



To IS and Back

*Measures towards Foreign Fighters
Returning from the Islamic State to the
Netherlands*

Duaa Al-Greity

09028773

19 september 2016

D.M. van Ginhoven / P.G. Nixon

Faculty of Management & Organisation

European Studies

The Hague University of Applied Sciences

Registration Number: ES4-1516SEM1PU-057

I. Executive Summary

An estimated 6,000 EU citizens have left their home country to join the terrorist organisation Islamic State (IS) in battle. The Netherlands has contributed approximately 260 foreign fighters to IS since 2012. Several attacks on European ground, such as Brussels and Paris, have been carried out by foreign fighters who have returned from IS territory in Syria and Iraq.

The main purpose of this research is to analyse the current measures taken by the Netherlands in regards to returnees and to recommend policies for the Dutch government. This leads to the main research question “What possible measures can be taken by the Netherlands to best address the issue of foreign fighters who return from Syria and Iraq after joining the terrorist group Islamic State?”. In order to answer this question, a comparison of existing Dutch measures to those of France and Belgium was conducted. The research was carried out through literary review and two in-depth interviews.

The literature review in combination with the interviews have established the complexity of the issues regarding returning foreign fighters. There are several aspects that need to be taken into account when it comes to the approach towards returnees such as reasons for departure, reasons for return, psychological aspects and the community of the returnee. The current approach of the Dutch government seems to lean more towards repressive and hard punishable measures. According to the findings of the research, soft reintegration measures are more beneficial when it comes to returnees.

Recommendations for measures aimed at returning foreign fighters from IS point towards an effective reintegration approach that puts the focus on each individual returnee. The personal history of the returnee and the focus on the reasons why the jihadist joined IS should be examined. It is essential to take the returnee out of their old environment which might have caused their departure in the first place. Where there is no evidence that the returnee poses a direct and active threat to society, the reintegration process can be initiated. This is possible through assistance in obtaining work and by providing psychological and emotional support for the returnee and his direct community. This is preferably initiated by non-governmental organisations that can serve as a bridge between the government, society and the returnee. The general conclusion of this research is that the focus should lay on positive measures rather than repressive measures, except when that person poses an immediate threat to society.

II. Definitions and Abbreviations

All definitions mentioned are in reference to this research only.

ECHR: European Convention on Human Rights

Foreign Fighter: Foreign fighters are those who are non-citizens of conflict states, in this case Iraq and Syria, who join IS during civil conflict. Bakker defines Foreign fighters as “those who regard it their duty to participate in what they believe to be a jihad of the sword, a holy war against the regime of Syrian President Bashar al-Assad and its Shiite allies, and who join local or foreign groups with a jihadist political agenda.” (Edwin Bakker, 2013, p. 2)

Home Country: The country where the fighter lived before departure to Syria/Iraq. This might also be a country of which the foreign fighter holds citizenship.

IS: IS refers to the Islamic State. This self-declared state is also known as Islamic State of Syria and Iraq (ISIS), Islamic State of Iraq and the Levant (ISIL) or in Arabic as Daesh. This is the destination of the foreign fighters within the scope of this research.

Jihad/ Jihadism: this term refers to the violent acts carried out by jihadists which are claimed by its supporters and practitioners to be in furtherance of the goals of Islam. Bakker defines these goals to “include the establishment of a (pan-)Islamic theocracy and the restoration of the caliphate. Islamism is the ideology that binds these essentially political goals. This ideology holds that Islam is not only a religion, but also a social and political system that governs the legal, economic and social imperatives of the state according to its interpretation of Islamic law” (Edwin Bakker, 2006).

Jihadist: A jihadist is a person who violently engages in jihad. In the context of this research, the jihad takes place in Syria and/or Iraq. For the purpose of this research the term *jihadist* will be used interchangeably with the terms *foreign fighter* and *returnee*. This is because the assumption is made that an individual is a radicalised before he becomes a foreign fighter.

Returnee: A foreign fighter who returns to their home country after joining IS in Syria and/or Iraq.

Sharia Law: “Islamic canonical law based on the teachings of the Koran and the traditions of the Prophet (Hadith and Sunna), prescribing both religious and secular duties” (Oxford Dictionaries, sd).

Content

I. Executive Summary	4
II. Definitions and Abbreviations.....	5
III. Preface.....	8
1. Introduction	9
2. Methodology	11
2.1 Research Methods.....	11
2.1.1 Secondary Research	12
2.1.2 Primary Research / Interviews	12
2.3 Ethical Considerations.....	13
2.4 Limitations.....	14
3. What is IS?	15
4. Reasons for departure.....	17
5. Reasons for return.....	20
6. Existing Measures towards Foreign fighters	22
5.1 Measures: EU	22
5.2 Analysis of EU Measures	24
5.3 National Measures: The Netherlands	26
5.4 Analysis: Measures taken by Netherlands	30
5.5 National Measures: Belgium	32
5.6 Analysis: Measures taken by Belgium	33
5.7 National Measures: France	35
5.8 Analysis: Measures taken by France	36
5.9 Overall Analysis Current Measures	38
7. Conclusions and Recommendations	40
8. List of References	45
9. Appendices	50
9.1 Transcript Interview Ministry Security & Justice.....	50

9.2 Transcript interview Mr. Drs. A.M. Seebregts.....	59
9.3 Initial Questions List Mr. Seebregts.	64
9.4 Informed Consent Forms.....	65
9.4.1 Signed Form Mr. Seebregts	65
9.4.2 Signed Form Ministry of Security & Justice.....	66
9.5 Student Ethics Form	67

III. Preface

This dissertation is submitted for the Bachelor degree of European Studies at The Hague University of Applied Science. The research was conducted under the supervision of Mr. D. van Ginhoven. The work included in this research is to the best of my knowledge original, except where stated otherwise.

I would like to thank my supervisor Mr. van Ginhoven for his excellent guidance and support during this process. I would also like to extend my gratitude to Mr. Nixon who, together with Mr. van Ginhoven believed I could do better.

My friends deserve a special note of thanks: your wise advice and kind words have, as always, served me well.

Finally, I would like to take this opportunity to thank my family for always believing in me and loving me unconditionally.

1. Introduction

The issues regarding IS are recent and ongoing. There are EU citizens who choose to leave their home country to join this group in Syria and Iraq. The male members go to join the group in combat whilst females join to serve as 'brides' for the jihadists (Vinograd, 2014). According to Reed, counter terrorism coordinator, approximately 6,000 EU citizens have left their home countries to join IS in Syria and Iraq (Alastair Reed, 2015, p. 10). The largest number of fighters who leave an EU country to join IS come from France (1,550), the UK (700) and Germany (700) (*"Where Syria & Iraq's Foreign Fighters Come From?"*, 2015). The question arises how to address the issue of foreign fighters once the decision was made to return to their home country. In this case, the home country to be examined is the Netherlands.

The matter is very complex since it deals with several issues including national security and human rights. According to the Dutch National Coordinator for Counterterrorism and Security (NCTV), 35 jihadists had returned by mid-2015 (*"Samenvatting Dreigingsbeeld Terrorisme Nederland 39"*, 2015). The return of these jihadists could lead to a terrorist attack in the Netherlands, or another European country, as was the case in Brussels and Paris. These jihadists might create a network consisting of members with several European nationalities, who upon their return to their home countries could plan an EU wide terrorist attack (Bakker, 2013, p. 6).

Another issue that arises is the re-integration of these individuals who possibly suffer from post-traumatic stress. In a letter to the Dutch parliament, the NCTV states that there is a need for policies regarding foreign fighter phenomenon. These policies need to focus on national and international security. The question that arises is how to best address the issue of returnees. Policy options range from prosecution, extradition, monitoring, psychological aftercare and counselling.

This research will discuss the phenomenon of foreign fighters, specifically those Europeans leaving their home country to join IS in battle on the grounds of Syria and Iraq. The battle abroad is also known as jihad, which is according to the extremists, a war against unbelievers. The foreign fighters phenomenon is, however, not a new concept. Foreign fighters from several countries joined the war in Afghanistan, Bosnia and Iraq after the US invasion in 2003. There is a difference between the foreign fighters who joined the jihad previously and the ones who participate in the jihad in accordance with IS. The foreign fighter of today is relatively younger, more impulsive and has less religious knowledge. The fighters seem to enjoy being the centre of attention and do so by sharing material of themselves in action on social media such as Facebook and Twitter (*"The Foreign Fighters Phenomenon in the European Union"*, 2016, p. 5).

The manifestation of European foreign fighters has raised numerous concerns in many Western countries. In addition, the communities and families of the foreign fighters worry about losing their young men and women to the ongoing war in Syria and Iraq. European governments are especially concerned about the potential threat of those foreign fighters who choose to return to Europe. These fighters might return to Europe as a part of a jihadist movement aimed to cause terror. In the 2012 Terrorism Situation and Trend Report, Europol warned that the returning fighters “have the potential to utilize their training, combat experience, knowledge and contacts for terrorist activities inside the EU”. The Netherlands has raised the terrorism threat level as a direct result of the concerns of radicalisation of Dutch foreign fighters returning from Syria and Iraq. Jihadists that have been convicted of terrorism related incidents in Europe between 2001 and 2009 make up 12% of those who have been abroad before their attack or attempted attack. This has been for participation in foreign conflicts, ideological training or military training. The data on these incidents is not precise. However, data indicates that those who have travelled abroad to attend ideological schools, trainings and battlefields outside Europe constitute a relatively large part of the total number of jihadists within Europe. According to Hegghammer, a veteran effect is created which makes returnees more dangerous operatives (Hegghammer, 2013, p. 20).

The focus of this research is to propose possible measures that can be adopted by the Dutch government to best address Jihadists who return from Syria and Iraq after joining IS. Firstly the methodology will be described, secondly the reasons for the departure and return of the foreign fighters will be analysed. This will be followed by establishing a legal basis for possible measures on two levels: EU and National. The national measures of three countries will be examined. The measures of the Netherlands, which is the main focus, France, and Belgium will be analysed. Finally, recommendations will be drawn on the basis of the findings to propose possible measures to be adopted by the Netherlands.

2. Methodology

This section will outline the specific methods that have been used to establish the findings of the research. The research was conducted through a mix of primary and secondary research and quantitative and qualitative data. Additionally, two interviews were conducted amongst experts. Finally, ethical considerations and limitations were discussed.

2.1 Research Methods

This research relies upon qualitative research analysis with the focus on the main question; 'What possible measures can be taken by the Netherlands to best address the issue of foreign fighters who return from Syria and Iraq after joining the terrorist group Islamic State?'. In order to answer the main research question the following sub-questions were addressed:

1. What are the reasons foreign fighters leave the Netherlands and join IS? What are the reasons foreign fighters return to their home country?
2. What are the current measures regarding returnees in the Netherlands and how effective are these measures?
3. What are the measures of other EU Member States (Belgium and France) and how effective are these measures?
4. Which measures are recommended to the Dutch government?

The literature review relies mainly on the evaluation and comparison of existing measures. In order to answer the question, firstly data gathering took place to gain insight on the foreign fighters subject. Secondly, data was gathered on the current measures that are adopted by the Netherlands, France and Belgium. Finally, an analysis of the findings was made to establish a theory on the basis of the results.

This research aims to provide the best possible measures the government of the Netherlands could adopt in regards to approaching Dutch citizens who have returned to the Netherlands after joining the terrorist group IS in Iraq and/or Syria. The aim of the study, based on document analysis, is to gain insight on the phenomenon of returnees and what the best tools are to address the threats that arise upon their return. The results were obtained by looking into the current Dutch measures and their effectiveness. Measures of other European countries were compared to the measures of the Netherlands. The other two European countries that were chosen are France and Belgium. France was chosen because it is the largest European Union Member State contributor of foreign fighters. Belgium was chosen because it is the largest contributor per capita of foreign fighters.

Recommendations for the most suitable measures were drawn from these findings. The subject matter of this research is complex and volatile and new developments regarding the subject emerge on a regular basis. The outcome of the research question, therefore, might not be a fixed response but a combination of several possible answers.

2.1.1 Secondary Research

In the process of conducting research on the current situation regarding foreign fighters and returnees, it became apparent that a more in-depth understanding of the topic was necessary. Therefore, secondary data in the form of desk research was conducted to create a more thorough understanding of the current situation in the Netherlands, France and Belgium. Additionally, background information and government policies were evaluated. The findings of the desk research were also used to prepare for the primary research method, the interviews.

The documentary data within this research was retrieved from public records and other official government and EU documents. An example of government documents are letters from Ministers to the Parliament and official statements by the EU and the Netherlands. The National Counter Terrorism Coordinator (NCTV) has provided additional information regarding terrorism measures of the Netherlands. Secondary data has been extracted from The Dutch Institute for International Relations, Clingendael, which is a Dutch think tank and diplomatic academy on international affairs. This institute provided in-depth analysis of developments with the focus on security in Europe and the role of the Netherlands. Additional secondary data stems from scholars that have written about the subject of foreign fighters, jihad and returnees. These scholars include Edwin Bakker, Professor of Counter-Terrorism Studies at Leiden University, director of the Centre for Terrorism and Counterterrorism and fellow at ICCT. Finally, several news articles have also been evaluated in light of the attacks that have taken place over the past few years. Examples include an interview with a former jihadist.

2.1.2 Primary Research / Interviews

The objective of this research was initially to use secondary data only. However, during the data collection the need for specific answers from an expert on certain questions became apparent. Hence, it was decided to conduct interviews to gain specific information on the subject.

The first interview that was conducted was with a spokesperson of the Dutch Ministry of Security and Justice. Upon request of the respondent his name and exact title will not be published. The respondent operates within the policy area of counter terrorism in the Netherlands. Within that field his focus lays on supporting several parties in their broad approach. These parties consist of municipalities, police, intelligence services and communities. His main task is supporting these

parties in case of a radicalised individual, such as a returnee, and ensuring a minimal risk factor. Additionally, he works on policy principles that focus on the broad approach on addressing returnees. He started in 2013, when the national threat level went up, and he has experienced many changes within the increase and decrease of terrorist threats. He also contributed to a report on the integrated approach of jihadism. Finally, the respondent is responsible for the dossier of some returnees.

This interview provided insight from the government perspective on the matter. The interview was conducted in person at the offices of the Ministry of Security and Justice. Prior to the interview the questions were provided to the respondent in order for him to prepare his answers.

The second interview was conducted with Mr. Drs. A.M. Seebregts, who is a criminal lawyer. He focuses mainly on terrorism and international criminal cases (Seebregts & Saey Advicaten, 2016). Mr. Seebregts represents several jihadists and returnees. A number of his clients are detained in the terrorism department. He is also a much sought out expert voice on television and radio shows, universities and congresses. Additionally, Mr. Seebregts provides courses to experienced criminal lawyers. The interview with Mr. Seebregts was conducted telephonically. A list of intended questions was sent to Mr. Seebregts prior to the interview so that he could prepare his answers. During the interview Mr. Seebregts addressed these questions accordingly. Some questions that were addressed emerged spontaneously during the course of the conversation.

This interview provided insight into a quite different opinion on the subject matter than that of the Dutch Ministry. Mr. Seebregts spoke on behalf of the benefit for the jihadist rather than that of the general public.

2.3 Ethical Considerations

While conducting the research, ethical considerations are of great importance when taking the aspect of principled sensitivity and the rights of others into account. Ethical considerations such as the respect for privacy, informed consent forms and ensuring the confidentiality of the data, are important aspects to consider when conducting any research. The topic of jihadism is especially sensitive, hence it is important to take safety of the participants into account.

The informed consent was applied to ensure the comfort of the respondents. This principle ensures that the persons that participate in the interviews are given full transparency concerning the topic and the nature of the interview. The option to remain anonymous was provided to both

respondents. In the case of the interview with the spokesperson of the Ministry of Security and Justice, the interview transcript was provided to the respondent before including it in the research. This was in case the respondent wished to filter out sensitive information.

2.4 Limitations

The issue of foreign fighters, returnees and IS in general is an ongoing one. Hence, the entire subject of this research is volatile. This research is based on material obtained before 1 April 2016. The interviews however, were conducted on a later stage. By the time this research is submitted there may be new developments regarding the subject matter.

3. What is IS?

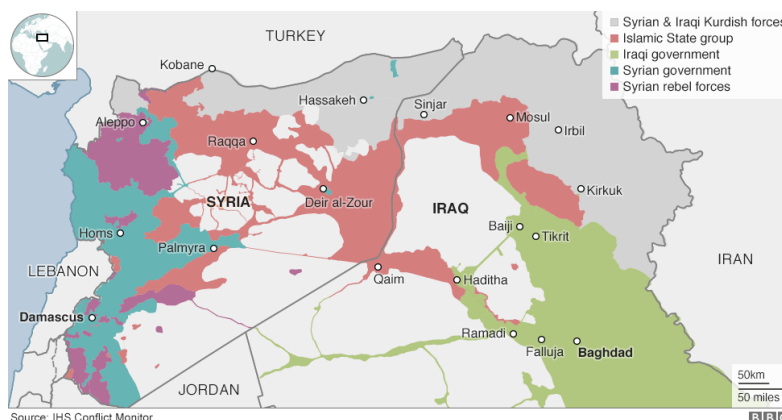
Since the beginning of the turmoil in Syria in 2011 and the ongoing issues of Iraq, IS has become a magnet for foreign fighters. IS was established in Iraq from what was left of al Qaida in the country. In June 2014 IS leader Abu Bakr al-Baghdadi announced the establishment of the Islamic State



Abu Bakr al-Baghdadi, speaking to his followers in a propaganda video

("Isis declares caliphate in Iraq and Syria", 2014). He is the self-proclaimed head of IS who claims that to be a descendant of the Prophet Mohammad.

After the beginning of the civil war in Syria, there was an emerging of two major rebel groups who share a similar ideology as al-Qaeda. These two groups are Jabhat al-Nusra and the Islamic State of Iraq and ash-Sham (ISIS or IS). The leader of IS, Abu Bakr Al Baghdadi, ensured that these two groups merged together under the IS umbrella. Al Baghdadi is the self-proclaimed successor to the prophet Mohamad and he claims leadership over the Muslim world (Stakelbeck, 2015, p. 134). IS quickly became infamously known due to its brutal mass murders, rape and beheadings. The main goal of IS and its supporters is the establishment of an Islamic caliphate, a state that is governed in accordance with Sharia law. The caliphate claims political, religious and military authority over all Muslims of the world ("What does ISIS' declaration of a caliphate mean?", 2014). According to Mortada, "IS, believes that pledging allegiance to the new caliph is a duty for every Muslim, and



those who fail or refuse to do so shall be deemed as apostates, and will be fought and struck down" (Mortada, 2014).

A Muslim cleric has said that having a caliphate means that "borders and barriers among

Islamic countries are now invalid. There will be a single Islamic economic system and currency, and an army to defend it." He added, "It also means there will no longer be any subservience to any country, requiring the establishment of universities and factories to make Muslims a major power in all fields" (Mortada, 2014).

IS has control over territory in Syria and Iraq with an estimated population of 10 million people upon whom Sharia law is enforced (Birke, 2015). IS is home to over 27 thousand foreign fighters of which six thousand individuals who have joined from Europe (*"Where Syria & Iraq's Foreign Fighters Come From?"*, 2015).

In October 2014 the United Nations held IS responsible for several human rights violations and war crimes (UN News Center, 2014). According to Amnesty International, the group is responsible for a historic scale of ethnic cleansing in Iraq (Amnesty International, 2014). These crimes are according to the UN a part of a large organised terror campaign. IS is considered a terrorist organisation by the UN, the EU and her Member States, the US and many other countries. IS is well known for their visual evidence of beheadings of soldiers, civilians, journalists, and whoever does not agree with their tactics. IS members are also known to destroy cultural heritage sites in the Middle East (Rasheed, 2016). According to Hassan, many Islamic leaders have condemned the ideology and acts of IS. These leaders find that IS is not on the path of the true Islamic religion and that the actions of the group do not reflect the actual teachings of Islam (Hassan, 2015).

4. Reasons for departure

Research shows that the foreign fighters leave to join IS for several reasons such as the quest for their Muslim identity, adventure and status, wanting to live in a perfect Muslim community or even boredom. Another aspect which can cause temptation for the recruits to join IS is the somewhat failed integration of second or third generation Muslims in Europe.

The IS foreign fighters might desire to leave everything behind and be someone of significance. The fighters want to look up to heroes, or be a hero themselves. According to the Coolsaet, the need for activism also plays a role with some of the fighters (Coolsaet, 2015, p. 9). .



Image retrieved from Dabiq Magazine ("*The Rafidah from Ibn Saba' to the Dajjal*", 2016)

This picture shows a romanticised videogame-like image for those who join IS. Potential foreign fighters might see this and see themselves as a movie-like hero. Hiltermann has said that testosterone plays a significant role in the choice to become a foreign fighter. He noted that "If you remove the beards, the Korans, and the black flags from most ISIS propaganda videos, you are left with something that resembles certain US hip hop videos. Big cars, guns everywhere, gang members posing together. In our globalized world, the violence of ISIS is not that remote from Hollywood movies like *Mad Max*" (Hiltermann, 2016, p. 9). IS has also released several other propaganda such as videos featuring English-speaking jihadists from Australia and the UK. According to Rand and Vassalo, this suggests that the organisation is making efforts to boost its foreign fighter ranks (Vassalo, 2014, p. 2). This is also supported by their glossy propaganda magazine *Dabiq* which is specifically aimed at recruiting jihadists from the West.

What makes IS a magnet for foreign fighters is that there is space for each individual motive to leave and join the terrorist group whether it be perspective, recognition, adventure, heroism, an alternative for drugs and crime, an alternative community with simpler and clearer rules, a salary and a mansion with a swimming pool or sadism in the name of a higher purpose. The recruitment

for IS places emphasis on the requirement that anyone who joins the jihad should come prepared to die in battle says the ICCT ("*The Foreign Fighters Phenomenon in the European Union*", 2016, p. 30), this act is also known as martyrdom. Operations which require the fighter to commit a suicide bomb attack, which is regarded as a routine tactic, calls for this trait as part of the identity of the fighters. The foreign fighters group is a diverse group with different types of motives. The recruits from the Muslim countries are often seeking adventure and status, however the Western recruits consists of two main groups who support IS.

McCabe distinguishes these two types of recruits as: 'the murderously devout' and the 'devoutly murderous' (McCabe, 2015, p. 143). These two groups are the main targets for IS recruitment. The murderously devout are those who believe that the interpretation that IS gives Islam is accurate and that the policies and procedures that IS follows are the way that a Muslim society should be run. This murderously devout group includes the large group of Western IS recruits who claim to be in search of a Muslim identity or the feeling of a sense of religious duty. This group desires to live in a so called truly authentic Muslim society. These type of fanatics search for an orthodox Sunni Muslim regime that goes further than the typical jihadist anti-Western and anti-Semitic hostility. This group is hostile towards the Shia Muslims and even Sunni Muslims who do not recognise IS as a caliphate. The IS magazine, *Dabiq*, calls for the killing of Imams that do not support IS ("*The Rafidah from Ibn Saba' to the Dajjal*", 2016, p. 6). The murderously devout accept that extreme violence is a part of religion and thus are proud to be violent. According to this group, God endorses genocide, slavery and mass murders. The other group, the devoutly murderous, are a group of often younger more varied recruits. Their motivations also differ per person. The motivations of this group include several religious, psychological and other practical reasons. These reasons may consist of adolescent rebelliousness and boredom, or revenge against real or imagined grievances and victimisation, claims McCabe.

Vassalo argues, that one of the reasons for departure is the desire to take part in a form of adventure tourism, particularly within the jihadist enterprise. During an interview for Dutch television, a former radicalised Belgian convert Peter Velle, said that foreign fighter recruits were being trained in the Belgian mountains. The training included the use of weapons and the display of films and other propaganda aimed at inciting hatred towards the Western world. According to Velle, the recruits were being convinced that it is their duty to fight abroad ("*Een Vandaag*", 2013). The Dutch Ministry of Security and Justice, says that the foreign fighters might feel a certain force of attraction in the sense of proving themselves as defending their jihadist brothers and sisters who are under attack abroad. This is all brought to the recruits from a certain interpretation of the Islamic religion (Ministry of Security and Justice, Personal Interview, 2016).

Recruiters for IS have capitalized on the lack of social integration of the young Muslim immigrants or children of immigrants in Europe, says Bakker (Bakker, 2013, p. 4). This group often feel discriminated against and excluded from full participation in the labour market and society. Vassalo argues that, the children of immigrants are “faced with limited economic and educational opportunities at home”, which makes them self-radicalise (Vassalo, 2014, p. 2). The Dutch Ministry of Security and Justice argues that individuals might feel left behind and cannot fully participate in society for several reasons which makes them feel a certain polarisation. This can cause them to be attracted to the jihadist ideology (Ministry of Security and Justice, Personal Interview, 2016).

One might argue that the reason for extremist thoughts of these young individuals stems from the inability of the Dutch to fully integrate the immigrant population. Many of the IS recruits are Westernized second or third generation immigrants. This group grew up having a non-Western label because of their physical characteristics or ethnic background, or because their names are for example Mohammed or Ali, as claimed by Hilterman. This group of individuals might have a problem fitting in within the Dutch society and feel unwelcome, despite the fact that these individuals have lived there their entire lives. This can cause a search for a place where the individuals are not seen as the outcasts and where they fit in and contribute to society, claims Bakker (Edwin Bakker, 2013, p. 7). IS gives these younger individuals a place in the organisation and recognizes them as belonging to the cause. For young individuals who are citizens of immigrant descent, growing up as an ‘other’ in society, especially when combined with insults, joblessness and discrimination, can push them to seek a home where they belong and feel respected and valued. It is in this context that IS finds susceptible recruits (Bakker, 2015).

5. Reasons for return

Those who do not die in martyrdom might eventually choose to return to their home country. Research has shown that foreign fighters choose to come back due to several reasons such as disappointment, fear and confrontation with IS leaders.

Vassalo makes the claim that the foreign fighters of today are more likely to return home. According to Bakker, we can draw lessons from previous returning foreign fighters who have returned from Somalia and Afghanistan (Bakker, 2013). When looking into previous foreign fighters it is visible that returnees might return due to disillusionment. The noble battle that the foreign fighters thought they were participating in turns out to be different in reality than was expected.

Other aspects which might differ from the expectations of foreign fighters consist of practical issues such as the cold or heat, lack of food and water and improper hygiene. Additionally, differences of opinion between the foreign fighters and the jihadist groups can lead to confrontation and mistrust which can be other reasons for their return, says Bakker. Furthermore, foreign fighters might find out that the dangerous battle is too frightening for them after all (Bakker, 2013, p. 4). Some of the fighters return after just a few days when the reality of the battle hits them. According to Neumann, a number of foreign fighters worry about infighting and the fact that they are expected to kill other Muslims. One of the returnees has said "This is not what we came for" (Neumann, 2015). The returnees that Neumann has interviewed have complained about atrocities and the murder of innocent civilians. The scholar says in his report that the returnees claim that IS is not the jihadist "utopia that the group's videos promise; and that many of its own fighters have deep concerns about the group's strategy and tactics" (Neumann, 2015, p. 5). Another aspect to the disappointment is the accusation that IS fails to confront the Assad regime as was promised. One of them said "Toppling the regime did not seem to be a priority for IS, and little was done to help (Sunni) Muslims who were targeted by it". This is according to several returnees not the kind of jihad the foreign fighters had intended to pursue within Syria and Iraq. Some returnees said that the behaviour which the foreign fighters had experienced from their superiors was un-Islamic and that these superiors had failed to live up to IS's central promise which is to create a perfect Islamic state. The returnees also said that it was "impossible to accept instances of unfairness, inequality, and racism, which according to them, went against everything the IS claimed to stand for" (Neumann, 2015, p. 11).

Once the foreign fighters decide to return to the Netherlands a potential risk to Dutch society arises. The Dutch Royal Military Police says that returnees might be willing to sacrifice their own

lives and those of others for the Islamic cause. The Ministry says that the returnees might be tasked to harm the West (Ministry of Security and Justice, Personal Interview, 2016). Additionally the returnees have practical fighting experience and specific training to do so ("*Zakboek Aanpak Uitreizigers*", 2013). The returnees also might have a reduced level of tolerance in regards to the Western norms and values that makes them behave in an anti-integrative way towards the Dutch society. These returnees obtain a high status within the jihadist society as a role model since actual battlefield experience was obtained. Moreover, returnees might have psychological issues due to the fighting in Syria and Iraq. Society. This claim is supported by the Ministry of Security and Justice who says that the returnees often suffer from disillusion (Ministry of Security and Justice, Personal Interview, 2016). Finally, the returnees might cause unrest within the moderate immigrant society within the Netherlands, according to the Royal Military Police ("*Zakboek Aanpak Uitreizigers*", 2013).

6. Existing Measures towards Foreign fighters

The question that firstly needs to be addressed is whether the foreign fighter can be held responsible for crimes committed outside of their home country. A legal basis needs to be established to determine whether the national authorities can prosecute the person upon return. The legal basis will be examined on two different levels; EU and national (The Netherlands, Belgium and France). Under EU law, the criminalization of several terrorist acts has been implemented in order to make it possible to hold foreign fighters legally responsible upon return. On national level the government of the Netherlands has the Dutch Criminal Code as a legal basis (Wetboek van Strafrecht), which makes participating in armed jihad or jihadist training abroad a criminal offence. After the legal basis has been established, the current measures of the EU, the Netherlands, Belgium and France will be addressed and analysed.

5.1 Measures: EU

The EU lays the primary responsibility for the fight against terrorism with the Member States. However, the EU can play a supportive role that helps respond to the cross-border issues of the threats. In response to the January 2015 Paris attacks, the EU decided to reinforce the response and acceleration of implementation of the agreed upon measures (*"The Foreign Fighters Phenomenon in the European Union"*, 2016, p. 5). These measures focus on three areas of action; ensuring the security of citizen, preventing radicalisation and safeguarding values and cooperation with international partners (EU Council, 2015).

Europol has issued a warning in 2012, stating that returnees "have the potential to utilize their training, combat experience, knowledge and contacts for terrorist activities within the EU ("Terrorism Situation and Trend Report", 2012). The ICCT advised EU Member States to learn from past experiences and good practices to develop programs for reintegration and rehabilitation in order to address the issue of returnees. In order for these programs to be effective, Member States are advised to invest in the training of prison personnel and municipalities to address the issue of a growing number of returnees (*"The Foreign Fighters Phenomenon in the European Union"*, 2016, p. 27)

During the EU Justice and Home Affairs Council meeting, a general approach has been reached regarding the joint position of the EU Member States concerning policies of counter terrorism. The strategy of the EU is based on four pillars; prevention, protection, pursuit and response. The general approach addresses travelling with a terrorist goal and organizing and facilitating these travels. Additionally, it addresses penalising the act of receiving training for terrorism or the

financial facilitation thereof. There is also extra attention for the position of victims of terrorism, such as the possibility for professional psychological aftercare. This approach is aimed towards countering terrorism within the EU uniformly ("*Beleidsimplicaties Dreigingsbeeld Terrorisme Nederland 41*", 2016).

Despite the fact that the EU lays primary responsibility with the Member States, the Counter Terrorism Group (CTG) was established. The CTG is a partnership of the EU security departments, including those of Norway and Switzerland. The Dutch security department (AIVD), who chairs this partnership, has decided to establish a platform that makes it easier to exchange operational information. One of the systems that has been adopted is stricter border checks. The Schengen information exchange can be used to track false documents and border checks ("*Beleidsimplicaties Dreigingsbeeld Terrorisme Nederland 41*", 2016).

5.2 Analysis of EU Measures

One must take into consideration that the November 2015 Paris attacks and the April 2016 Brussels attacks show a potential failure within the European Union intelligence. It displays the vulnerability of the EU. According to the Ministry of Security and Justice, these attacks were part of a large multinational plan, carried out by IS which took place without any notice by any major intelligence service in the countries affected. France, for example, is a country that has an active security service when it comes to terrorism ("Evaluatie Wet Opsporing Terroristische Misdrijven", 2014), yet it has been subject to several attacks in the past years.

Never have there been as many attacks in Western countries in one year as in 2015. There were fourteen attacks, which is twice the number of attacks in 2014. Nine of these attacks took place in Western Europe, where France was the main target. The November 13th attacks in Paris were, according to the Dutch Coordinator of Counter Terrorism and Safety, executed by a group who was trained in Syria and had returned with the assignment to carry out the attacks. According to the Coordinator it is not the only serious IS plot against Europe. He finds it probable that there is a special IS-unit who is responsible for planning attacks using trained terrorists outside of IS territory (NCTV, 2016).

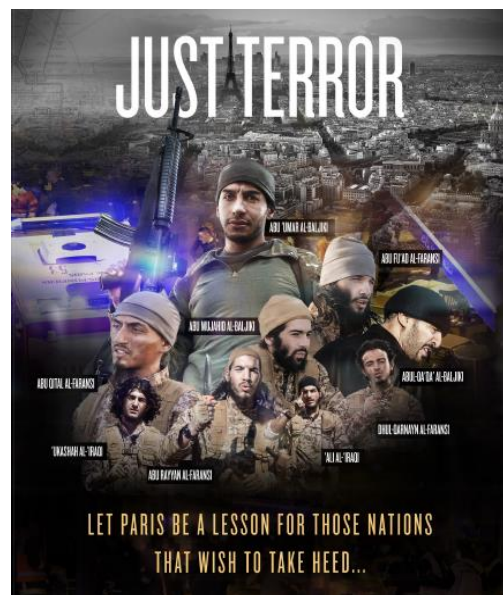


Image from Dabiq Magazine (The Rafidah from Ibn Saba' to the Dabiq, 2016)

With regards to criminalising various terrorist acts, in addition to the act of terrorism itself, all 26 EU Member States have criminalised the act of financing terrorism, reports the ICCT. Twenty-two Member States have criminalised participation in or leadership of a terrorist group. Recruiting for a terrorist cause has been made an offence in 20 Member States. Twenty-three Member States have criminalised incitement to and/or glorification of terrorism. Another 23 Member States have criminalised providing terrorist training, whereas fourteen Member States have criminalised the receiving of terrorist training. Finally, only nine Member States have made the travels of foreign fighters to IS territory a criminal offence, albeit, legislation is being developed in two additional Member States ("The Foreign Fighters Phenomenon in the European Union", 2016).

Eurojust has pointed out that it is difficult to obtain evidence from the battlefields of Syria and Iraq. There are several challenges that come with collecting and using evidence. One example is the collection of internet-based evidence. Since the foreign fighter might transit through countries

other than EU Member States, the internet providers are thus also foreign. Eurojust also stated in their letter to the Council of the EU that there is “a need to step up international judicial cooperation in cases of foreign fighters” (*Foreign Fighters and Returnees: Discussion Paper*, 2014). Cooperation between Eurojust and the Schengen partners, the US, Turkey and the Western Balkans has been strengthened. There is however no systematic cooperation with the countries in Northern Africa and the Middle East.

The primary goal of most Member States lays within prevention methods and addressing the foreign fighter phenomenon. These measures vary from intercultural and interreligious dialogues to engagement with Islamic communities within the Member States. A few Member States, such as Denmark and Germany, have reportedly adopted rehabilitation and reintegration programs for returnees (*The Foreign Fighters Phenomenon in the European Union*, 2016, p. 6). In order to ensure coherency in policies regarding returnees, a common definition of a ‘foreign fighter’ is necessary. This makes it easier to collect accurate data on the matter. Additionally, to ensure a proper follow up by Member States of the objectives, the EU could take into consideration the establishment of an EU-wide reporting system. This would allow a dialogue between Member States and the EU on the measures and the implementation thereof.

5.3 National Measures: The Netherlands

The number of Dutch citizens who leave the Netherlands to join IS has increased immensely and is a large concern for Dutch policy makers. Returnees are considered a threat since they could prepare and carry out terrorist attacks in the Netherlands or any other EU country. There are four levels of threat in the Netherlands: minimal, limited, substantial and critical. The Ministry of Security and Justice has set the level of threat from limited to substantial in March 2016 (NCTV, 2016). This means that the chance of a terrorist attack is estimated to be realistic. However at the time there is no concrete evidence for terrorist attacks in the Netherlands. The main reason for raising the level of threat are the November 13th 2015 attacks in Paris, which were claimed by IS. According to Breeden, one of the perpetrators, Abaaoud, is a returnee from IS territory (Breeden, 2015).

According to the Ministry of Security and Justice, it is undesirable to have Dutch citizens travel to Syria and Iraq to participate in the jihad for several reasons. One of them being that the Dutch state is responsible for its own citizens when there is engagement in combat for a terrorist organisation and could harm innocent people. Secondly, it is undesirable to have Dutch citizens join IS abroad because this constitutes participation to a certain ideology that encourages participation in a war against the West (Ministry of Security and Justice, Personal Interview, 2016).

The Dutch criminal code articles 134 and 140 (Wetboek van Strafrecht), state that participating in a terrorist battle or following terrorist training is considered a criminal act. Suspects and those who have been convicted of terrorist crimes should therefore directly be placed under the Terrorist Department. Those convicted for recruiting jihadists before or during their detention are also placed under this department. On the basis of this law, returnees can be arrested and prosecuted. The Dutch Minister for Security and Justice has claimed that “participating in armed jihad or jihadist training abroad is a criminal offence under Dutch criminal law: [assistance to (preparing) a terrorist crime]. Returnees can also be charged with offences under other terrorism legislation” (Opstelten, 2013). Another article of the Dutch Criminal code that can act as a legal basis to prosecute jihadists is article 205 (Wetboek van Strafrecht). This article addresses recruiters of foreign fighters. Local measures suggested by the Minister include pressure and disruption by the police and the freezing of financial assets under the Anti-Terrorist Sanctions order. These actions can be taken if “there are sufficient indications that an individual intends to leave the country or has left the country for the purpose of engaging in or facilitating terrorist activity” (*UN Security Council Resolution 1373*, 2001).

On February 1st 2007, the Dutch government adopted a law for expanding the possibilities for tracing and prosecuting terrorist criminal activities on an early stage. This law is aimed to make

investigation of terrorist activities possible at an early stage and it also ensures continuation of the investigation. In order for this law to be effective in the current situation, a few adjustments had to be made. These included a broadening of application of special investigation abilities such as systematic observation and the use of the telephone tap. It also included the broadening of the possibilities to collect information in an exploratory investigation, the broadening of the possibility to search persons within safety risk areas without a concrete suspicion of a criminal act. In addition to the possibility to hold one into custody when the person is a suspect of a terrorist act without serious objections ("Evaluatie Wet Opsporing Terroristische Misdrijven", 2014, p. 8). The former Minister of Justice found these adjustments to be necessary due to the large threat of terrorist acts which could have an immense impact on society. However, the Minister also found it important to stress that the new law needed to be adopted carefully since it might cause implications when it comes to the rights of the accused. This law was aimed to broaden investigation possibilities which allow the Dutch Police and Public Prosecutor to implement detection means on an early stage when there are signs of a terrorist act.

Jihadism is considered a substantial threat to national security of the Netherlands and to the international law and order. The threat of jihadism requires a strong, comprehensive approach. For this reason the Dutch government has adopted additional measures to the existing counter terrorism policies in place. These measures are aimed to be preventive as well as repressive. In order for these measures to be effective, collaboration between national and local authorities and local communities irrespective of religion are necessary. The measures are included in an action plan which is divided into five groups ("*Actieprogramma Integrale Aanpak Jihadisme*", 2014, p. 3):

- Reducing risks of foreign fighters: the risks concerning foreign fighters should be restricted within all possibilities. This includes criminal, administrative and community measures to tackle foreign fighters so that further damage is avoided.
- Intervention of travels: Prevention or impediment of potential foreign fighters travels.
- Radicalisation: A) recruiters should be addressed, spreaders of the jihadist ideology should be hindered, their reach should be restricted and the spread of radical speech should be stopped. B) Radicalisation should be detected and hindered, and new membership of jihadist movements should be prevented. C) Community tension should be diffused since this could partially be a cause for radicalisation.
- Social Media: the spread of online radicalised, hateful, violent jihadist content should be hindered.
- Information exchange and collaboration: to optimize the effectiveness of the involved organisations investments should be made in knowledge, ability and collaboration on local,

national and international levels. The action plan also includes plans to develop an exit facility to help foreign fighters leaving IS.

According to the action plan returnees can be placed under prolonged supervision. The judge could place the returnee under a (partial) conditional imprisonment and he then needs to comply with specific conditions during their probation. When the judge provides an unconditional imprisonment sentence of more than one year, the convicted can be subject to certain measures in light of conditional release.

Bill number 33 816, which is in the process of implementation, proposes the introduction of a long-term behaviour influence program and freedom restriction measures created for violent criminal acts. These measures can be imposed for a certain amount of years; however these can be extended repeatedly (*"Actieprogramma Integrale Aanpak Jihadisme"*, 2014, p. 5)

According to the Ministry of Security and Justice, identified foreign fighters who have joined a violent terrorist movement could lose their Dutch nationality. The law regarding the loss of the Dutch nationality in cases of terrorist crimes can be implemented. Subsequently, this law is strengthened in order to make it possible to revoke the Dutch nationality without a previous criminal conviction when one voluntarily joins a terrorist military service. This applies only to returnees who hold more than the one nationality (*"The Foreign Fighters Phenomenon in the European Union"*, 2016, p. 12). The majority of the current foreign fighters hold a double nationality, the Dutch and a non-EU nationality (Ministry of Security and Justice, Personal Interview, 2016). According to article 67 of the Dutch Immigration Law (*Vreemdelingenwet*), the foreign fighters who lose their Dutch nationality are to be identified as undesirable aliens within the Schengen area. This is based on an official message from the intelligence and security departments to the Immigration and Naturalisation Service, which provides that the person in question poses a threat to national security (*"Actieprogramma Integrale Aanpak Jihadisme"*, 2014, p. 6). Identified foreign fighters with a non-EU nationality could be declared to be undesirable aliens within the Schengen area. When there is a residence permit in place the Immigration and Naturalisation Service can withdraw it. Consequently, when the foreign fighter returns to the Netherlands he will be declared undesirable and deported.

Identified foreign fighters with more than one nationality who join a terrorist military group could be reported to the authorities of these countries (of their non-Dutch nationality). This is according to existing information exchange practices, taking into consideration the national and international law and order, with the exception of countries where the binding law prohibits these practices.

As stated by the Ministry of Security and Justice, upon return of the foreign fighter the Ministry of Public Affairs, together with the police, will examine whether criminal charges can be brought. Additionally, each returnee will be subject to an individual approach. This means that the returnee is discussed in a case meeting with the police, municipality, the Ministry of Public Affairs and other beneficiaries such as child services. Together an approach can be agreed upon that benefits both society and the returnee. The question that arises here is whether the person actually follows a certain ideology or if there are other problematic issues involved (Ministry of Security and Justice, Personal Interview, 2016).

5.4 Analysis: Measures taken by Netherlands

In order to come to the conclusion which proposals are best to address the issue of returnees, it is important to investigate the different measures and their effectiveness. When evaluating the existing Dutch measures it appears that most of them focus on repressive and legal measures.

According to the Council of the EU ("*Foreign Fighters and Returnees: Discussion Paper*", 2014) the judicial response to the foreign fighters has improved, however it does not reflect the scale of the issue. There have been approximately ten convictions out of the 4,000 EU citizens that joined IS. The policies that are currently in place aim to prosecute the returnees on the basis of the principle of discretionary prosecution, depending whether or not there is sufficient evidence to prove that crimes have been committed outside of the country. When prosecution is not possible, other measures can be implemented to reduce the potential threat that the returnees might pose ("*Foreign Fighters: An Overview of Responses in Eleven Countries*", 2014). One example which is laid down in the Dutch criminal law is the placement of the returnee under long-term supervision. The Dutch government finds that the general intention should be the safety and security of the Dutch society ("*Evaluatie Wet Opsporing Terroristische Misdrijven*", 2014). The focus of the Dutch measures thus lies on the punishment of the returnee. It appears that there is little attention for the individual and their de-radicalisation. The action program of the Dutch government mentions 'soft' prevention methods, however, these are not explained clearly. One thing that is mentioned is that those who do desire to return after being disillusioned and/or traumatised can contact the Dutch Embassies for assistance.

In October 2013, the District Court of Rotterdam convicted two Dutch citizens for the first time for the act of preparing crimes in the context of jihad travels to Syria. The court of Rotterdam did not base these convictions on the terrorism provision laid out in the Convention on the Prevention of Terrorism. The court based its decision on the regular Dutch criminal code. The spokesperson for the prosecution said that: "This is the first time that the Netherlands hands down such a judgment and this helps clarify the fact that it's illegal to go to Syria to fight [...]. Which means that we now have a legal precedent and can prosecute other individuals wanting to go to Syria or coming back" (Edwin Bakker, 2013, p. 21). According to Seebregts, who is a criminal lawyer for several jihadists, it is difficult to establish whether this constitutes a criminal act. The courts are currently in the process of establishing precedence when it comes to this matter. Seebregts adds that there are several contradictory judgements on the matter. Some judges apply a broad definition of the word terrorism, hence there is a quick assumption of a terrorist act. Other judges do not come to the same conclusion and apply a less broad definition of terrorism. According to the Ministry of Security and Justice, criminal prosecution depends on where the individual travels to. When an

individual travels to the self-proclaimed caliphate, the Netherlands assumes immediately that he participates in jihadist activities for a terrorist organisation. When an individual travels to other parts of Iraq or Syria that are not under IS control, the motives of the person are also questioned. However, only when a combination of factors point towards participation in jihadists activities, possible criminal prosecution is initiated.

In the period of 2007 to 2011 there have been a total of 106 terrorism related investigations in the Netherlands ("*Evaluatie Wet Opsporing Terroristische Misdrijven*", 2014, p. 8). This included large scale and smaller scale investigations. During this period the new version of the law has been applied in fifteen cases. Of these fifteen investigations one case has led to prosecution on grounds of suspicion of preparation of a terrorist act. The remaining fourteen cases were suspended due to lack of sufficient evidence to constitute a criminal terrorist act. In practice this law has in most cases not led to successful prosecution of criminal behaviour. Most of the investigations are stopped after a period of time due to lack of information regarding the concrete preparation of a terrorist act.

However, there seems to be a pragmatic shift in the way in which the Netherlands addresses foreign fighters and jihadists in general. According to Seebregts, the Dutch authorities is reducing their threshold for evidence when it comes to convicting an individual. In 2015 a Dutch court released a returnee due to lack of evidence for actual combat. In 2016 the court of Rotterdam has said that whether an individual has the intention to join IS or not, the mere intention of travel constitutes a criminal act (Seebregts, Personal Interview, 2016). The criminal lawyer adds that the reason behind this shift towards a more repressive approach might be the recent violent events in Istanbul, Orlando and Germany.

This is also visible when one looks at the terrorism department. Seebregts, who has several clients in detention in this department, says that his clients are subject to bodily inspection on a regular basis. This means that the individuals must undress and are thoroughly inspected by the guards, which the inmates find extremely humiliating. According to Seebregts, the problem here lies with the fact that it is not difficult to place an individual in the terrorism department. This is due to the fact that the term terrorism is a relatively broad. When an individual is a suspect of a terrorist act, he automatically ends up in this department, even when there is insufficient proof for conviction (Seebregts, Personal Interview, 2016).

5.5 National Measures: Belgium

The issue of the foreign fighters in Belgium is of considerable relevance. Belgium is per capita the largest EU contributor of foreign fighters to IS. Belgium has contributed 40 fighters per million inhabitants to Syria and Iraq ("*Belgium Is The EU 'Capital' For Foreign Fighters*", 2015). According to the Belgian government, approximately 250 citizens have left to join IS, of which 50 have returned and 50 have died in battle (Federale Overheidsdienst Justitie, 2013). According to Hiltermann approximately 130 of the Belgian foreign fighters had returned by January 2016 (Hiltermann, 2016, p. 3).

Belgium implements the International Convention against Recruitment, Use, Financing and Training of Mercenaries ("*The Foreign Fighters Phenomenon in the European Union*", 2016, p. 26). This means that travelling to Syria and Iraq for these purposes is deemed a criminal act, which constitutes a legal basis for prosecution upon return. On March 2013, the Belgian Cabinet decided on new terrorism provisions that include criminalisation of public incitement to commit a terrorist crime (Art. 140bis of the Belgium Criminal Code), recruitment to commit a terrorist crime (Art. 140ter), providing training to commit a terrorist crime (Art. 140quater) and partaking in training to commit a terrorist crime (Art. 140quinquies) (Federale Overheidsdienst Justitie, 2013). Belgium has established a Task Force to examine the problem of the Belgian youth joining IS. The Task Force suggested that both a preventive and repressive approach was necessary to counter the issue of travelling to Syria and joining IS (Edwin Bakker, 2013, p. 15).

According to Hiltermann, the March 2016 terrorist attacks on the airport in Brussels might be linked to IS. The attacks occurred just a few days after Salah Abdesalam, who is the prime suspect of the Paris attacks in November 2015, was arrested in Brussels. Hiltermann also stated that the current Belgian strategy, as a whole, has both a preventive and repressive side. The focus currently lies on "what we are witnessing in everyday life, what we can directly see, which is the reactive aspect." (Hiltermann, 2016, p. 2). The scholar argues that deploying the army on the streets of Brussels is a possible way to deter potential threats of terrorism and reassure the Belgian population. The benefit of doing so is that the police can focus more on their tasks such as investigations and identity checks, which are tasks that the army cannot do. Hiltermann also claims that the intelligence services of Belgium are currently doing their best to monitor approximately a thousand potentially dangerous individuals. Hiltermann asserts that the Belgian authorities cannot follow all of them continuously as it is not feasible because the authorities simply lack the human resources to do so.

According to the ICCT, alongside security and legal measures, additional preventive plans were announced by Belgian authorities, including the revision of 'Plan Radicalism/ Plan R' (*"The Foreign Fighters Phenomenon in the European Union"*, 2016, p. 27). This plan provides "proactive, preventive and punitive measures to combat, inter alia, the causes of Islamic radicalism and terrorism" and has seven focal points, including radical websites, extremist imams and preachers, and prisons" (*"Country Report Belgium"*, 2014).

5.6 Analysis: Measures taken by Belgium

One of the largest push and pull factors in Belgium is the extremist group Sharia4Belgium. This group has played a significant role in attracting jihadists and convincing them to leave and join IS. Sharia4Belgium has now been dismantled, however Colsaet points out that such repressive measures are not sufficient. The focus also needs to be put into prevention (Coolsaet, 2015, p. 11). In 2013 the Belgian police raided nearly 50 houses and arrested six men, one of which was a wounded returnee from Syria and the leader of the extremist group Sharia4Belgium. The federal prosecution found that there were clear indications that this group was sending individuals to Syria to join terrorist groups (*"Belgian Police Raid Homes in Search for Syria Recruiters"*, 2013). When looking at the implementation of the International Convention against Recruitment, Use, Financing and Training of Mercenaries, a criminal act is constituted when an individual travels to Syria and Iraq. However, this might constitute the risk of discouraging the foreign fighters from returning and would possibly send them into hiding. This makes it a greater challenge to detect them.

The age demographics of Belgian foreign fighters are typically twenty to twenty-four. The level of education is often below average. Foreign fighters with degrees do exist, however this group makes up a small minority, according to Hiltermann (Hiltermann, 2016). According to an expert pedagogue, Sieckelinck, parents and any individuals who work with youngsters have to be supported by government in their tasks of counter radicalisation. This is important because when we ask them to act as 'spies' for the security services it might create an undesirable feeling that they are contributing to the punishment of the returnee. Sieckelinck also says that it is of importance to be able to have dialogues with youngsters who have been subject to jihadist ideology. He stresses that the social sector should not be monitored closely by politics. It should strive for a space where youngsters can speak their mind and conversation is possible without the threat of criminalisation (Sieckelinck, 2016).

On May 15th 2014, two teenage girls from Antwerp were arrested at the Zaventem airport because of their intention to travel to Syria. One girl, who was a minor at the time, was referred to the juvenile judge. The other, a nineteen year old girl, was arrested on the suspicion of participation to

activities of a terrorist organisation. This arrest was the first time that a potential foreign fighter was charged with a criminal offence in Belgium.

The majority of the foreign fighters were known to police before their departure. The large majority (over 80 percent) of the Belgian foreign fighters are of Moroccan descent. One might draw the conclusion that this links back to a failed integration when it comes to these individuals. Hiltermann also argues that many of them have identity problems. Despite the fact that these individuals are born in Belgium and have lived there their entire lives, they feel discriminated against because of their names, looks or religion. The Belgian approach, however, might be working since the monthly average of departures seems to have gradually decreased from approximately fifteen per month in 2012 and 2013 to an average of five per month during 2015 (Hiltermann, 2016, p. 3).

5.7 National Measures: France

France is the largest EU contributor of foreign fighters to IS (*"Where Syria & Iraq's Foreign Fighters Come From?"*, 2015). The amount of French foreign fighters in Syria is of such great proportion that one returnee describes an "entire town of French recruits" in the caliphate (Ruthven, 2015, p. 5). On January 2013, the French Prime Minister gave a speech at the National Assembly calling for a "war on terrorism, jihadism, and Islamist radicalism" (Lila, 2015, p. 1). After the attacks in 2012 in Toulouse, President Sarkozy sought to expand the terrorism laws of France. The expansion included provisions that made it illegal to travel abroad for the purpose of indoctrination and providing weapons-training camps for terrorist ends, as well recruiting terrorists even when this recruitment is unsuccessful (Edwin Bakker, 2013, p. 16).

The French Government adopted a new law on counter-terrorism on 21 December 2012. This law allows authorities to "prosecute French citizens who return to the country after having committed an act of terrorism abroad, or after training in terrorist camps with the intention of returning to France to commit terrorist attacks" (*"Terrorism Situation and Trend Report"*, 2012). According to Lila, the French government is seriously considering implementing further measures such as isolating Islamists in prison, stripping bi-national returnees of their French nationality and limiting the civil rights of those involved in jihadist movements (Lila, 2015, p. 1).

France has adopted a National Action Plan against Violent Radicalisation and Jihadi Networks in 2014. This plan consists of 24 measures with the following priorities: "Impeding travel to Syria, implementing national and local prevention and social reintegration strategies for extremists, preventing online jihadi propaganda as well as encouraging positive counter-narratives, and strengthening the judicial response to tackle jihadi networks" (*"The Foreign Fighters Phenomenon in the European Union"*, 2016, p. 32). Additionally, since November 2014, the French law has made it possible to confiscate passports of potential foreign fighters (Act number 2014-1353).

In addition to repressive measures, France has adopted several measures aimed at preventing and countering radicalisation and assisting families of radicalised individuals. Additionally, there are rehabilitation programs in development. In response to the November 2015 Paris attacks, the French Authorities have announced the plan to open de-radicalisation centres in 2016. According to Thomasset, these centres are aimed at foreign fighter returnees who have not been convicted of committing crimes (Thomasset, 2015).

5.8 Analysis: Measures taken by France

The main target for IS terrorism seems to be France, since it has suffered several attacks. One can argue that this linked to the fact that France is the largest contributor of EU foreign fighters. The November 2015 attacks in Paris have led to the French authorities declaring a state of emergency (*"The Foreign Fighters Phenomenon in the European Union"*, 2016, p. 31). According to Lila, by the end of January 2015, 117 individuals had been indicted for making statements that promote or justify terrorism. Additionally, 28 others had received prison sentences.

Prosecution of French foreign fighters remains challenging. The leading investigative judge in terrorism cases of France, Trévidic, has stated that "it is particularly complicated to qualify their adventures in Syria as acts of terrorism" (*"At Least 50 French Citizens; Waging Jihad in Syria"*, 2013). The reason behind this is that, according to French law, participation in itself does not constitute a crime (Lynch, 2013). One French security officer said that there is no sufficient evidence to charge returnees since the criminal acts have not clearly crossed the line between strikes against the regime and terrorism. This means that charges cannot be laid against an individual who fights the Syrian regime, no matter how dangerous their allies are in doing so (Kern, 2013). On the other hand there might be other options for the prosecution of foreign fighters. France is currently weighing up draft legislation that would criminalize links between French citizens and terrorist groups such as al Qaeda and affiliates, both al Qaeda and IS are on the UN terrorist lists (Lynch, 2013). The French authorities have emphasised the fact that the travel of fighters to Syria or Iraq is connected to terrorism. In June 2013 the French police arrested three Jihadist suspects who were allegedly part of a group that sends fighters to Syria (*"French police arrest cell with possible Syria link"*, 2013). French Prime Minister Valls said that there is a need for "very powerful action to attack the phenomenon linked to terrorism and to these channels that prepare individuals to fight in Syria in Jihadist groups are particularly dangerous (*"France detains man suspected of wanting to join Syria radicals"*, 2013)". One individual who was suspected of wanting to fight with Islamic rebels in Syria was detained as a part of an anti-terrorist operation. However, since there are difficulties in regards to bringing charges he was released two days later (Edwin Bakker, 2013, p. 17).

Lila argues that, some of those who committed terrorist attacks within France are not necessarily Muslim fanatics who strongly believe in jihadist's way (Lila, 2015). The radicals can be seen as a product of a collapsed educational establishment that failed to integrate and include them as citizens or respect them based on their outlook. Lila says that the French have always treated education as the projection screen for anxieties and uncertainties. Thus the Prime Minister wants educational establishments to be more active in teaching democratic values and in confronting racism and anti-Semitism. The Prime Minister claimed that educational reform is crucial for national

security. She said “France has ten thousand more soldiers patrolling the streets... but it has a million teachers at its disposal” (Lila, 2015, p. 2).

One example is the case of attacks committed by the French national Mohammed Merah, who turned to Salafism while he was imprisoned. He had made two journeys to Afghanistan and Pakistan where he was trained by al Qaeda. In March 2012 he had killed several French military personnel and Jewish citizens. He was killed by the French police after a 30 hour siege. Another example is the November 2015 Paris attacks, which was committed by the 29 year old Ismaël Omar Mostefai and his accomplices. Mostafai is a French citizen of Algerian origin. He had travelled to Syria and back between 2013 and 2014. A similar case occurred with the Kouachi brothers, who had received al-Qaeda training in Yemen before carrying out the January ‘Charlie Hebdo’ attacks (Hamid, 2015).

5.9 Overall Analysis Current Measures

It appears that the EU puts the main responsibility for handling terrorism related issues with the Member States. However, there are several overarching policies laid down to serve as guidelines. This is necessary since the Schengen agreement makes travels to and within the EU quite uncomplicated. In order to limit the risks that come from these travels, cooperation between all EU Member States is required. Accordingly, the Radicalisation Awareness Network was established. This organisation allows all Member States to engage in several focus groups such as policy offices and municipalities. This network creates a platform for these groups to learn from each other (Ministry of Security and Justice, Personal Interview, 2016). It is clear that the EU tries to keep measures as local as possible, however intervention takes place when necessary.

Participation in a terrorist battle abroad is contrary to national law in the Netherlands, France and Belgium. This means that returnees can be prosecuted upon return on the basis of have travels to Syria or Iraq. Recruitment of potential foreign fighters is also illegal in the three countries. The implementation of the national laws when it comes to returning foreign fighters however might differ. The Netherlands engages in an individual-based approach. Each case is examined thoroughly and on the basis of the outcome of several aspects an individual approach is formed. Belgium and France however look towards a more repressive approach. An example is the intention of Belgium to send military forces on the street. This can cause an authoritarian view of the government.

Punitive measures such as the confiscation of passports or stripping an individual of their nationality are implemented in France and the Netherlands. When it comes to confiscating passports, an increase of false documents within the EU might be the outcome. Stripping an individual of their citizenship is only be possible when the person holds more than one nationality. Citizens who do not hold a citizenship different from the Dutch or French cannot be stripped of their nationality since this would cause a person to be stateless, this is contrary to article 8 of the ECHR. This means that the measure can only apply to citizens who hold an immigrant background. According to Seebregts, this measure is discriminatory towards this group since it would not apply to Dutch nationals with one nationality (Seebregts, Personal Interview, 2016). The foreign fighters are part of the Dutch society and need to be addressed as such. According to the Dutch Section of the International Commission of Jurists (NCJM), this measure constitutes a breach of article 1 of the Dutch constitution, articles 2 and 5 from the International Convention on the Elimination of All Forms of Racial Discrimination and article 1 of Protocol 12 of the ECHR (NJCM, 2015). However, according to the Ministry of Security and Justice this measure is in compliance with the nature of the threat that Europe faces when it comes to returnees (Ministry of Security and Justice, Personal Interview, 2016). Since approximately 70-80 percent of the Dutch foreign fighters have a dual

nationality it is a measure that the Netherlands is willing to apply. This measure has not been applied yet and the effectiveness is therefore not yet measurable.

Currently the main focus of the three countries seems to lay on quick fixes and repressive, punitive measures that do not address the long term safety benefits of a rehabilitation-focused approach. According to the Ministry of Security and Justice, The Netherlands is, compared to France and Belgium, more successful in addressing the returnees with reintegration and rehabilitation measures. Rehabilitation is described as “a purposeful, planned intervention, which aims to change characteristics of the offender (attitudes, cognitive skills and processes, personality or mental health, and social, educational or vocational skills) that are believed to be the cause of the individual’s criminal behaviour, with the intention to reduce the chance that the individual will re-offend” (Veldhuis, 2012, p. 4). France is more likely to apply a more repressive policy. Belgium is known for a divided policy because there are many different organs involved in the decision making process (Ministry of Security and Justice, Personal Interview, 2016).

7. Conclusions and Recommendations

When taking all the above mentioned aspects into consideration, it is evident that the answer to the question ‘What possible measures can be taken by the Netherlands to best address the issue of the foreign fighters who return from Syria and Iraq after joining the terrorist group Islamic State?’ is not a clear-cut one. There are several complex issues that need to be taken into consideration. First and foremost it is important to note that there is not one approach that can be applied on each returnee. The motives for travelling abroad and return differ per person and need to be addressed as such. Additionally, not every returnee has engaged in violent battle on IS grounds. This implies that the most effective response to the foreign fighters phenomenon is an individual approach.

The foreign fighters can return with the will to reintegrate into the Dutch society and the desire to distance themselves from IS. The foreign fighters can also return with the will to cause problems within the Western society. A few aspects need to be examined in order to assess the potential risk of the returnee. The reasons for departure, the activities undertaken on IS territory and the reasons for return need to be examined. Returnees might be severely traumatised, lack a clear vision and have difficulties in obtaining work. The returnees may also be frustrated from their experiences on the battlefield. When this is indeed what the returnees face upon return, without proper guidance or help, relapse into radicalisation is a strong possibility.

Recommendations for the Dutch government include the adoption of the following measures:

- Prevention of initial travel
- Creating sustainable relations between parents and other family members or friends of foreign fighters.
- De-radicalisation by removing the returnee from their old environment and weakening the link to the extremist environment that influenced their decision to join IS.
- Establishing contact between the social workers and the families.
- Social Media monitoring of extremist ideology.
- Spreading anti-IS thoughts through Muslim clerks within mosques
- Putting a (Muslim) human face on the victims, conveying the human Muslim casualties that IS creates because of the extreme violence against Muslims.

Taking into account the complexity and the grave threat that stems from returning foreign fighters, initial travel to IS territory should be prevented when possible. The Dutch criminal law makes the

intention to travel punishable by law. This measure might work as a scaring-off tactic. One question to be asked is whether we are able to stop the jihadists if they are set on leaving. When an individual is set on travelling abroad he can very easily do so. By trying to join IS these individuals are showing their support for a terrorist organization that unashamedly uses extreme violence. This might indicate their own willingness to commit crimes against humanity under IS beliefs.

One of the main aspects that comes forward is that the direct family and other community members of the foreign fighters are crucial for both the prevention as the de-radicalisation process. When an individual leaves to join IS the family members who stay behind might be in need of psychological support. This is especially true since there might still be contact between them and the foreign fighter. Once a professional is able to establish a connection with the family, it might be easier to come in contact with the returnee. Additionally, the family members and close friends of the foreign fighters might form a potential risk in having extremist thoughts themselves. Support in this sphere might prevent further radicalisation at an early stage. When looking at preventing and battling radicalisation, it is of utmost importance that the family and others close to the foreign fighters are being supported before, after and during the period that the foreign fighter is part of IS.

Repressive methods have thus far not been able to stop the extremist thoughts. Giving returnees alternatives is an essential element in countering the danger that the individual might present to their home country. Establishing programs that provide alternatives possibilities can create a pathway to help take individuals out of their old environment, which gave space for radicalisation in the first place. Returnees might suffer from PTSD or other mental health issues that require a suitable rehabilitation approach rather than criminal response. This is needed to address potential serious health issues. Since it proves difficult to prosecute foreign fighters for extremist acts due to for example the challenge of obtaining sufficient evidence, rehabilitation can provide a practical alternative for those returnees that cannot be prosecuted. Measures which can be implemented in this regard consist of providing the returnees with family counselling. The focus here lies on positive measures rather than punishment.

The Dutch government should cautiously approach the adoption of measures that are too strict on returnees, since there is not only one type of returnee. If the returnee is approached on the basis of the worst case scenario and is treated as a potential terrorist, the risk of creating a terrorist threat might arise. Returnees can react to this strengthened image that the Dutch government is an enemy and this might give them a push back into radicalisation. Additionally, when the focus

lies on reintegration measures rather than repressive measures, the fighter might be more likely to return to the Netherlands. Otherwise the fear of prosecution might cause an obstacle for return.

If the Dutch government automatically labels each returnee as a terrorist and punishes them accordingly, the family members and others within their inner circle will be less likely to approach organisations or government. This is worrisome since family and friends of returnees play a crucial role when it comes to monitoring returnees. When the government does not have contact with the family and/or friends of the returnee, it is much more difficult to address this issue successfully.

However, when we look at the case of Mohamed Merah, returnees can indeed pose a genuine threat. Merah proved this when he attacked several French soldiers and Jewish citizens. Moreover, approximately 12% of the terrorist attacks in Europe were committed by individuals who had been fighting abroad prior to the attack. In addition to the threat of potential terrorist attacks, the returnees might have psychological problems that can lead to other problems such as suicidal tendencies, aggressive behaviour and domestic violence. Once the jihadists join IS, they might go into an isolated environment without influences from moderate views and get used to the violence that was seen during the war. The returnees might also be specifically trained by IS to commit terrorist acts upon their return to their home country

Social media is an important tool used by IS to recruit foreign fighters. It is also used as a key channel to communicate. The IS propaganda and main recruitment efforts need to be available to the public in order to draw attention to potential recruits, this is a vulnerable aspect that could be exploited. Internet service providers could suspend accounts that post pro-terrorist propaganda. Creating a reactive process might at the least disturb their operations and force them to put significant effort in restabilising IS networks hindering their recruitment. Service providers can police social media accounts for possible terrorist propaganda, however this is a very broad approach. This measure touches upon the issue of intrusion into privacy, which can possibly create legal complications. The possible false alarms could take too much time and effort. Outsourcing this task to another institution than the service providers might be a solution. A special department within the NCTV could be established to monitor the followers of certain social media accounts linked to IS.

Addressing the issue on a psychological level can be done by making sure the foreign fighter is aware of his position in the battle. If he is under the impression that it will be a luxurious jihad where the foreign fighters will be living in a pleasant environment, this is only due to the fact that foreign fighters get preferred treatment by IS. This treatment goes at the expense of the local people since they are treated poorly as second class citizens. The religious counter-narrative is an attempt to claim that the IS interpretation of Islam is not Islamic. This includes the spread of

thought within mosques by Muslim clerks. However the problem with this policy is that there are Muslim clerks who justify IS beliefs of Islam. Other justification for IS membership is the fact that some individuals do not need clerks to understand their religion, these individuals rely on their own interpretation of Islam. Possibly, the jihadists might classify these clerks who do not agree with IS ways as un-Islamic.

Another psychological method of addressing the issue is conveying the human Muslim casualties that IS creates because of the extreme violence against Muslims, particularly Sunni Muslims. The idea here is to put a Muslim, human face to the victims, especially Muslim children. Documentation and publication of IS war crimes against Sunni Muslims should be made in order to understand who the victims of IS are. IS victims consist mostly innocent civilians that are, according to IS, the wrong kind of Muslims or jihadi objectors. According to Islam the harming of innocent civilians is a grave sin and this argument can be used to counter IS ideology. The spread of documentation which shows that the Muslim majority does not support IS views and finds their practices opposing Islam is another possibility. Testimonies of returnees can help give an accurate portrayal of what the foreign fighters can expect to find on IS territory. The impact that IS membership has on an individual and their families, especially their parents at home can be used to psychologically prevent the potential fighter from leaving to join IS. Potential IS fighters need to realise that they are not joining a heroic and invincible army as portrayed in their magazines, rather a foreign fighter might end up in an unmarked grave or as an insignificant figure in a failed war.

The Netherlands is advised to invest in creating good relations between parents and other family members or friends of foreign fighters and the authorities. This not merely so that the authorities gain information concerning the foreign fighters, but also for preventative, supportive and reintegration measures to be adopted. In most of the Western European countries social workers and local authorities have well established relationships with the communities who have generated foreign fighters. This can be of help in recognising potential foreign fighters, quick recognition of returnees, assessments of risks and having ways to help the returnees to integrate whenever necessary. Additionally, the contact between the social workers and the families is important for discouraging individuals from travelling in the first place. This link is also of importance to provide support for the families of those active in IS territory and for monitoring the process of reintegration and addressing the possible violence of returnees.

It is relatively difficult to prove the intention of a foreign fighter. The Dutch government depends largely on the family and others within the social environment of the returnee for information. Therefore the government should maintain a relationship with this immediate environment and

actively approach it. By doing so the government can identify returnees and potentially determine their motives for coming back to the Netherlands. Thus, for an appropriate approach in regards to the prevention of terrorist activities within the Netherlands (or other EU countries), committed by returnees, the Dutch government should not engage in harsh repressive measures and punishments with long sentences. This can have a negative effect on the relationship between the government and the environment of the returnees, since this relationship is crucial for an effective treatment, this is a highly undesirable effect.

Recommendations for an effective reintegration approach puts the focus on each individual returnee with the analysis of their personal history and laying the focus on the reasons why he joined IS. It is of importance to take the returnee out of their old environment and weakening the link between them and those who influenced their decision to join IS. When there is no evidence that the returnee poses a direct and active threat to society, the reintegration process can be initiated. This is possible by providing assistance in obtaining work and psychological and emotional support for the returnee and his family members. This is best achieved by non-governmental organisations which can serve as a bridge between the government, society and the returnee. The general conclusion of this research is that the focus should be on positive measures rather than repressive measures, except when that person poses an immediate threat to society.

8. List of References

- AIVD. (2013). *Annual Report*. Retrieved from <https://english.aivd.nl/publications/annual-report/2014/04/23/annual-report-2013>
- Alastair Reed, J. d. (2015). *Pathways of Foreign Fighters: Policy*. The Hague: ICCT.
- Act number 2014-1353. (n.d.). *Article 1*.
- "Actieprogramma Integrale Aanpak Jihadisme". (2014). *NCTV*. The Hague: Ministry of Justice and Security.
- "At Least 50 French Citizens; Waging Jihad in Syria". (2013, March 24). Retrieved from France24: <http://www.france24.com/en/20130313-syria-french-citizens-jihad-assad>
- Amnesty International. (2014, September 2). *Iraq: Ethnic cleansing on historic scale: the Islamic State's systematic targeting of minorities in northern Iraq*.
- Bakker. (2013, Juni). Nederlandse Strijders in Syrië, en Gevaar? *Internationale Spectator*, pp. 2-7.
- Bakker. (2013). Terugkerende Syrië-gangers. *Magazine nationale veiligheid en crisisbeheersing*, 11.
- Bakker, E. (2015). Jihadistische terrorisme in 2015. Geen reden voor optimisme. *International spectator*.
- "Country Report Belgium". (2014). *Codexer*.
- "Beleidsimplicaties Dreigingsbeeld Terrorisme Nederland 41". (2016). *NCTV*. The Hague: Ministry of Justice and Security.
- "Belgian Police Raid Homes in Search for Syria Recruiters". (2013, April 16). Reuters.
- "Belgium Is The EU 'Capital' For Foreign Fighters". (2015, November 18). *Statista*. Retrieved from Statista: <https://www.statista.com/chart/4024/belgium-is-the-eu-capital-for-foreign-fighters/>
- Birke, S. (2015, February 5). *How IS Rules*. Retrieved from The New York Review of Books: <http://www.nybooks.com/articles/2015/02/05/how-isis-rules/>
- Bjørge, T. a. (2009). *Leaving terrorism behind: individual and collective*. London: Routledge .
- Breeden, A. a. (2015, November 17). *Heavy Gunfire Erupts as French Police Seek Suspects in Raid*. Retrieved from The NY Times: <http://www.nytimes.com/2015/11/18/world/europe/paris->

attacks.html?ribbon-ad-
idx=5&rref=world/europe&module=Ribbon&version=context®ion=Header&action=click&contentCollection=Europe&pgtype=article&_r=0

Committee, U. C. (2001). *The Problems encountered in the implementation of Security Council Resolution 1373*.

Convention on the Prevention of Terrorism. (2005). *Council of Europe*. Warsaw.

Coolsaet, R. (2015, February 17). Wat drijft de Syriëstrijder? . *Sampol*, pp. 4-13.

Edwin Bakker. (2006, December). *Jihadi terrorists in Europe; their characteristics and the circumstances in which they joined the jihad: an exploratory study*.

Edwin Bakker, C. P. (2013, December). Dealing with European Foreign Fighters in Syria: Governance Challenges & Legal Implications.

"Een Vandaag". (2013, Juni 10). Retrieved from Moeten Syriëgangers bij terugkeer vervolgd worden?:

http://www.eenvandaag.nl/criminaliteit/46137/moeten_syri_gangers_bij_terugkeer_vervolgd_worden_

EU Council. (2015, February 12). Informal meeting of the Heads of State or Government Brussels, Statement by the members of the European Council. Brussels.

Evaluatie Wet Opsporing Terroristische Misdrijven. (2014). *Wetenschappelijk Onderzoek- en Documentatiecentrum*. The Hague: Ministerie van Veiligheid en Justitie.

Federale Overheidsdienst Justitie. (2013, March 14). Belgisch Staatsblad "Wet tot Wijziging van boek II, titel I ter van het Strafwetboek". C-2013/09097.

"Foreign Fighters and Returnees: Discussion Paper". (2014). *EU Counter-Terrorism Coordinator*. Brussels.

"Foreign Fighters: An Overview of Responses in Eleven Countries". (2014). *Centre for Security Studies*. Zürich: ETH Zürich.

"France detains man suspected of wanting to join Syria radicals". (2013, July 24). Retrieved from The Daily Star: <http://www.dailystar.com.lb/News/Middle-East/2013/Jul-24/224898-france-detains-man-suspected-of-wanting-to-join-syria-radicals.ashx#axzz2gy3Hv69b>

- "*French police arrest cell with possible Syria link*". (2013, June 25). Retrieved from Reuters: <http://mobile.reuters.com/article/worldNews/idUSBRE95O11920130625>
- Hamid, S. A. (2015, November 16). Paris: The War ISIS Wants. *NYR Daily*.
- Hassan, M. (2015, March 10). How Islamic is the Islamic State. *New Statesman*.
- Hegghammer. (2013). Should I stay or should I go? Explaining variation in Western jihadists' choice between domestic and foreign fighting. *American Political Science Review*, 107, 1-15.
- Hiltermann, D. L. (2016, March 24). Why Belgium? *NYR Daily*.
- Kern, S. (2013). *European Jihadists: The Latest Export*.
- Lila, M. (2015, March 5). *France on Fire*. Retrieved from The New York Review of Books: <http://www.nybooks.com/articles/2015/03/05/france-on-fire/>
- Lynch, C. (2013, July 9). Europe's New 'Time Bomb' is Ticking in Syria.
- McCabe, T. (2015). A Strategy for the ISIS Foreign Fighter Threat.
- Ministry of Security and Justice, Personal Interview. (2016, August 4). The Hague, The Netherlands.
- Mortada, R. (2014, June 30). *What does ISIS' declaration of a caliphate mean?* Retrieved from Al-Akhbar: <http://english.al-akhbar.com/node/20378>
- NCTV. (2016, April 16). *nctv.nl*. Retrieved from Nationaal Coördinator Terrorismebestrijding en Veiligheid: <https://www.nctv.nl/>
- Neumann, P. R. (2015). *Victims, Perpetrators, Assets: The Narratives of Islamic State Defectors*. London: International Centre for the Study of Radicalisation and Political Violence .
- NJCM. (2015, December 1). *Consultatie Wetsvoorstel Wijziging Rijkswet op het Nederlanderschap*. Retrieved from Rijksoverheid.nl.
- Opstelten, I. (2013, March 13). Letter to Parliament from the Minister of Security and Justice, on the policy implications of the current edition of the Terrorist Threat Assessment for the Netherlands (DTN32).
- Oxford Dictionaries*. (n.d.). Retrieved from Definition of sharia in English : <https://www.oxforddictionaries.com/definition/english/sharia>
- Peter Bergen, C. S. (2015). *ISIS in the West: The New Faces of Extremism*. New America.
- Presse, A. F. (2014, September 23). European ISIS fighter numbers 'surge to 3,000.

- Rasheed, A. (2016, January 12). *Reuters*. Retrieved from Iraq churches, mosques under ISIL attack: <http://www.reuters.com/article/us-mideast-crisis-iraq-violence-idUSKCN0UP1R420160112>
- Rijkswet op het Nederlandschap ter verruiming van de mogelijkheden voor het ontnemen van het Nederlandschap bij terroristische misdrijven. (n.d.).
- Ruthven, M. (2015, February 28). Lure of the Caliphate. *NYR Daily*.
- "Samenvatting Dreigingsbeeld Terrorisme Nederland 39". (2015, Juni).
- Seebregts & Saey Advicaten. (2016, August 04). Retrieved from Seebregts & Saey Advicaten: <https://seebregts-saey.nl/advocaten/mr-drs-a-m-seebregts/>
- Seebregts, Personal Interview. (2016, August 14). Personal Interview. The Hague.
- Sieckelinck, S. (2016, May 28). *Met radicalisme is niets mis, vindt deze pedagoog*. Retrieved from De Correspondent : <https://decorrespondent.nl/4609/Luisteren-Met-radicalisme-is-niets-mis-vindt-deze-pedagoog/499436203893-0305eac2>
- Stakelbeck, E. (2015). *ISIS Exposed: beheadings, slavery, and the hellish reality of radical Islam*. Washington: Regnery Publishing.
- "Terrorism Situation and Trend Report". (2012). *Europol*.
- The Rafidah from Ibn Saba' to the Dajjal. (2016, January 2016). *Dabiq*, p. 55.
- The Return of the Khalifah. (2014, July 4). *Dabiq*.
- Thomasset, F. (2015, November). "Le projet du gouvernement pour les centres de déradicalisation". 24.
- "The Foreign Fighters Phenomenon in the European Union". (2016, April). ICCT.
- "The Rafidah from Ibn Saba' to the Dajjal". (2016, January). *Dabiq issue 13*.
- UN News Center. (2014, October 2). *Un News Center*. Retrieved from 'Staggering array' of gross human rights abuses in Iraq – UN report: <http://www.un.org/apps/news/story.asp?NewsID=48980#.V87loa1qgT7>
- UNSC Resolution 1373. (2011). September.
- "UN Security Council Resolution 1373". (2001, September 28). *UNSC*.
- US Department of State, Bureau of Counterterrorism. (2013). p. 69.

Vassalo, R. (2014, August). Bringing the Fight Back Home, Bringing the Fight Back Home. *Center for a New American Security*.

Veldhuis, T. (2012, March). *Designing Rehabilitation and Reintegration Programmes for Violent Extremist Offenders: A Realist Approach*. Retrieved from ICCT: <https://www.icct.nl/download/file/ICCT-Veldhuis-Designing-Rehabilitation-Reintegration-Programmes-March-2012.pdf>

Vinograd, C. (2014, March 24). *NBC News*. Retrieved from Jihadi Brides Swap Lives in West for Front Line With Syria Militants: <http://www.nbcnews.com/storyline/iraq-turmoil/jihadi-brides-swap-lives-west-front-line-syria-militants-n150491>

Vreemdelingenwet. (n.d.). *article 67*. The Netherlands.

"What does ISIS' declaration of a caliphate mean?". (2014, June 30). *Al Akhbar English*.

"Where Syria & Iraq's Foreign Fighters Come From?". (2015, October 9). *Statista*. Retrieved from Statista: <https://www.statista.com/chart/3866/where-syria-and-iraqs-foreign-fighters-come-from/>

Wetboek van Strafrecht. (n.d.). *art. 140*. The Netherlands.

Wetboek van Strafrecht. (n.d.). The Netherlands.

Wetboek van Strafrecht. (n.d.). *article 134a*.

"Zakboek Aanpak Uitreizigers". (2013). *Koninklijke Marechaussee*. The Hague: Ministry of Defence.

9. Appendices

9.1 Transcript Interview Ministry Security & Justice

I: stands for interviewer, D. al Greity and R: stands for respondent, the anonymous spokesperson of the Dutch Ministry of Safety and Security.

I: Zou je misschien kunnen beginnen door het beetje te vertellen wat jouw werk inhoudt?

R. Ik werk hier nu zo'n drieënhalf jaar en ik houd me vooral bezig met het beleidsveld contra-terrorisme, en dus het tegengaan van terroristische dreigingen in Nederland. Daarbinnen focus ik mij op het adviseren en ondersteunen van heel veel verschillende partners in de brede aanpak, want we werken natuurlijk samen met gemeenten, politie, inlichtingendiensten en noem het maar op. Mijn rol is met name hen ondersteunen als zij te maken hebben met casuïstiek, dus als er sprake is van een terugkeerder of van een uitreiziger of met iemand die geradicaliseerd is. Hoe ga je daarmee om en wat is je handelingsperspectief en hoe beperk je eigenlijk de dreiging? Daarnaast houd ik mij natuurlijk ook bezig met beleidsuitgangspunten. Hoe gaan we in brede zin om met terugkeerders en wat voor beleidsmaatregelen nemen wij om de dreiging die van terrorisme en jihadisme uitgaat te voorkomen? En dat doe ik nu al ruim drieënhalf jaar en ik heb daar veel in meegemaakt. Ik ben begonnen toen de dreigingsniveau omhoog ging in maart 2013, daar heb ik veel stappen in meegemaakt, in het verslechteren en verergeren van het dreigingsbeeld. Ik heb meegeschreven aan het actieprogramma "Integrale Aanpak Jihadisme" en ik heb een deel van het dossier terugkeerders onder mijn hoede.

I: Kan je misschien een beetje beginnen met het vertellen wat de huidige situatie is en hoe gaat de Nederlandse regering daarmee om? Ik weet dat er ongeveer 260 Nederlandse foreign fighters zijn, waarvan ongeveer 40 terug zijn gekeerd. Wat is er met die 40 mensen gebeurd?

R: Wij vinden het om meerdere redenen niet wenselijk dat Nederlanders uitreizen naar Syrië en Irak of deelnemen aan de jihadistische strijd daar. In eerste plaats omdat wij als Nederlandse staat de verantwoordelijkheid hebben over onze eigen burgers en wij niet willen dat Nederlanders gevechtshandelingen plegen voor een terroristische organisatie en daarmee mogelijk onschuldige mensen vermoorden of waar allerlei andere dingen mee gebeuren. Het tweede is natuurlijk dat vanuit de ideologie zij deelnemen aan een bepaalde strijd en dat de ideologie hen eigenlijk oproept om aanslagen tegen het westen en westerse doeleinden te plegen. Bij terugkeer naar Nederland zijn zij getraind; ze hebben deelgenomen aan de strijd, ze hebben kennis en kunde opgedaan over bijvoorbeeld modus operandi of over aanvalstechnieken. Het risico is ook nog eens dat zij getaskd kunnen zijn, en dus een opdracht hebben meegekregen om iets te doen in het westen. Langs die

lijn proberen we in ieder geval de uitreis tegen te gaan om zo min mogelijk Nederlanders daar te hebben. Maar als ze terugkomen naar Nederland hebben we een standaard beleidslijn. Eigenlijk gaan we ervanuit dat als je daar hebt gestreden of daar bent geweest, dan heb jij je schuldig gemaakt aan het deelnemen aan een terroristische organisatie en dus ligt strafrechtelijke vervolging altijd in de rede. Het OM zal samen met de politie kijken bij terugkeer naar Nederland of zij iemand staande zullen houden, wat er strafrechtelijk mogelijk is en op wat voor manier we iemand strafrechtelijk kunnen vervolgen. Maar daarnaast, hebben we ook altijd een individuele aanpak, dit wordt persoonsgerichte aanpak genoemd. Dat houdt in dat bij iedereen waarbij zorgen van radicalisering zijn voor zijn in Nederland, ongeacht of je nu een potentiële uitrijziger bent, geradicaliseerd bent of terugkeert vanuit een strijdgebied, iedereen wordt besproken in een casusoverleg. In dat casusoverleg zitten de driehoeks-partners aan tafel; politie, gemeente en het OM, maar ook allerlei zorgpartijen zoals het Raad voor Kinderbescherming, Jeugdzorg, GGZ, etc. Zij stemmen met elkaar af, afhankelijk van de persoon en de dreiging die vanuit die persoon uitgaat wat de plan van aanpak is. Hebben we te maken met iemand die echt geradicaliseerd is, die echt ideoloog is of hebben we te maken met iemand waarbij andere problematiek veel meer voorop speelt? Dit zijn vragen die naar boven komen. Dan maken we een individueel plan van aanpak en dat houdt in dat we gaan kijken hoe we ervoor gaan zorgen dat we de dreiging die van deze persoon uitgaat verminderen of laten afnemen. Dat kan met allerlei trajecten zoals zorgtrajecten, dat kan door iemand terug te leiden naar werk, naar een baan of naar studie om hem weer perspectief te geven doormiddel van deelname aan de samenleving en aan de maatschappij. Dat zijn de twee belangrijkste elementen; bij terugkeer altijd eerst strafrechtelijk kijken wat er mogelijk is, of we kunnen vervolgen of niet. Parallel daaraan bespreken we altijd in het casusgesprek de integrale aanpak voor een persoon en zo gaan we eigenlijk de volgende stappen zetten.

I: *Je had het over het feit dat iemand uitreist naar Syrië of Irak is al strafbaar, of is al een red flag. Stel dat je erheen gaat om bijvoorbeeld familie te bezoeken. Wat maakt het onderscheid tussen een persoon die gaat om andere redenen en een persoon die gaat om zich aan te sluiten bij IS?*

R: Meerdere dingen maken het onderscheid. In principe ligt het er natuurlijk erg aan welk gebied je naartoe gaat. Er is het gebied dat wordt gecontroleerd door ISIS, het zelfbenoemde kalifaat, als je daar naartoe gaat dan zeggen we eigenlijk vanuit de rijksoverheid op basis van allerlei studies kan je daar niet naartoe gaan met de gedachte om humanitaire hulp te verlenen of om andere dingen te doen. Want je gaat dan onderdeel uitmaken van die zelf uitgeroepen kalifaat en zelf uitgeroepen strijd waarbij heel duidelijk wordt verwacht van mannen dat zij getraind worden en deelnemen aan de strijd. Van vrouwen wordt verwacht dat zij ondersteuning bieden aan de strijders of dat zij zich op een andere manier zichzelf inzetten voor het doel dat het kalifaat, ofwel

ISIS voor ogen heeft. Dus we zeggen, als je naar dat gebied gaat, dat is een red flag. De laatste studie van de AIVD die is van januari dit jaar 'ISIS; de mythe ontrafeld' die schetst eigenlijk heel erg mooi dat als je in dat gebied bent, het kalifaat, dat je er eigenlijk niet aan ontkomt dat je betrokkenheid hebt bij een terroristische organisatie. Want ISIS is een terroristische organisatie, ook op de VN lijst gezet, en dat betekent dus dat als je naar dat gebied gaat, gaan we ervanuit dat je niet gaat om humanitaire hulp te verlenen. Maar het is natuurlijk ook mogelijk dat er mensen naar andere delen van Syrië of Irak gaan die niet onder controle staan van ISIS of een andere strijdgroep waar wij ons zorgen over maken. In dat soort gevallen wordt er bij ieder persoon goed nagegaan wat de reden is waarom deze persoon weg wil, wat zijn de beweegredenen, hoe staat hij erin en wat vinden wij daarvan, waar gaat hij naartoe en wat vinden wij daarvan? Al deze informatie samen maakt dat je ook de inschatting maakt of je te maken hebt met een uitrijziger die zich wil aansluiten bij een terroristische organisatie, of niet? Als het niet zo is en iemand reist naar Zuid-Turkije, Noord-Irak of Zuid-Irak dan vinden wij dat nog wel interessant. De kans dat je dan vervolgens richting het kalifaat wordt gezogen of richting een terroristische organisatie wordt gezogen is vrij groot aan deze, dus we zijn er wel scherp op.

Als je de parallel trekt, zijn er ook veel mensen die strijden voor Peshmerga bijvoorbeeld of andere groeperingen in de regio om ISIS te bestrijden. Dat is geen terroristische organisatie, maar ook hier kijken we naar omdat er mogelijk sprake is van oorlogsmisdrijven of van andere misdrijven tegen de menselijkheid. Dat is de reden waarom destijds het OM, in het voorjaar, Jitse A in Leeuwarden staande heeft gehouden en aan heeft gehouden vanuit de gedachte, wat heb je daar nou precies gedaan? De afweging tegen we wie wel of niet iets doen in het kader van uitreizen heeft heel erg te maken met het beeld en de duiding die hier in Nederland wordt geschetst over iemand. Hoe zorgelijk is het? Zo wordt er vervolgens vastgesteld of je er vervolgens wel of niet gaat interveniëren. Op dit moment hebben we bijna geen mensen die niet naar het strijdgebied afrijzen maar naar een ander gebied van Syrië en Irak. En als ze er zijn dan mag dat. Je mag ook naar Yemen reizen of Saoedi Arabië, daar hebben we op zich geen problemen mee.

I: Even naar de foreign fighters toe. Denk je dat er specifieke redenen zijn waarom Nederlanders specifiek daarnaartoe gaan?

R: Niet zozeer Nederlanders specifiek, maar de aantrekkingskracht van het jihadisme in de zin van; mensen voelen zich achtergesteld en kunnen niet helemaal meedoen in de samenleving om wat voor reden dan ook. Zij voelen bepaalde polarisatie die hen kan aantrekken in een bepaalde ideologie. Wat we ook zien is dat ISIS een goede, althans een vrij ongrijpbare en een goed op poten gezette sociale media campagne voert in het ronselen en repeteren van personen hier in

Nederland. Het is heel moeilijk om daar algemene uitspraken over te doen, omdat in principe radicalisering voor iedereen op een andere manier verloopt. Ik zeg zelf altijd als je 1000 mensen in dezelfde sociaaleconomische omstandigheden of context neerzet, zullen daar misschien één of twee van radicaliseren. Het is dus heel erg een vraag/aanbod verhaal. Op het moment dat iemand in aanraking komt met een bepaalde ideologie, als diegene er open voor staat kan dat een trigger zijn om te gaan. Ik denk dat er geen algemene reden te benoemen is waarom Nederlanders in het algemeen ernaartoe gaan. Ik denk dat iedereen het pad ernaartoe anders verloopt. Ik denk wel dat de aantrekkingskracht en het gevoel van moeten bewijzen en moeten strijden in de ogen van jihadistische broeders en zusters die daar worden aangevallen. Dat wordt allemaal op een bepaalde manier vanuit het een bepaalde interpretatie van het geloof wordt overgebracht. Het is niet het geloof, het is een bepaalde interpretatie ervan en het wordt beargumenteerd dat het juist is om naar Syrië te gaan of juist is om je bij de jihad aan te sluiten. Ik denk dat dat een aantal mensen over de streep heeft getrokken. Als jij al in een bepaalde ideologie zit en vanuit die gedachte een bepaald beeld hebt van de wereld en bepaalde keuzes maken dan kan het uitroepen van het kalifaat zoals Baghdadi in 2014 deed een trigger zijn om daarin legitimatie te zien om daarnaartoe te gaan en je aan te sluiten bij de strijd die jouw broeders daar aan het voeren zijn.

I: Ik heb in een rapport van het NCTV gezien dat het aantal uitreizigers vanuit Nederland aan het afnemen is.

R: Het vlakt af ja.

I: Is daar een specifieke reden voor?

R: Er zijn heel veel verschillende mogelijke scenario's. Wat het zou kunnen zijn, het vlakt af, het is minder heftig dan in het verleden. Je zou aan de ene kant kunnen zeggen, de strijd is de afgelopen jaren verhevigd in Syrië en Noord Irak. De internationale coalitie heeft terrein gewonnen, maar ook verschillende andere groeperingen, met name het Iraakse leger. Er is veel terrein gewonnen op ISIS, dus het kalifaat in omvang krimpt, dat maakt het ook moeilijker om daar een leven te kunnen hebben als je daarbij aangesloten wilt zijn. Dus de aantrekkingskracht is verminderd. Anderhalf á twee jaar geleden was het een vrij groot gebied en het leven was er relatief normaal, ten minste zo werd het gepropagandeerd naar buiten toe. Om daar te kunnen leven was er meer aantrekkingskracht om daar echt te gaan vestigen en te wonen. Dus die aantrekkingskracht verminderd.

Het tweede is dat we in Nederland succesvoller zijn in vroegtijdige signalering. We hebben sneller in de gaten wanneer er sprake is van mogelijke radicalisering en dat er we met mogelijke partners

sneller in staat te zijn te signaleren. We pikken signalen van de uitreis sneller op, zo kunnen we ook sneller handelen. En ik denk ook wel dat er ook wel een paradigma shift is, ISIS heeft ook op een gegeven moment in de media geroepen dat je ook tot dienst kunt zijn aan het kalifaat of de ideologie door in je thuisland te blijven en vanuit je thuisland actie te ondernemen. Vanuit het jihadisme is het ook gerechtvaardigd om in een Westers land een aanslag te plegen of een gevechtshandeling uit te voeren. Ze zijn in oorlog met het Westen, en het Westen in de beleving van de jihadisten voert die oorlog op het grondgebied van het kalifaat uit. Daarmee is het gerechtvaardigd om oor strijders uit het kalifaat het ook te brengen naar het Westen en het op dit grondgebied uit te vechten.

I: *Dat is natuurlijk de grootste threat (dreiging) van de terugkeerders.*

R: Ja, exact.

I: *Wat denk je dat de reden is dat de mensen die er toch voor kiezen om terug te komen, die 40 returnees, dit doen?*

R: Dat kunnen er ook weer heel veel zijn, dat is voor iedereen weer een andere reden. Je ziet met name dat een deel zal terugkomen, of is teruggekeerd omdat ze “tasked” zijn. In Nederland, moet ik wel ter context zeggen, hebben we allang geen terugkeerders meer gezien. Van de 40 terugkeerders is het merendeel in het eerste jaar na de burgeroorlog in Syrië teruggekeerd. De meerderheid van die terugkeerders is wel van te zeggen dat zij gedesillusioneerd waren. Ze troffen niet aan wat ze hadden verwacht, het was allemaal veel te heftig en te hevig en de utopische staat die ze voor ogen hadden die was er niet. Het grootste deel van de terugkeerders, die is teruggekeerd voordat überhaupt het kalifaat uitgeroepen werd. Dus desillusie is een aspect. Daarnaast denk ik ook wel mensen die dus gestast zijn en gewoon mensen die een periode daar geleefd en gewoond hebben waar het vuur te heet onder de voeten voor werd. Wat ik al zei, het kalifaat krimpt in de omvang, het is niet meer hetzelfde leven in het kalifaat als 1,5 á 2 jaar geleden was. Er gebeurt van alles en nog wat, sommige mensen zeggen dat het kalifaat lijkt te imploderen en dit lijkt vrij logisch en voorspelbaar. Dat is een andere reden dat mensen die nu al hun keuzes maken om terug te keren. Wat wel maakt dat ze steeds gevaarlijker worden, want hoe langer je daar hebt gezeten en deel hebt genomen aan de strijd, hoe groter het risico de dreiging is die van zo een persoon uit kan gaan.

I: *In het beleid wordt het afpakken van het nederlandschap benoemd als keuze is om met de foreign fighters om te gaan. Dit is natuurlijk alleen mogelijk als iemand twee nationaliteiten heeft want anders ben je staatloos.*

R: Ja, klopt.

I: *Is dat niet een discriminerende maatregel? Hoe wordt ermee omgegaan als iemand enkel één nationaliteit heeft?*

R: Ja dan kan het niet. Dat is eigenlijk een makkelijk antwoord. Het is nu al mogelijk om het Nederlandschap in te trekken na een veroordeling van terroristische misdrijven, die onherroepelijk is geworden. Dat kan dus ook alleen op het moment dat je twee nationaliteiten hebt. Het kan overigens alleen na een strafrechtelijk traject. Het wordt straks, als de tweede kamer daarmee instemt, mogelijk dat dit gebeurt zonder tussenkomst van een rechter. De gedachte is inderdaad dat het voor een deel helpt om terugkeerders, de harde strijders, toegang tot Nederland en daarmee ook Europa te ontfangen. We hebben met elkaar gezegd dat de dreiging zo groot is van bepaalde figuren, die wil je gewoon niet hebben in Nederland, die wil je niet hebben in Europa. Ze kunnen van alles en nog wat doen of proberen. Op die manier heb je natuurlijk kan je een deel, met zo een maatregel aanpakken. Daarnaast is er bij ongeveer 70-80 procent van de Nederlandse jihadististen sprake van een dubbele nationaliteit, dus in die zin of het discriminerend is, weet ik niet. Het is wel zo dat het helaas niet op iedereen van toepassing is en dat je bij 20-30 procent andere maatregelen moet proberen tegen te gaan. In de rede ligt dat in principe iedereen strafrechtelijk wordt vervolgd dus in de rede ligt ook dat de meeste mensen in principe voor langere tijd in detentie zullen zitten.

I: *Is dat al een keer voorgekomen dat de Nederlandschap is afgepakt?*

R: Nee, dat hebben we nog nooit gedaan. Dat is ook allemaal nieuw natuurlijk. We gaan kijken of het werkt en of het effectief is of niet.

I: *Een van mijn vragen was: denk je dat het veel effectiever is om harde punishable measures of meer reintegration measures toe te passen? Je had het in het begin over dat deze twee een beetje parallel lopen, klopt dat?*

R: Ja, in Nederland is dit een van de belangrijkste aspecten van ons beleid. Dat het A; lokaal is, dus we richten het heel erg op lokale domein, dus gemeenten, dicht bij de mensen zelf vanuit de gedachte dat die het meeste zicht hebben op iemand. En dus ook de beste mix aan maatregelen kunnen voorstellen. En ons beleid is integraal, en dat gaat ervanuit dat we inderdaad zowel kijken naar de zachtere kant als naar de hardere kant. We kijken altijd naar die mix van maatregelen die het beste past bij iemand. Als er bij iemand een hele hoge dreiging uitgaat en dat je die dreiging alleen kan beperken door daar strafrechtelijk of met repressieve maatregelen tegen op te treden dan doen we dat. Maar een heel groot deel van de geradicaliseerde of die aan het radicaliseren zijn

in Nederland proberen we juist met zorgmaatregelen en werkbegeleiding of een stageplek of een opleiding. Juist op die manier eigenlijk weer zin te geven in het leven en op die manier eigenlijk weer te laten aansluiten bij de maatschappij. Ik denk dat we daar zijn we zeker in Europa en zeker als je vraagt naar de vergelijking met België en Frankrijk, zijn we daar anders in en veel, zonder de collega's in België en Frankrijk weg te schuiven, ik denk wel dat we daar beter in zijn. Frankrijk kenmerkt zich door een heel repressief beleid, België kenmerkt zich door een heel verdeeld beleid. Omdat er natuurlijk heel veel verschillende organen en bestuurs-lijnen zijn waarmee ze zich moeten bemoeien. Wij hebben gezegd we doen het allemaal integraal. We kijken ook naar zacht en hard. Het kan ook heel goed zijn dat een terugkeerder terugkeert die wij strafrechtelijk niet kunnen vervolgen en dat we zo iemand op een andere manier heel erg in de gaten gaan houden door monitoring en noem het maar op. Er zijn van die 40 terugkeerders ook gevallen bekend waarin ze terug zijn gekeerd, een periode in een instelling hebben gezeten omdat ze geestelijke problematiek hadden zoals PTSS of andere trauma's hebben opgelopen en dat we dat op die manier heel erg begeleid hebben. Er zijn ook verhalen van terugkeerders die gewoon weer deelnemen aan de maatschappij en waar het relatief goed mee gaat.

I: *Wat voor rol ziet u de gemeenschap, zoals familieleden, van de terugkeerders spelen in zo een situatie?*

R: Ze zijn ongelooflijk belangrijk, eigenlijk in de breedste zin van het woord. Aan de ene kant begint het al bij de eerste tekenen van radicalisering. We hebben allerlei programma's met allerlei gemeenten en instellingen opgezet om moeders, vaders, broertjes en zusjes en andere familieleden, de directe omgeving van kwetsbare individuen. Deze zijn er om te trainen, helpen en ondersteunen in het signaleren van mogelijke extremistische of geradicaliseerd gedrag. Hen te helpen bij de vraag: wat kunnen we hiermee? Kan je dat ergens melden? Kan je hulp inroepen? Kan je misschien zelf daar een weerwoord tegen bieden? En we proberen ook heel erg taboes te doorbreken in de gemeenschappen want vanuit schaamte vindt men het vaak lastig of moeilijk dat hun zoon of dochter aan het radicaliseren is. Daar proberen we in te ondersteunen, dus we zien ook heel erg dat in de aanloop naar een uitreis, krijgen we veel meldingen van het gezin, van vaders en moeders die zich zorgen maken over hun kind. Daarin werken we heel nauw samen met bijvoorbeeld de gemeente of met de politie om te kijken op wat voor manier je daar iets tegen kan doen. Maar, ook bij terugkeer vanuit het strijdgebied is ook de familie en het systeem om een persoon heen wordt nadrukkelijk betrokken in zo'n aanpak. Die kennen hem/haar vrij goed natuurlijk, dus in wat voor manier kan je daarin winst behalen? Onze aanpak is in die zin ook wel heel erg gericht op weerbaarheid verhogen via het systeem. Dus iemand die kwetsbaar is of geradicaliseerd is, uitreiziger of terugkeerder is, dat staat altijd in een systeem waarin die omgang

heeft met anderen. En kunnen vrienden, kennissen, familie zijn, maar dat kan ook zijn jihadistisch netwerk zijn. We proberen de banden met het jihadistisch netwerk door te snijden, zodat hij daar geen contacten meer mee heeft. Via het systeem om hem heen, dus positieve factoren, he in staat te stellen om zijn of haar weerbaarheid te verhogen tegen de jihadistische ideologie. Dus in die zin maken we heel erg gebruik van het directe systeem. En in brede zin natuurlijk ook van gewoon hele gemeenschappen, dat doen collega's van Sociale Zaken met name. Een van de belangrijkste beleidsdoelen is om gemeenschappen in Nederland, ongeacht de afkomst of culturele achtergrond te zijn, in staat stellen om weerwoord te kunnen bieden tegen de jihadistische ideologie en tegen extremisme. En dat gaat breed want we hebben het nu heel erg over jihadisme maar we doen het ook hetzelfde in rechts- of linksextremisme. Want ook daar maken we ons zorgen om want ook daar zien we veel dingen gebeuren. Zeker nu met de grote migratiestroom de afgelopen anderhalf jaar zie je dat ook daar allerlei polariserende uitspraken worden gedaan. Dus het is heel belangrijk om het samen met gemeenschappen en samen met families, kennissen en vrienden die dicht bij de personen zelf staan te doen. Ook om daar bondgenootschap in te organiseren.

I: Ok. Duidelijk. De laatste vraag luidt als volgt: de EU legt de grootste verantwoordelijkheid voor jihadisten of voor terrorisme bij de lidstaten zelf. Is het misschien een beter idee om daar een EU-breed beleid van te maken of is het verstandig om het zo lokaal mogelijk te houden?

R: Ik denk dat van een aantal aspecten juist de kracht is om het lokaal te houden, want een jihadist in Nederland en een jihadist in Spanje zijn over het algemeen woonachtig en opgegroeid in een andere context, ook al hangen zij dezelfde ideologie aan. Je weet lokaal het beste welke maatregelen je wel of niet op iemand moet inzetten. Maar ik denk wel dat de EU, en daar hebben we natuurlijk allerlei stappen in gezet het afgelopen halfjaar, het heel belangrijk is om een stuk coördinatiebeleid. Met name als je het hebt over internationale signaleringen en informatie-uitwisseling. Kijk in Europa hebben we natuurlijk Schengen, dus iedere jihadist kan terugreizen naar Europa. Als hij eenmaal in de binnengrens van Schengen is kan hij overal naartoe. Nou, op dat soort aspecten zoals reisbewegingen, detectie en signalering, daar moet je op samenwerken. Daar moet je met elkaar informatie over uit kunnen delen over en weer. Dat staat zagen we natuurlijk ook met de aanslagen in Parijs en Brussel. Waar vanuit Brussel een groep was die naar Parijs gereisd is en daar een aanslag heeft gepleegd en weer teruggereisd is naar Brussel. Op dat soort niveau heb je dus multilaterale en internationale samenwerking nodig. Daar kan en moet de EU ook wel iets in betekenen. Nu hebben we het afgelopen halfjaar, onder het voorzitterschap van Nederland, daar heel erg in geïnvesteerd. Er is nu ook een roadmap to informationsharing, waarop op EU niveau ook afspraken tussen de 27 lidstaten zijn gemaakt over hoe we nu om moeten gaan met het delen van informatie over foreign fighters en met het delen van informatie over detectiesignalering. We

willen er op die manier voor zorgen dat een jihadist die in Nederland bekend is ook bekend is in Bulgarije en Italië. Dit zodat iedereen in heel Europa in staat is om tijdig te kunnen ingrijpen als er iets verkeerd dreigt te gaan, maar ook heel erg de monitoring goed in de gate kan blijven houden. Daarnaast hebben we ook nog een groep van aantal Europese landen die al langer te maken hebben met uitreizigers en terugkeerders. Dit noemen we de kopgroep landen. Die landen, waaronder Nederland, België, Frankrijk en nog een aantal andere landen zoals Duitsland, Engeland en Denemarken, stemmen veel af en proberen ook van elkaar daarin te leren en onze aanpak niet zozeer op elkaar af te stemmen maar wel op elkaar aan te laten sluiten. We wisselen informatie en maatregelen uit, zoals bijvoorbeeld in Nederland hebben we de paspoort regel, deze wisselen we ook uit met onze collega's in Engeland. Engeland is daar nu ook mee bezig om uit te zoeken of zij daar ook iets mee kunnen doen. Zo probeer je van elkaar te leren wat wel en niet werkt. Daarnaast hebben we ook het Radicalisation Awareness Network, dat is een Europees netwerk dat haar secretariaat hier in Nederland heeft. Dit is een netwerk dat uit 27 lidstaten bestaat en in dat netwerk zijn allerlei verschillende werkgroepen zoals bijvoorbeeld een werkgroep wijkagenten, policy officers en gemeenten, die proberen ook met elkaar in allerlei werkvormen, conferenties en meetings informatie uit te wisselen en van elkaar te leren. In die zin het antwoord op je vraag is: houd het lokaal waar het kan, maar op bepaalde aspecten moet je nou eenmaal internationaal samenwerken. Dit doen we binnen Europa al vrij goed, nog niet goed genoeg, dat hebben we ook met elkaar onderkend. Daarom komt er, geloof ik, een nieuwe commissaris die zich primair bezig gaat houden met veiligheid. We werken internationaal ook heel veel samen met andere landen zoals de VS, Turkije en Marokko. We werken ook samen met Azië en Canada, van alles en nog wat.

9.2 Transcript interview Mr. Drs. A.M. Seebregts

I: is the interviewer, D. al Greity and R: is the respondent Mr. Dr. André Seebregts

R: Ik heb je vragen erbij gepakt is het handig als we die gewoon even doorlopen?

I: Ja dat is prima.

R: Wanneer er sprake is van een strafbaar feit, dat is niet echt een makkelijke vraag om te beantwoorden omdat iemand die momenteel wordt uitgeprocedeerd, de jurisprudentie, de rechtspraak daarvoor is nog niet uitgekomen. Daarin vinden we nogal tegenstrijdige uitspraken, sommige zijn heel ruim. Er zijn uitspraken die zeggen dat er al heel snel sprake is van terrorisme, andere uitspraken zeggen dat er minder snel sprake is van terrorisme. De meest ruime opvatting van terrorisme dat lijkt de rechtbank Rotterdam te hebben. Op dit moment vinden zij dat iedereen die naar dat gebied afreist, ook al is hij bij wijze van spreken een bakker daar, dat hij deel uitmaakt van een terroristische organisatie. Andere rechtbanken zijn niet zo ver. Maar, wat ook geprocedeerd wordt is wat op het moment valt onder het financieren van terrorisme. Als jij bijvoorbeeld geld overmaakt naar een vriend of een familielid daar voor levensonderhoud, lijkt de rechtbank Rotterdam te vinden dat die actie financiering van terrorisme is. Terwijl, als je kijkt naar Europese jurisprudentie en wetsgeschiedenis, toen de wet werd gemaakt, blijkt dat geen financiering van terrorisme te zijn. Dus het is een beetje moeilijk te zeggen momenteel. Wat wel lijkt is dat het OM het begrip terrorisme probeert uit te rekken, er valt heel veel onder wat onder het normale spraakgebruik er niet onder valt. Normaalgesproken denken wij aan het gooien van bommen, het onthoofden van mensen en mensen doodmaken. Volgens de wet is het nu een veel ruimer begrip, ook omdat als je een keer €1.000 overmaakt naar Syrië, dat is ook terrorisme naar Nederlandse maatstaaf. Zeggen dat je voor IS bent lijkt onder omstandigheden ook onder terrorisme te vallen in Nederland.

I: Dat laatste wat u heeft gezegd, zeggen dat je pro-terrorisme bent bijvoorbeeld. Waar zit hier de lijn tussen dat kunnen zeggen en vrijheid van meningsuiting?

R: Ja, dat is nu juist het probleempunt in die materie en daar wordt ook heel veel over geprocedeerd. De lijn lijkt een beetje te zitten bij het rechtstreeks aanzetten tot geweld. Maar soms wordt er al redelijk snel aangenomen dat je rechtstreeks aanzet tot geweld. Een voorbeeld: in een van je vragen heb je het over iemand die tot 6 jaar is veroordeeld op de terrorisme afdeling, dat is onder andere omdat hij plaatjes op internet had gezet met hartverscheurende beelden van baby's die waren gedood door het regime van Assad. Dat vind ik typisch een voorbeeld van iets wat je écht wel in het openbaar moet kunnen brengen. Die dingen gebeuren en als je dat niet naar voren kunt

brengen dan raakt dat enorm de vrijheid van meningsuiting. De rechtbank Den Haag vond dat rechtstreeks aanzetten tot geweld. Dat lijkt een beetje de grens te zijn, maar waar dat precies ligt dat weet nog niemand helemaal.

I: U heeft in een NRC artikel aangegeven dat u er van bent overtuigd dat geradicaliseerde jongeren die willen vechten zich niet laten tegenhouden door het feit dat hun paspoort is ingehouden. Wat zou volgens u wel een effectieve maatregel zijn om dit enigszins te tegen te houden?

R: Deze vraag is ook zo moeilijk om te beantwoorden. Je kunt er komen zonder paspoort, vrij makkelijk over de weg. Dat is een van de redenen dat er zoveel mensen naartoe gaan. Je kunt ok reizen met een identiteitsbewijs, dus zonder paspoort. Dat is een beetje een probleem. Ik denk dat Justitie er momenteel alles aan doet om met jongeren in gesprek te raken, onder andere via moskeeën en dergelijke. Dit is het maximale wat je kunt doen. Ik weet hier ook niet een andere oplossing voor.

I: Ja, het is nog een hele complexe situatie. Ik heb vorige week iemand van het Ministerie van Veiligheid en Justitie gesproken over dit onderwerp en over het mogelijk afpakken van de Nederlandschap bij terugkomst vanuit IS grondgebied. Is dat niet een discriminerende maatregel? Een paspoort kan pas afgepakt worden wanneer iemand twee nationaliteiten heeft.

R: Sowieso, dat sowieso. Iemand mag niet staatloos worden. Dat betekent inderdaad dat dit alleen bepaalde mensen zou raken. Het probleem hier is dat ze deze maatregel willen loslaten op mensen waar ze niet zoveel bewijs tegen hebben. Als je veel bewijs hebt dan ga je ene strafrechtketen in. Je moet een beetje uitkijken dat je niet ook onschuldigen gaat raken, daar moet je heel voorzichtig mee zijn. Dat is een beetje de problematiek daar.

I: Het is heel moeilijk om te weten wat iemand daar nou wel of niet heeft gedaan, dat is het probleem.

R: Precies, en waar ik het meeste moeite mee heb is dat je allerlei maatregelen neemt 'voor het geval dat'. Dat is natuurlijk heel problematisch als je mensen hun rechten gaat beperken en hun belangen gaat schaden alleen 'voor het geval dat' zonder dat je concreet bewijs hebt.

R: Ten aanzien van vraag 3, die jongens worden vaak niet gearresteerd in Nederland. Dat is omdat we geen enkel bewijs tegen ze hebben. Als dat er is worden ze wel aangehouden, maar als het enige bewijs is dat ze bijvoorbeeld contact hebben met jongens die als extremistisch bekend staan, dan is er eigenlijk geen enkel bewijs tegen ze. Wat je daartegen kunt doen, ja op zich omdat er geen bewijs is, niet zo veel. Het OM kan terecht niets doen, ze noteren de gegevens en houden alles een beetje in de gate. Het zijn de inlichtingendiensten die de jongens in de gate houden.

I: En dat gebeurt wel denkt u?

R: Ja, daar ben ik wel van overtuigd. De inlichtingendiensten proberen zoveel mogelijk mensen waarvan zij denken contact te hebben met jihadisten in de gaten te houden.

I: Vraag 4 nu over de verschuiving.

R: Wat de reden is? Ik denk door het geweld dat wij om ons heen hebben gezien de laatste tijden zoals in Istanbul, Orlando en Duitsland.

I: Denkt u dat het een 'better safe than sorry' maatregel is?

R: Ja, dat is het. Wat we ons heel goed moeten realiseren is dat daar echt gevaren in zitten en daar moeten we op blijven letten. Het idee is een beetje om zo streng mogelijk te zijn want het heeft toch niets met mij te maken en mij zal het niet overkomen. Maar, het klassieke voorbeeld is natuurlijk; jouw neefje van 15 die uit nieuwsgierigheid gaat zitten kijken in de glossy van IS omdat hij nieuwsgierig is. Nu heeft jouw neefje misschien een buitenlandse naam maar het kan ook zijn dat het volstrekt niet zo is en dat Jan Jansen uit nieuwsgierigheid zit te kijken. Moeten we die personen ook in de terroristenafdeling zetten? Jij bent nu bezig met een bachelor scriptie met ook veel belangstelling voor dit onderwerp. Moeten we jou voor alle zekerheid ook maar in de gaten gaan houden onder het mom van 'better safe than sorry'? Je hebt een Marokkaanse achternaam, dat is al misschien helemaal een reden om een beetje extra voorzichtig te zijn. Dat is een beetje het gevaar op dit moment.

I: Het is moeilijk om die grens te trekken omdat je al heel snel een klein beetje in aanraking komt met dit soort informatie.

R: Ja, precies.

I: Kunt u mij misschien iets meer vertellen over de terrorismeafdeling? Ik weet dat een van u cliënten daar zit.

R: Daar zitten verschillende cliënten van mij, ik spreek ze altijd achter glas. De grootste problemen die ze daar hebben is dat ze veelvuldig worden gevisiteerd, dit te pas en te onpas. Dat betekent met hun rug naar de bewaarder toe gaan staan, volledig ontkleden, voorover bukken en billen spreiden. Dit vinden de jongens buitengewoon vernederend. Het probleem dat ze ermee hebben is dat het niet altijd even duidelijk is waarom dat moet. Mensen komen nogal makkelijk onder de terrorismeafdeling terecht. Enerzijds is het omdat het begrip terrorisme zo uitgebreid is tegenwoordig. Als je wordt verdacht van een terroristisch misdrijf kom je daar automatisch terecht.

I: Zonder dat er nog een veroordeling is?

R: Zonder dat er een veroordeling is, maar in de recht van het Nederlandse gevangeniswezen wordt er eerst gekeken naar je individuele beheers risico, dus of je persoonlijk gevaarlijk bent of niet. Ze kijken hoe gevaarlijk je bent en dan beslissen ze op wat voor afdeling je komt. Dat is niet op de terrorismeafdeling, daar kom je automatisch terecht.

I: En dat is niet altijd terecht?

R: Nee, zeker niet. Dat komt natuurlijk omdat het begrip terrorisme heel erg breed is en dat mensen daar terecht komen die er eigenlijk niet horen. Als iemand één keer 1.000 euro overmaakt naar een vriend, hoort hij wat mij betreft niet per se op de terrorismeafdeling. Het hoeft dan niet zo streng te zijn waar die terecht komt. Of als je op Twitter zegt: "Ik vind IS goed". Dan hoef je wat mij betreft ook niet daar terecht te komen. De combinatie van dat het niet nodig is dat hij daar moet zitten en dat ook niet duidelijk is waarom die hele strenge maatregelen, zoals dat veelvuldig visiteren, nodig zijn. De vraag is of het misschien in strijd is met de Europese Rechten van de Mens. Dat zijn eigenlijk een beetje de grootste problemen daar.

I: Ik heb nog een geïmproviseerde vraag. Wat vind u persoonlijk van het huidige aanpak van de OM wat betreft jihadisme en foreign fighters?

R: Ik ben er bezorgd over. Met name dat men steeds meer gaat denken vanuit veiligheid, dat je gaat doorschieten in het veiligheid denken en steeds minder vanuit de rechten van de verdachte. Ik zie daar duidelijke voorbeelden van. Vroeger was het zo dat als je terugkwam uit Syrië dan keken ze eerst of dat er bewijs was dat je had gestreden of dat je deel hebt genomen aan een training. Als dat zo was dan hielden ze je aan en dan ging je een re-integratietraject in. Tegenwoordig wordt iedereen voor de zekerheid aangehouden. Een ander voorbeeld dat ik zie is dat de terrorismeafdeling automatisch wordt toegewezen. Vroeger zei het OM dat het strafrecht ultimum remedium is, als de laatste mogelijke oplossing en als niets anders werkt. Tegenwoordig geven ze openlijk toe dat het optimum remedium is. Dit is een onderdeel in de mix van de strijd tegen terrorisme, dus het wordt eerder ingezet dan eerst. In het vakblad Opertum van het OM uit December 2015 staat een interview met van Veghel, jij noemt zijn naam ook in een van je vragen. Dit is de officier van Justitie, hij geeft aan dat ze zeker in terrorisme gevallen snel overgaan tot aanhouding, ook als er weinig bewijs is. Dat zijn toch allemaal zorgelijk.

I: Vind u dat, in het licht van wat er allemaal om ons heen gebeurt, een beetje begrijpelijk?

R: Ik snap het wel, maar ik zie wel heel erg wat de gevaren van zijn. Je moet je realiseren dat als je 100% veiligheid wil, dat het medicijn niet erger is dan de kwaal. We leven in een rechtsstaat en je moet daarin niet doorschieten. Je moet dat de hele tijd in de gaten blijven houden. Je moet niet

denken, waar gewerkt wordt vallen spaanders. Zo worden er misschien wel onschuldigen opgepakt en vastgezet en het zij dan maar zo. Dat is juist niet onze rechtsstaat, wat mij betreft in ieder geval. Ik zal ook als laatst zeggen: gun het terroristen niet dat wij onze rechtsstaat opzijzetten. Honderd procent veiligheid is een illusie. Je moet ook een beetje oppassen dat je geen schijnmaatregelen neemt die alles maar erger maken. Zo wek je alleen de illusie van veiligheid terwijl het op zich niet bijdraagt aan extra veiligheid.

I: Misschien is het wel zo dat er veel repressieve maatregelen worden gebruikt om een beetje af te schrikken.

R: Ik denk dat ze eerder worden omgezet om te laten zien dat ze flink en hard bezig zijn tegen terrorisme denk ik.

9.3 Initial Questions List Mr. Seebregts.

1. Wanneer is er sprake van een strafbaar feit wanneer het neerkomt op jihadisme?
2. U heeft in een NRC artikel aangegeven dat u er van bent overtuigd dat geradicaliseerde jongeren die willen vechten zich niet laten tegenhouden door het feit dat hun paspoort is ingehouden. Wat zou volgens u wel een effectieve maatregel zijn om dit enigszins te tegen te houden?
3. U heeft aangegeven dat het vaak gebeurt dat Turkije mensen terugstuurt naar Nederland of België. „Ik hoor van veel cliënten dat zij in Turkije op het vliegveld worden tegengehouden. Waarom ze het land niet in mogen, krijgen zij niet te horen. Waarschijnlijk staan zij gesignaleerd in een geheime database, omdat ze hier met verdachte mensen omgaan.” Deze uitgezette mensen worden volgens u niet gearresteerd bij aankomst in Nederland. Wordt er überhaupt iets gedaan met deze informatie door Nederland? Zo nee, zou dit wel moeten?
4. U heeft gezegd dat „Justitie steeds minder bewijs nodig heeft voor een veroordeling”, Vorig jaar sprak de Gelderse rechtbank Syriëgangers vrij omdat er geen hard bewijs is dat zij wilden gaan strijden. Nu zegt de Rotterdamse rechtbank: of je nu wilt strijden of niet, alleen al het feit dat je daarheen wilt, is strafbaar. Officier van justitie Van Veghel bevestigde na de Rotterdamse uitspraak dat het voor justitie makkelijker is geworden uitreizigers te vervolgen. Wat is de reden van deze verschuiving?
5. Een van uw cliënten werd in 2015 veroordeeld tot 6 jaar detentie onder de terrorismeafdeling voor het deelnemen aan een terroristenorganisatie en het ronselen van strijders. Kunt u mij misschien iets meer vertellen over de terroristenafdeling?

9.4 Informed Consent Forms

9.4.1 Signed Form Mr. Seebregts

Informed Consent Form

1) Topic: What possible measures can be taken by the Netherlands to best deal with foreign fighters who return from Syria and Iraq after joining the terrorist group Islamic State?

2) Project Description: This project aims at getting a better view of what the current policies of the government of the Netherlands is towards returning foreign fighters after they have returned from joining IS. By looking into the current Dutch, Belgian and French policies a recommendation for Dutch measures will be made.

If you agree to take part in this study please read the following statement and sign this form. I am 16 years of age or older.

I can confirm that I have read and understood the description and aims of this research. The researcher has answered all the questions that I had to my satisfaction. I agree to the audio recording of my interview with the researcher. I understand that the researcher offers me the following guarantees:

All information will be treated in the strictest confidence. My name will not be used in the study unless I give permission for it.

Recordings will be accessible only by the researcher. Unless otherwise agreed, anonymity will be ensured at all times. Pseudonyms will be used in the transcriptions.

I can ask for the recording to be stopped at any time and anything to be deleted from it.

I consent to take part in the research on the basis of the guarantees outlined above.

Signed: _____

Date: _____

30 august 2016

9.4.2 Signed Form Ministry of Security & Justice

Informed Consent Form

1) Topic: What possible measures can be taken by the Netherlands to best deal with foreign fighters who return from Syria and Iraq after joining the terrorist group Islamic State?

2) Project Description: This project aims at getting a better view of what the current policies of the government of the Netherlands is towards returning foreign fighters after they have returned from joining IS. By looking into the current Dutch, Belgian and French policies a recommendation for Dutch measures will be made.

If you agree to take part in this study please read the following statement and sign this form. I am 16 years of age or older.

I can confirm that I have read and understood the description and aims of this research. The researcher has answered all the questions that I had to my satisfaction. I agree to the audio recording of my interview with the researcher. I understand that the researcher offers me the following guarantees:

All information will be treated in the strictest confidence. My name will not be used in the study unless I give permission for it.

Recordings will be accessible only by the researcher. Unless otherwise agreed, anonymity will be ensured at all times. Pseudonyms will be used in the transcriptions.

I can ask for the recording to be stopped at any time and anything to be deleted from it.

I consent to take part in the research on the basis of the guarantees outlined above.

Signed:



Date:

4/10/2016

9.5 Student Ethics Form

Your name: Duaa al Greity

Supervisor: D.M. Van Ginhoven

Instructions/checklist

Before completing this form you should read the APA Ethics Code

(<http://www.apa.org/ethics/code/index.aspx>). If you are planning research with human subjects you should also look at the sample consent form available in the Final Project and Dissertation Guide.

- a. ☐ Read section 3 that your supervisor will have to sign. Make sure that you cover all these issues in section 1.
- b. ☐ Complete sections 1 and, if you are using human subjects, section 2, of this form, and sign it.
- c. ☐ Ask your project supervisor to read these sections (and the draft consent form if you have one) and sign the form.
- d. ☐ Append this signed form as an appendix to your dissertation.

Section 1. Project Outline (to be completed by student)

(i) Title of Project:

(ii) Aims of project:

(iii) Will you involve other people in your project – e.g. via formal or informal interviews, group discussions, questionnaires, internet surveys etc. (Note: if you are using data that has already been collected by another researcher – e.g. recordings or transcripts of conversations given to you by your supervisor, you should answer 'NO' to this question.)

YES / NO

If no: you should now sign the statement below and return the form to your supervisor.

You have completed this form.

This project is not designed to include research with human subjects. I understand that I do not have ethical clearance to interview people (formally or informally) about the topic of my research, to carry out internet research (e.g. on chat rooms or discussion boards) or in any other way to use people as subjects in my research.

Student's signature _____ - date _____

If yes: you should complete the rest of this form.

Section 2 Complete this section only if you answered YES to question (iii) above.

- (i) What will the participants have to do? (v. brief outline of procedure):
Answer questions in relation to their knowledge of the subject matter.
- (ii) What sort of people will the participants be and how will they be recruited?
Experts on the field of jihadism. One of the respondents speaks on behalf of the Dutch government on the matter. The other respondent speaks as a criminal lawyer who has clients that are convicted jihadists.

(iii) What sort stimuli or materials will your participants be exposed to, tick the appropriate boxes and then state what they are in the space below?

Questionnaires[]; Pictures[]; Sounds []; Words[X]; Other[].

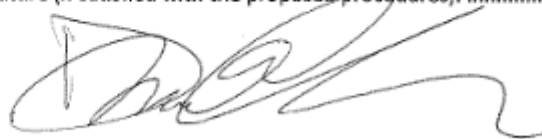
(iv) Consent: Informed consent must be obtained for all participants before they take part in your project. Either verbally or by means of an informed consent form you should state what participants will be doing, drawing attention to anything they could conceivably object

to subsequently. You should also state how they can withdraw from the study at any time and the measures you are taking to ensure the confidentiality of data. A standard informed consent form is available in the Dissertation Manual.

(vi) What procedures will you follow in order to guarantee the confidentiality of participants' data? Personal data (name, addresses etc.) should not be stored in such a way that they can be associated with the participant's data.

Student's signature: *D. al-Greity* date:16-09-2016

Supervisor's signature (if satisfied with the proposed procedures): date:

 16-9-2016