



## **“Foreign Terrorist Fighters” (FTF) Initiative**

### **The Hague – Marrakech Memorandum on Good Practices for a More Effective Response to the FTF Phenomenon**

#### **Introduction**

The threat posed by “Foreign Terrorist Fighters” (FTF)<sup>1</sup> – individuals who travel abroad to a State other than their States of residence or nationality to engage in, undertake, plan, prepare, carry out or otherwise support terrorist activity or to provide or receive training to do so (often labeled as “terrorist training”) – is a major issue for international and national security. Governments continue to grapple with how to address the complex set of challenges posed by this threat. Many countries are concerned that the rising number of people, especially youth, radicalized to violence and traveling to fight or train alongside terrorist groups in conflict and non-conflict areas will become further radicalized and pose a new terrorist threat to their home or third countries, including transit countries.

FTFs can have an impact on origin, transit, and destination countries, including in planning operations and facilitating the influx of recruits and arms, as well as increasing the proliferation of the terrorist threat upon their return to their home or third countries with potential violent extremist indoctrination and/or affiliation, operational knowledge or experience in terrorist attacks, and training. Subsequent to their return, whether operating independently (“lone actors”) or as a part of a group, there is a risk that FTFs can commit terrorist acts or promote violence, provide guidance and operational expertise, raise funds, and/or serve as recruiters to radicalize and more broadly encourage others to violence in their State of residence or nationality or in other States.

In recognition of this ongoing and salient challenge, in September 2013, Morocco and the Netherlands launched an initiative under the auspices of the GCTF to address the FTF phenomenon. The aim of this initiative is to bring together practitioners and policymakers from a range of countries and in a variety of disciplines to share lessons learned, good practices, and challenges in responding to this threat in all its manifestations.<sup>2</sup>

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<sup>1</sup> This Memorandum, and the GCTF FTF Initiative more broadly, do not intent to make and should not be interpreted as making any statement about the legal status of FTFs under national or international law, in particular, international humanitarian, international human rights, or refugee law.

<sup>2</sup> The opening meeting of the initiative took place in The Hague on 19-20 February 2014, where key questions were identified for experts. The first expert meeting took place in Marrakech on 14-15 May 2014, focusing on law enforcement, the judiciary, and information sharing, followed by the second expert meeting on Countering Violent Extremism (CVE) hosted by the *Hedayah* Center for Excellence for CVE on 16-17 June 2014 in Abu Dhabi.

The good practices contained in this non-binding Memorandum are intended to inform and guide governments as they develop policies, programs, and approaches to address the FTF phenomenon. These good practices can also be used to shape any bilateral or multilateral technical or other capacity-building assistance that is provided in this area. Any programs, policies, laws, or actions implemented in furtherance of these good practices must be done so with full regard for States obligations under all relevant international law and norms.

This Memorandum presents a set of good practices for addressing the FTF phenomenon under four major headings: (1) radicalization to violent extremism; (2) recruitment and facilitation; (3) travel and fighting; and, (4) return and reintegration. All States are encouraged to consider these good practices, while recognizing that any implementation must be consistent with applicable international law, as well as national law and regulations, taking into account the varied histories, cultures, and legal systems among States.

## **Good Practices**

### **A. Detecting and Intervening Against Violent Extremism**

Radicalization to violent extremism is a complex process that must be addressed through comprehensive means. While radicalization to violent extremism is a wider phenomenon having the potential to accelerate the radicalization process of FTFs, not all individuals who radicalize to violent extremism become FTFs. In the same vein, while some FTFs are radicalized to violent extremism prior to departure from their countries, others become radicalized to violent extremism while fighting or upon their return. Because FTFs can come from all segments of a State's population and generally are involved with others from different countries, effective FTF-focused countering violent extremism (CVE) programs require a whole of government approach with full and proactive engagement with communities and international cooperation.

***Good Practice #1*** – *Invest in the long-term cultivation of trusted relationships with communities susceptible to recruitment, considering the broader set of issues and concerns affecting the community.* Engagement on the FTF phenomenon and radicalization to violent extremism is an extremely sensitive topic. Authorities that engage communities whose members are vulnerable to becoming FTFs should conduct outreach on a broader set of issues, such as national foreign policy, to cultivate trust and address the core needs and concerns of the communities. This may include efforts to address the conditions conducive to radicalization to violent extremism. Such authorities need to be honest about their roles and responsibilities, how information will be used, and what information can and cannot be shared with community members.

***Good Practice #2*** – *Develop a wide range of proactive, positive counter-narratives and alternative activities, offering non-violent, productive alternatives to help those in need, as well as means to channel frustration, anger, and concerns without turning to violence.*<sup>3</sup> Rather than

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<sup>3</sup> See Good Practice 9 of the GCTF [Ankara Memorandum on Good Practices for a Multi-Sectoral Approach to Countering Violent Extremism](#) for more on providing counter-narratives and alternatives to violence.

providing only a negative message, it is important to provide positive alternatives, in collaboration with communities, to those contemplating traveling to destination countries to support terrorist groups or otherwise commit terrorist acts. Positive alternatives may include offering non-violent options to channel frustration, anger, and concern such as charitable giving in support of the victims of the particular conflict. Systematic, tailored mentoring programs can also be very effective, particularly for youth at risk of radicalization, because they offer individual attention. Further, effective counter-narratives should encourage questioning, critical thinking, and analysis by those susceptible to recruitment targeting. These alternative narratives can also serve as tools for at-risk communities to resist violent extremist messaging. Evaluation of effectiveness of such campaigns should be done regularly, including by taking into account the responses of samples of target audiences.

***Good Practice #3 – Bring together social media, analytic experts, and technology innovators to develop and produce compelling counter-narrative content.*** Terrorist organizations and those recruiting FTFs are often adept at exploiting social media for recruitment purposes and messaging. By combining a high volume of professional content with strong audience appeal and call to action, these organizations can provide a compelling message to individuals susceptible to recruitment. While continuing efforts to remove criminal content related to terrorism from online fora, governments should consider focusing equally on producing their own strategic communications products conveyed through the appropriate channels, proactively approaching social media in the same way as terrorist and violent extremist organizations. Strong online content can have a high, positive impact on CVE activities related to the FTF phenomenon. In this regard, counter-narratives produced by victims of terrorism, and former terrorists, can be particularly effective.

***Good Practice #4 – Empower those who are best-placed to affect change, including youth, families, women, and civil society, to take ownership in the development and messaging of positive counter-narratives to the violent extremist agenda.*** Those who are most susceptible to being targeted for recruitment should be at the center of CVE programming related to the FTF challenge. Counter-narratives originating from one's respective peer group are more likely to resonate than those coming from a group perceived as outside the respective community. Governments should consistently engage youth, women, families, and civil society, providing them with relevant and functional training on building counter-narrative content, outreach, and communications.

***Good Practice #5 – Prevent the identification of the FTF phenomenon or violent extremism with any religion, culture, ethnic group, nationality, or race.*** While the security risk stemming from FTFs cannot be ignored, exploitation of undue attention or misguided media coverage of the FTFs could contribute to the radicalization of FTFs. CVE programs should avoid and seek to prevent the identification of FTFs or violent extremism with any religion, culture, ethnic group, nationality, or race; in the FTF context, there is a particularly strong likelihood for such identification to occur with respect to religion. Such biased approaches to violent extremism will limit the views of those responsible for developing CVE initiatives, could alienate those community members whose cooperation is important for such efforts to succeed, and could be used by violent extremist groups as propaganda to undermine these efforts.

## **B. Preventing, Detecting and Intervening Against Recruitment and Facilitation**

Traditional recruitment and facilitation networks operated by established terrorist organizations which may target specific communities persist in some environments, while Internet-based radicalization may occur in others. In between these two extremes are hybrid models that take advantage of the Internet's scale and anonymity while retaining some elements of the traditional model, such as ethnic or linguistic affinity. The good practices below provide a framework for responding to the complex challenges posed by these different recruitment and facilitation techniques. It should be noted that not all persons recruited as FTFs are radicalized before traveling – some may become radicalized while in conflict or non-conflict zones or upon their return.

***Good Practice #6 – Reach out to communities to develop awareness of the FTF threat and build resilience to violent extremist messages.*** Members of communities targeted for recruitment may not be aware of Internet-based or in-person recruitment techniques of FTFs. Community awareness briefings and table-top exercises enable the communities themselves to develop effective responses to FTF recruitment and help establish the trust needed for community members to share information about FTFs with authorities. In this regard, it is important to work consistently on building, or improving, community policing methodologies and approaches to ensure the highest level of trust and cooperation between authorities and communities. Incorporating culturally-sensitive specialists, such as psychologists and social-service providers, into community engagement and awareness initiatives can be highly effective given the sensitive nature of the topic. Ultimately, communities should be encouraged to develop dialogue with others, in liaison with social, educational, and medical actors. In particular, inter- and intra-religious dialogue should be promoted. Communities should be supported to develop initiatives to prevent radicalization and recruitment to violence. In this context, strong attention has to be paid to avoid stigmatization of religious or cultural communities.

***Good Practice #7 – Collect and fuse detailed information from government agencies, front line workers, communities, and social media to detect recruitment and facilitation while respecting the rule of law and human rights.*** States can obtain information about known and suspected FTFs from time-tested law enforcement techniques such as the use of wiretaps, confidential informants and proactive community engagement, as well as, from lawful monitoring of social media platforms and interviews with family and community members. To preserve their legitimacy, these mechanisms should be subject to reasonable oversight and held to account for unlawful infringements. Where possible, States are encouraged to share this information with local authorities, other national agencies, and, since most recruitment and facilitation networks are multi-national, bilaterally and multilaterally with partners in order to aid in the identification and interdiction those networks. In many cases, this is simply a matter of making better use of existing information-sharing platforms.<sup>4</sup>

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<sup>4</sup> States should also make effective use of the UN sanctions regime established under UNSCR 1267 and subsequent resolutions, and encourage UN listing – next to national listing – of individuals who facilitate travel of FTF.

***Good Practice #8 – Pool resources, share information, and collaborate with the private sector to curb online recruitment of FTFs.*** States that have the legal authorities and resources to monitor online FTF recruitment and facilitation should pool their resources and share information and analysis through trusted mechanisms such as INTERPOL and EUROPOL, where applicable. Moreover, states should collaborate with Internet companies to assist the companies in taking swift and effective action against websites and social media users who violate the companies' terms of service by engaging in criminal behavior; for example, by identifying to the companies those websites and social media users whose content and activities amount to criminal conduct. When appropriate, results of Internet monitoring may also be shared with families and community leaders to make them aware of the activities of their children before they become realized or are recruited, reinforcing community/family-authorities relationships.

***Good Practice #9 – Adopt tailored and targeted approaches for CVE responses to radicalization and recruitment, based on the specific motivational factors and intended audience.*** Effective CVE responses consider the specific needs, culture, concerns, and grievances – both real and perceived – of the relevant communities. They also consider the specific motivational factor(s) present in the decision to become an FTF, whether political, economic, ideological, religious, humanitarian, or tendency toward susceptibility to violence. Successful CVE responses will likely include a multi-sectoral approach that engages education systems, faith-based communities and institutions, civil society, community organizations, frontline workers, families and youth populations.

### **C. Detecting and Intervening Against Travel and Fighting**

Although many States had made positive strides recently, much still needs to be done to improve the capacity of both law enforcement and intelligence agencies to identify known or suspected FTFs prior to travel. Unfortunately, a significant proportion of FTFs are not known to authorities before they travel, making it difficult to detect when they enter the international travel system or to provide other States sufficient warning to interdict them en route. FTFs may travel to destination countries directly or try to disguise their travel by first transiting through third countries. The below good practices provide effective measures for mitigating these challenges and detecting and intervening against travel and fighting.

***Good Practice #10 – Increase the sharing of local public, law enforcement and intelligence information and analysis, and corresponding best practices, through bilateral relationships and multilateral fora to prevent FTF travel.*** States should develop mechanisms to protect sensitive law enforcement and intelligence information in order to encourage the sharing of information from intelligence agencies and law enforcement within their own countries.<sup>5</sup> States should prioritize the sharing of concrete, timely and actionable information on known or suspected FTFs, whether through formal criminal information exchanges, established channels for general sharing of intelligence and other sensitive information, or through tips and notices on individuals of concern. States should also make better use of existing multilateral information systems, such

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<sup>5</sup> See Good Practice 6 of the GCTF [\*Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector\*](#) for more on sharing intelligence with law enforcement.

as INTERPOL's diffusion notices and databases, including the foreign fighter database, as well as the European Union's (EU) second generation Schengen Information system (SIS II) and EUROPOL's Focal Point Travelers, where applicable. Finally, States should be encouraged to deploy new tools, consistent with national laws and policies, to share advanced passenger information (API) and passenger name records (PNR) in time for other transit states to take action against suspected FTFs. In addition to traveler information, States should bolster information sharing of all kinds, to include good practices in countering FTFs.

***Good Practice #11 – Develop and implement appropriate legal regimes and administrative procedures to effectively prosecute and mitigate the risk posed by FTFs.***<sup>6</sup> States should assess gaps in countering FTFs across a broad spectrum of potential vulnerabilities, and attempt to mitigate the threat through whole-of-government coordination and, when possible, consider enacting comprehensive counterterrorism legal regimes that criminalize preparatory terrorist offenses. Of particular importance is considering whether domestic criminal laws effectively address travel to a foreign country to join a terrorist group or to engage in terrorist activity or provide support (to include financing and personnel) to a terrorist group, including in connection with an armed conflict. States should also consider, where compatible with national law and policies, a wide range of administrative and regulatory options, such as the revocation or denial of social benefits or passports. All mechanisms must be coordinated throughout different entities within government, and, as appropriate and in compliance with national laws, with foreign partners and civil society or other non-government partners to ensure a comprehensive approach.

***Good Practice #12 – Apply appropriate screening measures designed to disrupt FTF travel, with particular attention to air travel.*** States should develop and refine air travel security measures, as well as watch lists, to account for the particular characteristics of FTF travel and related threats. This may include: more international cooperation on aviation security such as traveler data sharing, including PNR information; using specific interview protocols;<sup>7</sup> screening/inspection of luggage to assist in detecting outbound travel; and, screening for weapons, explosives trace detection and other means to facilitate an attack on aviation or other transportation infrastructure. Further, states should consider using sophisticated and specialized tools such as behavioral analysis and travel-pattern analysis to identify FTF travelers and their likely routes both out-bound and returning. States can also partner more effectively with private sector entities at airports, including private security companies.

***Good Practice #13 – Use all available tools to prevent the misuse of travel documents for FTF travel.*** States should use all available tools—including administrative and judicial action where

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<sup>6</sup> See Good Practices 12 and 13 of the GCTF [Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector](#) for more on criminalizing terrorism offenses and preparatory terrorist offenses.

<sup>7</sup> Such protocols include the development of interview techniques and content designed to determine such issues as the purpose of travel, the means of support during travel, etc., and used systematically at departure on individuals fitting certain characteristics in all modes of transport. If warranted, certain statements should be verified. Information of interest from such interviews, where travelers are allowed to proceed, should be shared with the competent authorities at transit and destination points. Such protocols must be consistent with international human rights law.

appropriate and greater sharing of information, especially about dual citizens—to deny suspected FTFs the ability to travel to engage in terrorist activities. At the same time, states should take all possible steps to prevent the use of falsely obtained, stolen, forged, or otherwise misused passports, including by making greater use of INTERPOL’s Lost and Stolen Passport Database, and by implementing international standards for passport control and the use of biometric information. INTERPOL’s FIND and MIND technologies may also assist States in conducting effective systematic checks. Counterterrorist services and anti-organized crime services should pool and share their information and data related to illicit immigration, production of fake documents, and the smuggling of weapons.

***Good Practice #14*** – *Increase the capacity of States to prevent FTF travel across land borders and, more broadly, take appropriate measures to prevent FTFs within their territory from planning or preparing for terrorist acts to be carried out at home or abroad.* All States, including States of origin, transit States, and destination States, should use all appropriate law enforcement means to ensure that their territories are not used for planning or preparing for terrorist acts to be carried out, at home or abroad, by FTFs. With regard to travel, States should improve their capacity to prevent FTFs from crossing land borders. In addition to high-technology measures such as networked cameras and aerial surveillance, States can apply many effective, low-technology approaches, such as varying border patrol times; using all sources of information available, including from local communities, to determine the usual routes and timing of travel by FTFs and other illicit actors. Finally, the ability to interdict FTFs is greatly facilitated by the timely sharing of information about FTF travel by origin and transit states.

#### **D. Detecting and Intervening Upon Return**

The existence of a range of motivational factors creates challenges for detecting, intervening, and engaging with returnees. Governments also often experience challenges in prosecuting returnees and/or referring them to prevention, disengagement, and rehabilitation programs. The below good practices provide proven techniques for detecting and intervening upon the return of FTFs from both a law enforcement and a CVE perspective.

***Good Practice #15*** – *Use as wide as possible a range of information sources to anticipate and detect returnees.* FTFs often plan their returns in advance, discuss them in open social media platforms, and make arrangements for their own “reintegration”—such as airport pick-ups, medical appointments, and jobs. Thus, states should lawfully use a wide range of information sources—including social media, community leaders, family, friends and acquaintances, social-service providers, and private-sector employers—to anticipate and detect returnees. In addition, returnees may also break their travel in parts or go to a different country altogether in an attempt to avoid detection or prosecution, posing a threat to those countries as well. International databases and information systems, such as INTERPOL’s system of notices and diffusions, may also provide useful information to anticipate and detect returnees. Finally, greater sharing of information by third-party countries about deportations of suspected FTFs may help states of origin detect “unidentified returnees.”



***Good Practice #16 – Build and use evidence-based, individual-level risk assessment frameworks for returnees, evaluate their condition and establish appropriate engagement approaches accordingly.*** Robust risk assessments based on a variety of factors, including an individual’s motivation for traveling to fight, behavior while traveling and in a certain area—which may be obtained from interviews with family and friends—enables authorities to build tailored responses. Such responses could range from prosecution to monitoring to referral to violence prevention and/or reintegration programs. Risk assessments can also help authorities ensure responses are commensurate with the threat and do not further radicalize returnees or members of their communities. Risk assessment frameworks should be shared between partner States, where appropriate, to help ensure a comprehensive approach that reflects good practices.

***Good Practice #17 – Strengthen investigations and prosecutions of FTFs, when appropriate, through improved information sharing and evidence gathering.*** States should consider updating legislation to criminalize recruitment of FTFs and participation in terrorist activities abroad. In general, the evidence needed to prosecute FTFs for their criminal acts may reside in more than one country, necessitating recourse to mutual legal assistance (MLA), which can be greatly enhanced through informal cooperation among investigators and prosecutors—for instance, by giving another country advanced notice that an MLA request is forthcoming so that time-sensitive evidence can be preserved.<sup>8</sup> Deploying liaison officers and prosecutors to abroad is also a good practice for improving information sharing, and can also be used to strengthen the capacity of third-country partners to properly gather evidence admissible in domestic prosecution. Many States also have special search authorities at their borders, which may be used to not only lawfully gather evidence about suspected FTFs, but also information about FTF recruiters and facilitators, which should be broadly shared. Finally, where applicable, the investigation of FTFs under authorities designed for suspected terrorists can enhance evidence gathering and increase the likelihood of successful prosecution.

***Good Practice #18 – Prepare and exercise responses to the kinds of terrorist acts for which FTFs may have special skills.*** Some FTFs may have received training in the use of man-portable air-defense systems (MANPADS), improvised explosive devices (IED), and high-capacity automatic firearms. Response and consequence management plans and exercises, reflecting coordinated, whole-of-government responses, should therefore specifically address, roadside bombs, marauding firearm attacks against high-value or symbolic static targets and ground-based attacks on aviation.

***Good Practice #19 – Develop comprehensive reintegration programs for returning FTFs.*** Comprehensive reintegration programs – including in prisons - are a critical component to respond to the potential threat posed by returnees. FTFs are driven by different motivational factors that led them to go abroad to fight – including religious, humanitarian, ideological, economic or political concerns – and radicalization to violent extremism may happen during the time abroad rather than serving as the primary motivational factor for traveling. Accordingly, reintegration programs should account for the different motivational factors and include an

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<sup>8</sup> See Good Practice 9 of the GCTF [Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector](#) for more on formal and informal international cooperation.



assessment of individual returnees to determine the most appropriate approach. Key principles for consideration to guide engagement and the development of such programs include: (1) the need to articulate the goal of activities to reduce the risk of returnees committing terrorist acts; (2) the importance of developing targeted and tailored engagement strategies based on the specific motivational factors; and (3) the need to involve multi-disciplinary actors in law enforcement, communities, and faith-based organizations. Other key considerations include how to engage families and community members who are connected to returnees, encouraging critical thinking and challenging the logic and messaging of FTFs, and understanding and acknowledging both real and perceived grievances to effectively engage in meaningful discussion. Communities should be closely involved to provide support to individuals, to frame reintegration programs, and to neutralize possible future radicalization efforts.

**Conclusion: Information Sharing, Comprehensive Integrated Approaches, Capacity Building**

As stated above, States should engage in law enforcement and interdiction, as well as prevention and reintegration, in order to counter the threat posed by FTFs. This will only be accomplished through whole-of government approaches, closely aligned with the efforts of foreign and non-governmental partners. This threat to our security can only be addressed collectively, most notably through sharing information and good practices.

The GCTF can serve as a facilitation platform for continuing the dialogue between States regarding the implementation of these good practices and related capacity building efforts. States are encouraged to submit offers of assistance and requests for assistance to the GCTF Administrative Unit. The FTF Initiative Co-Leads will, in cooperation with the GCTF Administrative Unit, share requests for and offers of assistance with all GCTF members on a timely and regular basis. The GCTF recognizes that there is no obligation on any state to provide or receive assistance. Such offers or requests should be based on the sovereign decision of each state based on its legal system, priorities, needs, and circumstances.