

IS IT TIME TO PREPARE A “RESPONSE STRATEGY” FOR MACEDONIAN NATIONALS FIGHTING IN SYRIA?

JANUARY 2014



After four being killed in the battlefields in Syria it is no longer a secret that Macedonian nationals are fighting against the Assad regime in this country on the side of the rebels. There is no accurate information on the number of those travelling to Syria for the purpose of taking part in probably one of the most violent conflicts in recent years. Even though there is no official response from the Macedonian authorities, the media are reporting that around 30 people primarily coming from the Albanian and Bosniak communities in Macedonia are taking part in the fights. ¹Reasons for joining the rebels can be traced in religious as well as financially inspired motives.

This flow of people fighting in Syria is relevant throughout much of the European Union as well as the Western Balkans. Few hundreds EU passport holders coming primarily from the UK, Netherlands, Belgium, France and Germany are already taking part in the efforts to topple the Assad regime, along with citizens of Bosnia and Herzegovina, Kosovo, Macedonia and Serbia. These “European mercenaries” together with those coming from the Northern Caucasus and Northern Africa contribute significantly to the rebels’ strength inside Syria. Today as some of those return in their homelands security experts and officials within the

1 Srbinnovski, Aleksandar. "Во Сирија убиен уште еден Албанец од Македонија [One more Albanian from Macedonia killed in Syria]." Nova Makedonija, January 14, 2014. <http://www.novamakedonija.com.mk/NewsDetal.asp?vest=11414722448&id=9&prilog=0&setlzdanie=23074> (accessed January 15, 2014).

EU are becoming more anxious about the potential security risks as a result of their arrival². This fear stems from the fact that those individuals are now trained how to operate arms and sometimes even heavy weaponry. Depending very much on the group they were fighting for there is also a fear of radicalisation which increases the possibility for religiously inspired terrorist attacks. Additionally returnees can help organise and prepare others who are ready for joining the rebels in Syria and other theatres. Yet it is important to note that not all that go to Syria return home radicalised and ready to get involved in terrorism. Many in fact do not return either because being killed or have changed the theatre of operations.

At the moment there is no joint EU policy when it comes to addressing this question and remains to be under the competences of national authorities. Different countries have employed different methods, some more repressive than others. For example the UK has already stripped UK citizenship rights to around 20 individuals (having dual nationality) that are believed to have been fighting in Syria. Similarly to the UK, Germany has used its right to confiscate passports of those travelling to Syria on the grounds that they have become a “threat to the internal and external security or to others significant interests of Germany”.³ Other countries

2 Europol, "EU Terrorism Situation and Trend report." Last modified 2013. Accessed January 14, 2014. https://www.europol.europa.eu/sites/default/files/publications/europol_te-sat2013_lr_0.pdf.

3 Bakker, Edwin, Christophe Paulussen, and Eva Entenmann. International Centre for Counter Terrorism - The Hague, "Dealing with European For-

like Belgium for example have broadened their existing legal terrorism provisions so to include “criminalisation of public incitement to commit a terrorist crime”⁴ then “recruitment to commit a terrorist crime” and “following a training to commit a terrorist crime”. France also decided to go with rather restrictive measures by amending its current legislation and “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”⁵

Germany apart from the strict policies towards its nationals fighting in Syria is also trying to engage and establish links with those planning to leave for Syria. For example the German Police and its intelligence services warn those intending to travel to Syria for the possible consequences that they may face when they get there.⁶ Looking into the countries from the Western Balkans, Bosnia and Herzegovina has amended its Criminal Code so that those who participate into the Syrian conflict face charges when return.⁷ Like in the case of Bosnia and Herzegovina, Serbia is also preparing amendments of its Criminal Code with which it would criminalise participation in the conflict in Syria.⁸

So far there has not been substantial debate on this issue in Macedonia, especially not among policymakers and academia that can be also attributed to the lack of information coming from the Ministry of Interior (namely the Directorate for Security and Counter intelligence) as well as the Intelligence Agency. Amending the existing Criminal Code with new crimes stipulating

prison for those fighting in Syria would not necessarily stop those planning to do so. In the Macedonian context it may actually act as counter-productive and become easily politically charged question having the potential to influence the fragile inter – ethnic relations in the country. There is also a moral dilemma behind punishing those fighting the Assad regime. Up until recently US and EU member states such as the UK and France were openly supporting the Syrian rebels by firstly providing non – lethal assistance which became lethal later on. Macedonia during the course of the conflict has aligned itself with most of EU’s Common Foreign and Security Policy positions on Syria.⁹

Furthermore it will be extremely difficult to prosecute Macedonian citizens that have been involved in fighting in Syria especially if there is an attempt to exempt those fighting for the Free Syrian Army being already recipients of EU/US aid. Indeed there are reports that some of those that went to Syria are also fighting for groups such as Al Nusra which has close links with Al Qaeda and is put on UN’s list of terrorist organisations.¹⁰ In those circumstances would Macedonia put on trial only those fighting for Al Nusra and alike and due to the alignment with the EU will not prosecute those fighting for the Free Syrian Army? Having insufficient information from the ground complicates possible prosecution of those that have been fighting in Syria.

Instead of focusing efforts to amend the current legislation which even as such might have elements for going forward with prosecution, more energy should be put on engaging with the communities that are more vulnerable to join these structures. Community policing should be strengthened for the purpose of establishing close links with the population and more importantly gain trust by those living in these areas. Nevertheless local religious leaders throughout Macedonia have an important role to play in not encouraging locals to travel to Syria and should have coherent approach to these questions. Lastly Macedonian and Turkish officials should enhance information sharing on Macedonian individuals travelling to Turkey being the gate for those wanting to reach Syria.

eign Fighters in Syria: Governance Challenges & Legal Implications." Accessed January 14, 2014. <http://www.icct.nl/download/file/ICCT-Bakker-Paulussen-Entenmann-Deal-ing-With-European-Foreign-Fighters-in-Syria.pdf>. p.17

4 *ibid*.p.14

5 *ibid*.p.14

6 *ibid*.p.14

7 Karadaku, Lindita. "EU calls for joint efforts to increase control on combatants returning from Syria." SES Türkiye , 12 13, 2013. http://turkey.setimes.com/en_GB/articles/ses/articles/features/departments/world/2013/12/13/feature-01 (accessed January 13, 2014).

8 B92, "Tougher laws for recruiting to extremist Islamic group." Accessed January 16, 2014. http://www.b92.net/eng/news/crimes.php?y=2014&mm=01&dd=10&nav_id=88942.

9 Ministry of Foreign Affairs , Accessed January 15, 2014. <http://www.mfa.gov.mk/?q=node/307>.

10 In May 2013 media reported that Rasim Zekjiri citizen of Macedonia was killed in Syria fighting for Jabhat al-Nusra, an al Qaeda affiliated group.