problem

In June 2015, Brahim el-Bakraoui (a Belgian national) was arrested by Turkish police in Gaziantep, a small city in the Anatolia region that is centrally located along the Turkish/Syrian border. One of the world’s oldest continuously inhabited cities, Gaziantep is an established crossing point for Islamic State (IS) supporters and prospective members. Despite el-Bakraoui’s violent criminal history and a warning from Turkish security officials when he was deported that he was a dangerous militant, Belgian authorities were unable to definitively associate him with a terrorist organization and he was released\(^4\). Nine months later on March 22, 2016, el-Bakraoui and Najim Laachraoui (a Moroccan born Belgian citizen) executed a coordinated suicide bomb attack at Brussels Airport in Zaventem and el-Bakraoui’s brother, Khalid, detonated a suicide bomb at the Molenbeek metro station. Both Laachraoui and Khalid are suspected of involvement in the November 2015 Paris attacks. Combined, the Paris and Brussels attacks resulted in the deaths of 162 people (130 and 32 respectively) and the injury of at least 668 more\(^5\) (368 and 300+ respectively). The attacks also resulted in many Western European political officials reprioritizing perceived threats to national security—identifying returning foreign fighters as the number one concern\(^6\); however, the approach states are taking to address the threat vary significantly.


As of December 2015, The Soufan Group (TSG) claimed foreign fighters from more than 86 countries successfully travelled to Syria or Iraq to support the IS and unlike el-Bakraoui – who was prevented from crossing into Syria – more than 5,000 individuals make up the European Union contingent of IS foreign fighters. Though many fighters will die in combat or move on to other countries and/or conflicts, experts estimate that roughly 30% of fighters will return to their country of origin. By those calculations, there could be as many as 8,000 extremist, veteran militants present outside of the IS with 1,500 in Western Europe today. While the majority of returnees pose no threat at all, some claim the threat is serious. In the wake of recent terror attacks throughout Western Europe, policy makers are faced with the challenge of addressing the returning foreign fighter phenomenon.

**Relevant Theoretical Frameworks**

How policy makers approach the question of returning foreign fighter reintegration greatly depends upon two factors. First, the extent to which government, intelligence, and security officials believe returnees pose a security threat and second, if those officials desire a blanket or case-by-case approach. There are three guiding theoretical frameworks for states to work within: realist, constructivist, or a mix of both.

The realist approach assumes that returning foreign fighters are beyond rehabilitation and pose a real security threat to the state upon their return. Foreign fighter subject matter expert, Dr. Thomas Hegghammer of the Norwegian Defence Research Establishment, claims the Syrian conflict will prolong terrorism in Europe deeming foreign fighter attacks to be “almost inevitable.” Furthermore, Hegghammer’s research demonstrates that in previous conflicts, 11% of returnees posed a threat. This assessment was corroborated by Edwin Bakker of the International Centre for Counter-Terrorism, who reports “… of those who have been convicted of jihadi terrorism-related activities in Europe...”

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between 2001 and 2009, about 12% had been abroad prior to their attack.” As such, a realist concern towards returnees is legitimate.

States that adopt a realist approach towards returning foreign fighters focus reintegration efforts with hard response techniques including immediate detainment upon arrival, interrogation, arrest, prosecution, incarceration, monitoring or surveillance, and the freezing of assets. While hard responses specialize in deterrence and punishment, current European legislation does not prohibit travel for the purpose of participation in foreign conflict nor does it simplify the prosecution of suspected terror activities abroad. For example, the necessary burden of proof often times struggles to overcome extremist organizations’ secretive nature thus severely limiting access to video or photographic evidence or eye-witness testimony. If and when a case overcomes evidentiary obstacles and secures a conviction, realists face the added challenges associated with jails as incubators for further radicalization and terrorist networking.

Conversely, the constructivist approach view human behavior – even terrorist activities – as a product of the international, state, and local social structures whose norms influence an individual’s identity. As such, states that adopt a constructivist approach to the returnee phenomenon address the underlying issues which led a foreign fighter out of the country in the first place. Soft reintegration efforts focus on adaptive response techniques like providing counseling, employment, education, housing, healthcare, and speedy family reunification.

Gilles de Kerchove, Coordinator of Counter Terrorism for the European Union, is an advocate for soft responses citing state responsibilities to individual citizens which extend beyond national security such as addressing post-traumatic stress disorder and providing alternatives for returnees who may be disillusioned with the extremist cause or feel they fulfilled their Muslim duty to support the Arab Spring and just need to be reintegrated into society. While the soft approach may underestimate

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the nefarious intent studies prove at least 11% of returnees harbor, it recognizes the necessity for alternatives to prison. Strong suits of the soft approach include its inherent encouragement towards foreign fighter returns; its provision for liaison efforts between the state and families before, during, and after radicalization; and its respectable alternatives when prosecution is not appropriate or successful.

III. Analysis

A. Research Goals & Methodology

It has been five years since the Arab Spring and states are increasingly faced with the challenge of returning foreign fighters. Though returning foreign fighters are not a new phenomenon, the notion that they may return with terrorist intent is relatively novel. This tactic has been popularized by Al-Qaeda who regularly issues fatwas encouraging militants to travel beyond the Afghanistan-Pakistan region to engage in jihad. Though the violent exportation tactic is not favored by the IS - whose success is predicated on holding territory for the caliphate13 - roughly one third of fighters will return to their home countries bringing new ideals, extremist connections, and varying degrees of psychological problems related to exposure to violence (i.e. post-traumatic stress disorder). Recent attacks in Nice and Brussels encourage public alarmism and necessitate immediate policy decisions about structured state responses. While few states’ legislation prohibit citizens from participating in foreign conflicts, the majority of penal codes have been amended to include terrorism-related charges - including conspiracy to travel, recruitment, financially or logistically supporting, participating in terrorist acts, possessing or distributing propaganda, etc. - which are all punishable. Though these amendments widen the jurisdiction and capabilities of law enforcement, states share a common evidentiary constraint. Without physical proof, witness testimony, photographic or video evidence, or admission of guilt many cases against returning foreign fighters are legally weak and unable to secure a conviction. Therefore, every state is faced with the question of reintegration alternatives when prosecution is not an available option.

Generally speaking, states develop hard or soft (or a combination of) responses to address foreign fighter challenges. Responses can be implemented at any point during an individual’s radicalization, mobilization, or reintegration. Hard responses include travel disruption (i.e. confiscating passports or preventing minors from leaving the country or EU without parental consent), questioning, arrest, incarceration, monitoring, surveillance, freezing finances, and revocation of citizenship of dual nationals. My

research did not indicate capital punishment has been leveraged against returning foreign fighters in any of the case studies (probably more so a reflection of a foreign fighter’s – whose guilt can be established and whose activities abroad warrant a potential death sentence – reluctance to return rather than a state’s reluctance to exact such punishment). Soft responses include education, employment, housing, individual psychological support, and group or family counseling.

This study examines eight European states’ declarative strategies addressing the returning foreign fighter phenomenon. Quantitative variables include the number of each state’s known foreign fighters and known returnees (according to TSG); general and Muslim populations (according to the Pew Research Center). Qualitative variables considered for this study were acquired through the Library of Congress and the Center for Strategic Studies who evaluate state responses to the phenomenon. Each state’s use of preventative, repressive, and punitive techniques to address foreign fighter reintegration are evaluated to determine which technique or combination of techniques a state favors. These techniques do not directly indicate a hard or soft approach style. For example, soft preventative techniques include police notifying an individual of its awareness of their travel plans as well as internet censorship against recruitment whereas passport confiscation or the removal of minors from parents who plan to travel are examples of hard preventive techniques. The existence of a counter radicalization program is also considered when assessing a state’s approach. Most states adjusted pre-existing programs originally designed to minimize criminality associated with football hooliganism. At the time of this study, all but three states had counter radicalization programs in place. Sweden and Austria claim to be in the process of opening city centers around their states although they have not yet officially opened whereas there is no evidence of France making similar arrangements. By evaluating the aforementioned variables, each state will be identified as either favoring hard or soft responses against returning foreign fighters. As a method of determining the effectiveness of state responses, this information will then be compared to the number of the domestic terror attacks that have occurred over a five year time period since the beginning of the Arab Spring in December 2010 to December 2015. The final variable was obtained from the Global Terrorism Database. Data was cleaned to omit attacks attributed to right or left wing extremist groups (such as the Irish Republican Army) and animal rights groups (such as the Animal Liberation Front) however, attacks committed by unknown perpetrators were included despite their ambiguity. Similar studies in the future should select confirmed data attributed to known terrorist organizations.

European states were selected solely based on their foreign fighter per capita rates beginning with the highest. Presumably, countries with the highest number of departing foreign fighters will also have the highest population of returnees and therefore, the greatest opportunity to practice reintegration policies. The time available to conduct
adequate research allowed for only eight states to be selected for comparison in this study. According to Radio Free Europe and the International Centre for the Study of Radicalization and Political Violence, the eight highest per capita rates include Germany (8), the United Kingdom (12), the Netherlands (15), Austria (17), France (18), Denmark (27), Sweden (32), and Belgium (46). A convenient byproduct of studying these eight states included variations in general population size (from 5.6 million to 81.2 million), Muslim population size (from 230,000 to 4.8 million), secular and non-secular governments, and geographic location spread (Western Europe, Scandinavia, and English isles). This study focuses on leading European foreign fighter contributors and does not account for countries outside of Europe whose per capita rates are higher (ie Tunisia and Jordan) or lower (ie United States and Canada). Europe was selected because of its geographic proximity between Middle East and North African countries who are closer and the Americas who are further removed from the conflict in Syria and Iraq.

B. Returning Foreign Fighters Data & Trends

According to the TSG’s December 2015 updated report, of the 5,000 European foreign fighters supporting the IS, more than two thirds originated from just four countries: France (1700), Germany (760), the United Kingdom (760), and Belgium (470). The next four top contributing states are Denmark (150), the Netherlands (220), Austria (300), and Sweden (300). The research organization also reported their official returnee count for these countries, totaling 1,205 as depicted by the table below.

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IV. Case Studies by Country & Foreign Fighter Per Capita Rates

A. Germany

A country of 81 million people (the highest state population in this study), Germany’s foreign fighter per capita rating is 8 (the lowest of all the countries studied here), has produced 760 foreign fighters, 200 returned, 30 of which are facing trial\(^\text{16}\). According to the Center for Strategic Studies, Germany favors preventative and repressive techniques against foreign fighters rather than punitive\(^\text{17}\). Section 129a of the German penal code addresses criminal measures while intelligence services monitor returnees to assess individual threat. Non-criminal measures include border police sensitivity, information sharing with Turkey and across the Schengen zone to provide notification of foreign fighter departure and return, visa revocation for guests suspected of traveling in support of the IS, and the removal of German citizenship of dual national offenders. German counter radicalization strategies include intervention – known as \textit{gefahrdeansprachen} or \textit{hazard talk} – between police and would-be extremists. According to


Amnesty International’s 2016 Refugee Welcome Survey, Germany is the second most welcoming country (of the 27 survey participants) scoring 84 out of a possible 100 points. Germany’s high score is connected to their willingness to accept more Syrian refugees than any other European country. According to the United Nation’s High Commissioner for Refugees (UNHCR), between April 2011 and August 2016, Germany processed 427,227 asylum applications (more than four times that of other countries in this study). However, the influx of refugees is causing concern amongst policy makers that Germany has made itself vulnerable to domestic exploitation. Between December 2010 and 2015 Germany experienced 83 domestic terror attacks. Germany is assessed to favor hard returnee response techniques given their strict antiterrorism laws – designed to prevent extremism of any sort – and demonstrated willingness to arrest, prosecute, and monitor returned foreign fighters.

B. United Kingdom

The United Kingdom is home to more than 65 million people, has a foreign fighter per capita rating of 12, produced 760 foreign fighters, 350 of which have returned. The UK employs a mixture of preventative and repressive techniques to combat the foreign fighter phenomenon. Criminal and non-criminal measures are addressed in Section 6 of the Terrorism Act and the British Nationality Act (respectively). British antiterrorism legislation “provides for a large number of criminal offenses connected with terrorism” including life in prison for the preparation of or assistance towards terror acts while police exercise considerable restrictive powers – known as Terrorism Prevention and Investigation Measures (TPIMs) – against would be terrorists. The Prevent Strategy allows the revocation of dual citizenship (which has been

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exercised against at least 20 individuals) thus, preventing foreign fighter return to British soil. Despite expansive laws, there appears to be a gap between the state’s declarative strategies and their ability to prevent foreign fighter travel\textsuperscript{22}. The UK is the third most welcoming country to refugees (behind Germany and China) according to Amnesty International’s 2016 Refugee Welcome Survey\textsuperscript{23}. According to the Global Terrorism Database, between December 2010 and 2015 the UK experienced 453 domestic terror attacks\textsuperscript{24} (the highest number of the countries studied here). The UK is assessed as favoring \textit{hard} response techniques towards returning foreign fighters for their declarative intent to prevent foreign fighter return to British soil and for a noticeable lack of \textit{soft} reintegration policies.

C. Netherlands

A country of 17 million people, the Netherlands’ has a foreign fighter per capita rate of 15, has produced 220 known foreign fighters, 40 of whom returned. Despite comparatively low numbers, the Netherlands General Intelligence and Security Service (AIVD) “fear that Dutch Muslim youth are at greater risk of being influenced into becoming fighters\textsuperscript{25}…” According to the Center for Security Studies, the country rarely employs punitive means against foreign fighters preferring counter radicalization and reintegration strategies. Terror-related crimes are addressed in Article 134a and Article 205 of the Dutch criminal code however, non-criminal administrative responses such as the rescinding of residency permits, citizenship revocation for dualnationals, and travel disruption are frequently employed against foreign fighters. The Dutch government endeavors to amend the Nationality Act and criminal law application in order to increase available counter measures against would be and returned foreign fighters\textsuperscript{26}. Examples of \textit{hard} responses include police monitoring, asset seizure, and child protection initiatives designed to prevent the mobilization of minors. Between December 2010 and 2015, the Netherlands experienced five domestic terror attacks. For its lack of punitive activity against returned foreign fighters, the Netherlands is assessed as a state favoring \textit{soft} reintegration policies.

D. Austria

Austria has the fifth highest foreign fighter per capita rating (17) of the eight countries, foreign fighter presence in Syria and Iraq is estimated to be 300, 70 of whom have returned as of December 2015. Vienna has been referred to as a “stopping point” for fighters travelling to Syria as well as “one of the most important logistic and financial support centers for jihadist activities in Europe.” The Austrian government favors preventative and repressive over punitive countermeasures to combat the foreign fighter phenomenon. In September 2014, Austrian Interior Minister Johanna Mikl-Leitner and the Österreichische Volkspartei (OVP) supported enhanced legislation to ban symbols and icons associated with the IS (by way of tightening the Badges Act, Abzeichengesetz), amend the Border Inspection Act to require parental consent for minors to leave the EU, withdraw citizenship from dual nationals who fight abroad, and extend police powers to retain terror-related data up to nine months. According to the U.S. Department of State, in 2013 at least ten Austrian foreign fighters were indicted upon their return however, none were convicted due to a lack of evidence. Between December 2010 and 2015, Austria experienced two domestic terror attacks. Austria is assessed as a state that employs hard responses against returnees due to the government’s willingness to attempt returnee-related convictions and lack of declared counter-radicalization and reintegration strategies.

<table>
<thead>
<tr>
<th>Country</th>
<th>Foreign Fighter Capita (per mil)</th>
<th>Total Population</th>
<th>Muslim % of Population</th>
<th>Known Foreign Fighters / Returnees</th>
<th>(P)reventive, (R)epressive, (Pu)native Techniques</th>
<th>Counter Rad. Program</th>
<th>Terror Attacks 2010 – 2015</th>
<th>Approach Favored</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>8</td>
<td>81.5m</td>
<td>5.9%</td>
<td>760 / 200</td>
<td>P + R</td>
<td>Yes</td>
<td>83</td>
<td>Hard</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>12</td>
<td>65m</td>
<td>4.5%</td>
<td>760 / 350</td>
<td>P + R</td>
<td>Yes</td>
<td>453</td>
<td>Hard</td>
</tr>
<tr>
<td>Netherlands</td>
<td>15</td>
<td>17m</td>
<td>5.8%</td>
<td>220 / 40</td>
<td>P + R</td>
<td>Yes</td>
<td>5</td>
<td>Soft</td>
</tr>
<tr>
<td>Austria</td>
<td>17</td>
<td>8.5m</td>
<td>5.3%</td>
<td>300 / 70</td>
<td>P + R</td>
<td>No</td>
<td>2</td>
<td>Hard</td>
</tr>
<tr>
<td>France</td>
<td>18</td>
<td>65m</td>
<td>7.2%</td>
<td>1700 / 250</td>
<td>P + R</td>
<td>No</td>
<td>142</td>
<td>Hard</td>
</tr>
<tr>
<td>Denmark</td>
<td>27</td>
<td>5.6m</td>
<td>4.1%</td>
<td>150 / 62</td>
<td>P + Pu</td>
<td>Yes</td>
<td>5</td>
<td>Soft</td>
</tr>
<tr>
<td>Sweden</td>
<td>32</td>
<td>9.8m</td>
<td>4.4%</td>
<td>300 / 115</td>
<td>P + R</td>
<td>No</td>
<td>44</td>
<td>Hard</td>
</tr>
<tr>
<td>Belgium</td>
<td>46</td>
<td>11.2m</td>
<td>5.6%</td>
<td>470 / 118</td>
<td>P + R</td>
<td>Yes</td>
<td>4</td>
<td>Hard</td>
</tr>
</tbody>
</table>

E. France

France’s population of 65 million people produced 1700 known foreign fighters, 250 of which have returned, for a foreign fighter per capita rate of 18. French authorities enjoy popular support to exercise largely repressive techniques against returning foreign fighters. Extensive criminal measures are authorized by the French Code Pénal which, according to the French Minister of Interior, Bernard Cazeneuve, returnees are “systematically questioned by French intelligence and law enforcement authorities... are almost always detained and charged with conspiracy”. France is unique in its utilization of investigative magistrates who specialize in counter terrorism studies. Finally, according to the Pew Research Center, France’s Muslim population is approximately 4.7 million or 7.5% of the total and yet, more than two-thirds of French prisons are made of the inmates with Muslim backgrounds. These figures strongly suggest a massive disparity in the French law enforcement system. Non-criminal measures include travel disruption of would be terrorists. A recent article from International Centre for the Study of Radicalization and Political Violence (ICSR) Associate Fellow, Milena Uhlmann, reports that French government intends to open regional “centres of reintegration and citizenship” for youth at-risk of radicalization. Between December 2010 and 2015 France experienced 142 domestic terror attacks. France has yet to implement soft reintegration strategies of any sort for returning foreign fighters. As such, France is assessed a country favoring hard responses to the returning foreign fighter phenomenon.

F. Denmark

Of the eight countries in this study, Denmark accounts for the fewest number of foreign fighters (150) and returnees (62) however, it has the third highest per capita rating of foreign fighters (27) in Western Europe. The Danish government’s approach to foreign fighters is a mixture of punitive and preventive measures favoring counter-radicalization strategies whenever possible. Criminal measures are addressed in Section 114 of the Danish penal code however, as of 2014 no criminal cases have been opened against aspiring or returning foreign fighters from the IS. Danish prevention strategies include

citizenship revocation of dual-nation citizens, passport confiscation of minors, as well as extensive, nationally supported programs devised to build state relations with vulnerable communities and intervene when necessary\textsuperscript{36}. Upon return, Danes focus on reintegration and foreign fighters have access to education, vocational training, and psychological counseling. Finally, at least twenty-two Danish foreign fighters were radicalized in the Grimhøj Mosque in Aarhus\textsuperscript{37} (Denmark’s second largest city). Despite requests from the political right that Grimhøj be closed, the Danish government has allowed the mosque to remain open. Between December 2010 and 2015, Denmark experienced five domestic terror attacks. For its emphasis on rehabilitation and lack of declared \textit{hard} responses, Denmark is assessed as a state favoring \textit{soft} reintegration policies.

\textbf{G. Sweden}  

Sweden accounts for 300 known foreign fighters, 115 returnees, and the second highest per capita rating of foreign fighters (32). Swedish policy makers have struggled to amend legislation prohibiting citizens from fighting abroad in support of the IS and similar groups; two previous initiatives were voted down in parliament receiving large criticisms from left-leaning Muslims who called it a political attack\textsuperscript{38}. Other criminal measures include the Swedish Security Services’ (SAPO) “pre-investigations” on returnees to evaluate their condition and potential threat posed. As of 2015, five people have been convicted under Swedish terror legislation. Conversely, non-criminal measures in Sweden are gaining momentum. In 2015, Sweden’s National Coordinator against Violet Extremism, Mona Sahlin, announced a counter radicalization pilot program to aid the cities of Stockholm, Gothenburg, Örebro, and Borlänge with extremist preventative strategies\textsuperscript{39}. Additionally, Anna Sjöstrand, the municipal coordinator against violent extremism in Lund, recently announced plans for a rehabilitation program to provide returnees with housing, employment, education, and financial support\textsuperscript{40}. Between December 2010 and 2015 Sweden experienced 44 domestic terror attacks. Sweden is assessed to be a state which favors \textit{hard} responses given the relative infancy of domestic counter-radicalization strategies.


H. Belgium

Known as the “EU Capital for Foreign Fighters”, Belgium has the highest per capita rate of foreign fighters (47) of any Western European country. Of the 470 known foreign fighters, TSG reports 118 have returned while at least 47 have been arrested. To mitigate the problem, the Belgian government employs a mixture of preventive and repressive techniques before departure and after return. Criminal measures include Article 140, paragraphs 1-5 of the Belgian penal code which support foreign fighter prosecution including public incitement to commit a crime, recruitment, instruction, and the receiving of instructions or training. Joelle Milquet, the Minister of Interior, even convened “Task Force Syria” dedicated to exploring legal solutions and deterrence strategies for the foreign fighter problem. Non-criminal measures include identifying individuals who plan to, are presumed to be, or are known to have travelled to Syria (this list is distributed amongst Belgian police, intelligence, and security agencies); preventing “at risk” minors from leaving the country; bilateral cooperation with Turkey to stop Belgian citizens from entering Syria from Turkey; and local-level community engagement programs. Additionally, in 2015 Belgium disbanded the radical group Sharia4Belgium, sentencing 45 members to prison. After an individual is confirmed to have departed in order to fight for the IS, some Belgian city councils delete the fighter’s resident registry and terminate their social welfare benefits. When a foreign fighter returns, the Belgian government assesses the threat each returnee poses. Though criminal prosecution is the preferred response if a returnee is identified as a threat or is known to have engaged in terrorist activities, successful prosecution is difficult. Therefore, the majority of returning Belgian foreign fighters are monitored by one of 20 task forces through the government’s extensive counter-radicalization strategy. Between December 2010 and 2015 Belgium experienced four domestic terror attacks. Though Belgium emphasizes prevention of radicalization, its extensive monitoring system, willingness to arrest returnees, and lack of established soft reintegration strategies support the assessment that Belgium favors hard responses.

V. The Take Away

Policy Recommendations

Assuming Belgium does not wish to maintain its title as the “EU Capital for Foreign Fighters,” the state must address its reintegration strategy’s weaknesses. Below are recommendations to improve the preventative, repressive, and punitive aspects of the foreign fighter phenomenon as well as how to improve Belgium’s international efforts to disrupt foreign fighter-related travel.

Combining community engagement with police work is not one of Belgium’s preventative strong suits. Federal mandate and support is necessary for municipalities around the country to identity recruitment hotbeds, provide police intervention prior to mobilization, and to ensure every hopeful foreign fighter’s support network (including family members, friends, school teachers, and mosque leaders) is aware of the individual’s intentions and the repercussions of their actions. Germany – having the highest Muslim population yet, also the lowest foreign fighter per capita rate (8) in this study – excels at this type of collaboration with their hazard talks. Belgium should request lessons learned from Germany and from the Vilvorde municipality (who is already conducting a similar program) before prioritizing prevention efforts in Antwerp, Sin-Jans Molenbeek, Brussels, Schaerbeek, Anderlecht, and Charleroi (the top six municipalities Belgian foreign fighters originate and/or depart from44). While the Belgian state creates and employs community and police engagement programs, it should simultaneously identify mosques and imams associated with radical recruitment and monitor them. Like the Danish government – who allowed the Grimhoj Mosque in Aarhus to remain open despite its reputation for radicalization – Belgian politicians and security services should allow mosques to operate and focus prevention techniques accordingly. Additional preventative techniques must focus on soft reintegration by offering returning foreign fighters access to counseling, housing, vocational training, and employment so as to ease their transition into society.

Success in community and police engagement is critical for recommended changes to Belgium’s repressive techniques. In 2013, the Belgian cabinet rejected Joelle Milquet’s proposal to criminalize foreign fighter-related travel (punishable with three months to two years in prison) believing new terrorism provisions – effective March 14, 2013 – would sufficiently deter potential extremists45. The Belgian cabinet feared prison sentences would deter fighters from returning and that families of foreign fighters would


be discouraged from reporting to the police. Since 2013, the average number of Belgian citizens leaving (or attempting to) every month has decreased from 12 to 11 to 6 (2013, 2014, 2015 respectively) and the majority of returnees are detained for at least a short period of time. Thus, the new provisions have neither stopped the flow of foreign fighters departing nor returning. Increased preventive techniques in the form of robust community engagement programs will quell cabinet fears by demonstrating strong partnerships between police and families and thus, enable expanded repressive techniques. It is therefore recommended that the Belgian cabinet reconsider Milquet’s proposal by passing a royal decree criminalizing foreign fighter-related travel; it could be the difference between six fighters a month and none.

Belgium’s weakest reintegration techniques against returning foreign fighters are punitive countermeasures. Unless the EU or NATO intelligence services become involved in the Syrian conflict and are able to collect information concerning European citizens fighting for the IS, the lack of evidentiary proof necessary to convict returnees with terrorist crimes will remain extant. It is therefore crucial for Belgium to implement punitive techniques outside the confines of a criminal trial. One recommendation is to revoke Belgian citizenship of dual nationals (assuming the individual is not left stateless), a practice the UK has exercised against no less than 20 English foreign fighters46. Another recommendation is to enact stricter anti-terrorism laws – as Germany has done – which will deter radical imams, IS recruiters, and would be foreign fighters. Lastly, Belgium can learn from their French neighbors who excel at punitive countermeasures by extending anti-terrorism laws to include a conspiracy clause targeting potential fighters and returnees alike.

Externally, Belgium must increase its international coordination to disrupt foreign fighter-related travel. A lone bilateral information sharing agreement with Turkey is clearly insufficient at preventing Belgian citizens from completing their journey. While Turkey’s porous border with Syria – which enables undetected land crossings – makes Turkey the most common “launching point” into the IS, it is usually not the only stop traveling foreign fighters make. Belgian politicians must also strike agreements with the Balkans, Bulgaria, and Cyprus border control authorities to identify, detain, and deport Belgian citizens attempting to fly, drive, and/or be smuggled into their destination.

Conclusion

This study compared the foreign fighter reintegration strategies of eight Western European countries (Austria, Belgium, Denmark, France, Germany, the Netherlands, the

United Kingdom, and Sweden) and their effectiveness at preventing domestic terror attacks between 2010 and 2015. By using Belgium as a case study and evaluating the declarative reintegration strategies of its neighbors, weaknesses in Belgian preventative, repressive, and punitive countermeasures were identified. Recommendations were made to improve Belgium’s strategy in order to decrease the overall quantity of fighters and ease the reintegration of returning foreign fighters without incurring an increase in domestic terror attacks.

This study suggests that states favoring hard reintegration strategies (focusing on punitive countermeasures while offering few or no soft reintegration alternatives) experienced a higher frequency of domestic terror incidents. Whereas states that favored soft reintegration strategies (focusing on preventative or repressive countermeasures without exercising punitive countermeasures) experienced a lower frequency of attacks. Two exceptions to this theme are Belgium and Austria – both were assessed to favor hard techniques – experienced a considerably lower number of domestic terror attacks (four and two respectively) than their hard neighbors. It is therefore assessed that infrequent terror incidents are a positive effect of a soft reintegration approach whereas a hard approach may or may not impact the frequency of attacks. However, given the evidentiary proof required to convict a returnee under terrorism law and the fact that prisons are known hotbeds for radicalization, soft strategies are not only the preferred reintegration strategy but, also necessary.

As states evolve reintegration strategies and more fighters return, political scientists will have no shortage of opportunities to evaluate hard and soft approaches and their effectiveness at deterring domestic terror attacks. It may become necessary to determine if soft (ie tolerant) or hard (ie intolerant) environments are more or less conducive to the creation of foreign fighters. While this study makes no claim regarding contributing factors to an increased foreign fighter population rather focusing on what happens after their return, it does assume that fighters who return to a soft state may encourage their comrades still abroad to follow suit as evidenced by University of Aarhus psychology professor Preben Bertelsen who helped create the Danish jihadist deradicalization program known as Aarhus Model. Bertelsen claims some of his program participants were told by “… their jihadist friends … that when you come back to Denmark there are people who will help you with integration…47”

Ultimately, Belgium’s decisions to (or not to) adjust reintegration techniques will have a lasting impact on their foreign fighter phenomenon. Given that the Syrian conflict is unlikely to dissipate any time soon, policymakers must continue refining their foreign fighter reintegration strategy. For having the highest foreign fighter per capita rate in the


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EU, the infrequency of domestic terror attacks on Belgian soil is a promising side effect of the government’s focus on preventative and repressive techniques. However, there are weaknesses in Belgium’s preventative, repressive, and punitive techniques which can and should be addressed. Namely Belgium should expand punitive countermeasures with a soft reintegration complement in order to offset the increased risk of domestic attacks in the future.
Appendix 1: References


Entenmann, & et al. (2015, December). “Rehabilitation for Foreign Fighters? Relevance, Challenges, and Opportunities for the Criminal Justice Sector”. International Centre for Counter-Terrorism.


