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# CTCSENTINEL

OBJECTIVE · RELEVANT · RIGOROUS | APRIL 2020 · VOLUME 13, ISSUE 4



FEATURE ARTICLE

## Inside the Islamic State's 2017 Sydney Plane Plot

ANDREW ZAMMIT

A VIEW FROM THE CT FOXHOLE

## Donald Yamamoto

U.S. AMBASSADOR TO SOMALIA

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### FROM THE EDITOR

It was one of the most ambitious and innovative international terror plots ever seen. In July 2017, Australian police arrested two brothers in Sydney who had attempted to get a bomb on board an Etihad plane flying from Sydney to Abu Dhabi carrying around 400 passengers and were separately planning to carry out a poison gas attack inside Australia with an improvised chemical dispersion device. The two brothers had been guided by Islamic State operatives in Syria, who successfully arranged for a partially constructed bomb to be air-mailed from Turkey to Australia. In our feature article, Andrew Zammit draws on “newly available information resulting from the successful prosecution of the Sydney-based plotters” to provide the most comprehensive account to date on how the plot developed and what it reveals about the evolution of the international terror threat posed by the Islamic State.

Donald Yamamoto, the United States Ambassador to Somalia, is featured in our ongoing “A View from the CT Foxhole” series. The interview was conducted by Jason Warner in front of cadets at the U.S. Military Academy at West Point.

Attacks in London in November 2019 and February 2020 by two convicted terrorists released from prison has created a surge of concern about terrorist recidivism. But Thomas Renard points out that academic research undertaken thus far suggests terrorists are unlikely to relapse into violent extremism. His review of the judiciary files of 557 jihadi terrorist convicts in Belgium, since 1990, finds that less than five percent reengaged in terrorist activities.

Drawing on nearly a dozen reporting trips to Ukraine between 2014 and 2019, Tim Lister examines the nexus between far-right extremists in Ukraine and the United States. He writes: “In recent years, some Americans and Europeans drawn to various brands of far-right nationalism have looked to Ukraine as their field of dreams: a country with a well-established, trained, and equipped far-right militia ... that has been actively engaged in the conflict against Russian-backed separatists.” He notes that in some instances, “U.S.-based individuals have spoken or written about how the training available in Ukraine might assist them and others in their paramilitary-style activities at home.”

**Paul Cruickshank, Editor in Chief**

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### CONTACT

Combating Terrorism Center

U.S. Military Academy

607 Cullum Road, Lincoln Hall

West Point, NY 10996

Phone: (845) 938-8495

Email: [sentinel@westpoint.edu](mailto:sentinel@westpoint.edu)

Web: [www.ctc.usma.edu/sentinel/](http://www.ctc.usma.edu/sentinel/)

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*Cover: A passenger plane of the airline Etihad is pictured in-flight. (Silas Stein/ picture-alliance/dpa/AP Images)*

# Operation Silves: Inside the 2017 Islamic State Sydney Plane Plot

By Andrew Zammit

Nearly three years ago, Australian counterterrorism investigators arrested two men in Sydney who had plotted, under instructions from Islamic State operatives in Syria, to bomb an international flight and create a chemical weapon. It remains one of the most innovative of the Islamic State's external operations and the most ambitious jihadi plot that Australia has faced. Newly available information resulting from the successful prosecution of the Sydney-based plotters reveals how the plot developed, shedding light on the evolution of the Islamic State's external operations. The Syria-based Islamic State operatives possessed several advantages that, combined with their approach to providing logistical support, allowed them to bring the plot close to completion. Fortunately, the plotters failed to overcome the inherent difficulties involved in long-distance terrorist plots and were impeded by years of investment in airport security, international intelligence cooperation, and counterterrorism capabilities.

**O**n July 29, 2017, an Australian counterterrorism operation foiled the most serious Islamic State plot the country has ever faced. Two brothers in Sydney, guided by Islamic State operatives in Syria, had tried to bomb an Etihad plane flying from Sydney to Abu Dhabi carrying 400 passengers. They also tried to build a chemical

*Andrew Zammit is completing a Ph.D. in political science at Monash University's School of Social Sciences, examining roles and agency in transnational support for armed movements. He also works as a research officer at Victoria University's Institute for Sustainable Industries and Liveable Cities, and has published widely on terrorism and security issues. His website can be found at [andrewzammit.org](http://andrewzammit.org). Follow @andrew\_zammit*

*The author would like to thank Sean Rubinsztein-Dunlop for his helpful comments; Mette Mayli Albæk from the Danish public broadcaster DR for sending English translations of some of the excellent reporting on Basil Hassan by herself and her colleagues; Petter Nesser for helpful advice on CBRN plots in Europe; and Katrina Zorzi for her valuable help throughout the process of writing this article.*

weapon to disperse lethal gas against members of the public.<sup>a</sup>

It was not only the ambitions to murder hundreds of people that made the plot so serious, but how close it came to completion. The plot had begun in January 2017 and progressed undetected for over six months before Australian authorities were alerted to it by an international intelligence partner on July 26, 2017. In response, the New South Wales Joint Counter Terrorism Team began an investigation named *Operation Silves*, leading to the arrests of four suspects three days later. Two of the suspects, Khaled Khayat and Mahmoud Khayat, were charged with conspiracy "to do acts in preparation for a terrorist act" and would later be convicted.<sup>1</sup>

The plot gained international attention. Terrorist plots remotely guided by instructions from Islamic State operatives in Syria (often referred to as virtual planning or cybercoaching) were not new, but this time, there was a new element.<sup>2</sup> The Islamic State had provided direct logistical support by mailing the Khayat brothers a partially constructed bomb, something not seen in earlier plots. Moreover, the Islamic State had rarely targeted aviation in Western countries and was not known to have used chemical weapons outside of Syria and Iraq.<sup>b</sup> Security agencies across the world took notice of the plot's innovations.

Khaled Khayat and Mahmoud Khayat's trials came to an end on December 17, 2019, resulting in the release of detailed new information. This article draws on the newly available information to revisit *Operation Silves*.<sup>3</sup> The article first provides background on the four key plotters, before providing a detailed account of the plot's development. It then details the plot's disruption and aftermath, before identifying where the plot sits in relation to the broader jihadi terror threat facing Australia. The article then identifies what the 2017

a In this article, the word 'plot' is used to describe the totality of the terrorist plans of the two brothers in Sydney, rather than to describe each of their distinct attack plans as a separate plot. As will be outlined in detail, these attack plans involved the attempted bombing of the passenger jet (which was aborted before authorities became aware of it), the attempt to create a chemical weapon, and also a short-lived attempt to construct their own explosive substance.

b As will be discussed throughout the article, this is not to suggest that the Islamic State never targeted aviation. Most importantly, its bombing of the Russian airliner Metrojet 8968 in October 2015 resulted in the murder of 224 people. Other examples include the reported attempts to create laptop bombs to pass through airport security and a reported plot to bomb an airliner in the Maldives in 2017. Lizzie Dearden, "Isis plane attack: Egypt admits 'terrorists' downed Russian Metrojet flight from Sharm el-Sheikh for first time," *Independent*, February 24, 2016; David E. Sanger and Eric Schmitt, "U.S. Cyberweapons, Used Against Iran and North Korea, Are a Disappointment Against ISIS," *New York Times*, June 12, 2017; Callum Paton, "Israel Hacked ISIS Cell to Uncover Laptop-Bomb Plot to Down International Flights," *Newsweek*, June 12, 2017; Mariyam Afaaf Adam, "ISIS attempted to carry out an airliner bombing in the Maldives, says Police," *Raajee Mv*, December 16, 2019; Shahudha Mohamed, "Police confirm 2017 terrorist bomb attempt in Maldives," *Edition*, December 16, 2019.

Sydney plane plot reveals about the evolution of the Islamic State's external operations in light of information about subsequent plots, by contextualizing three of its distinctive features: the targeting of aviation, the attempted creation of a chemical weapon, and remote guidance combined with the direct provision of logistical support.

## Background to the Plot

There were four key plotters behind the planned attack, two based in Sydney and two based in Syria. The Sydney-based plotters were the brothers Khaled Khayat and Mahmoud Khayat, who were born in the northern Lebanese city of Tripoli. They grew up in a large family—their parents had three daughters and nine sons—before migrating to Australia many years before the plot began.<sup>4</sup>

Khaled, the eldest of the 12 Khayat siblings, was born on November 29, 1967.<sup>5</sup> At a young age, he fought in the Lebanese army during the civil war, which he later said was because he “hated the Shia.”<sup>6</sup> He also worked as a builder in Tripoli before migrating to Australia in 1988 where he worked in various jobs requiring manual labour and practical skills, including as a “panel beater, spray painter, meat wholesaler, butcher and ... handyman.”<sup>7</sup> By the time the plot began, Khaled was married and had fathered four children who were in their 20s. Mahmoud, the youngest of the 12 Khayat siblings, was born in 1985.<sup>7</sup> He migrated to Australia in the mid-2000s<sup>8</sup> and similarly worked in several different jobs, including as a spray-painter and a meat worker.<sup>9</sup> Mahmoud married the sister of Khaled's wife and fathered two children.<sup>10</sup>

The other two plotters were based in Syria. One was Tarek Khayat, another brother of Khaled and Mahmoud. Tarek was born in Tripoli, Lebanon, around 1970<sup>d</sup> and worked in the family construction business like many of the Khayat siblings.<sup>11</sup> On top of this work, he also became a sheikh and by the 2010s was regarded as a significant jihadi figure in Lebanon.<sup>12</sup>

Throughout 2013 and 2014, Tripoli experienced violent clashes tied to the civil war in Syria, particularly between residents of the Alawite neighborhood of Jebel Mohsen and the Sunni neighborhood of Bab al-Tabbaneh where the Khayat family lived.<sup>13</sup> These clashes often involved local branches of Syria-based groups, including Jabhat al-Nusra and the Islamic State.<sup>14</sup> On several occasions, Sunni jihadis directly confronted the Lebanese military, and Tarek Khayat took part in one such confrontation in October 2014 that resulted in three days of violence and dozens of deaths.<sup>15</sup> Tarek Khayat's precise role, or what group he was part of, is unclear, though some reports say he was already a senior Islamic State commander.<sup>16</sup> He avoided being killed or captured in the battle, and soon

fled to Syria. He took his three sons—Abdulla, Mohamed and Abdul-Rahman—with him as well as his nephew Ziad.<sup>17</sup>

Tarek Khayat spent several years fighting in Syria for the Islamic State, and by 2017, he was based in Raqqa alongside the man who would become the most important figure in the Sydney plane plot.<sup>18</sup> This man, the fourth plotter, was never referred to by name during the trials in Australia. He was only referred to as the “Controller,” and the Sydney-based plotters do not appear to have known his real name. However, investigative reporting in Denmark revealed his identity as Basil Hassan, a jihadi figure wanted by international authorities since 2013.<sup>e</sup>

According to reporting by the Danish public broadcaster DR, Basil Hassan was born in the Danish town of Askerod on May 24, 1987, shortly after his family migrated from Lebanon.<sup>f</sup> In high school, he mixed with people who would later become known as members of Denmark's jihadi circles. In 2007, a friend of his was convicted for his involvement in what was known as the “Glostrup cell,” a suspected bomb plot that developed as part of a wide jihadi network straddling Denmark, Sweden, and Bosnia, which was sometimes referred to as “al-Qaida in Northern Europe.”<sup>g</sup> That same year, Hassan was admitted into an engineering degree program, which he graduated from in 2010, then undertook further courses that developed his technical skills.<sup>19</sup> By 2011, he had become increasingly active in Denmark's jihadi networks and was under attention from the Danish Security and Intelligence Service (DSIS).<sup>h</sup>

e Based on this investigative reporting, this article will refer to “Basil Hassan” instead of “the Controller.” However, it should be kept in mind that Hassan, believed to be dead, has not faced a judicial process in relation to this plot and that further information could come to light, which complicates the current understanding that he was “the Controller.” Mette Mayli Abaek, Sara Munck Aabenhus, Troels Kingo, Puk Damsgard, and Jens Vithner, “Basil Hassan bag omfattende terrorplan: Passagerfly skulle sprænges i luften,” DR, April 15, 2019; Mette Mayli Abaek, Jens Vithner, and Troels Kingo, “Dømt australsk terrorist: Basil Hassan bag bombe på russisk fly,” DR, November 6, 2019.

f There is contradictory information about Hassan's precise date and place of birth. In 2016, the U.S. Department of the Treasury listed his place of birth as Lebanon and his date of birth as “1986 to 1988,” and the U.S. Department of State similarly listed his place of birth as Lebanon and his date of birth as “circa 1987.” However, Danish reporting in 2019 stated that Hassan was born in Askerod on May 24, 1987. The Danish reporting is more recent and specific than the U.S. designations, so for this article, it is being treated as a more reliable source on Hassan's biographic details. See “Counter Terrorism Designations; Kingpin Act Designations Updates,” U.S. Department of the Treasury, November 22, 2016; “State Department Terrorist Designations of Abdullah Ahmed al-Meshedani, Basil Hassan, and Abdellilah Himich,” U.S. Department of State, November 22, 2016; “Hvem er den Danske Topterrorist Basila Hassan?” DR, 2019.

g The “Glostrup cell” refers specifically to four people in the Copenhagen suburb of Glostrup charged with terrorism offenses in late 2005. “Al-Qaeda in Northern Europe” refers to the broader network, of which the “Glostrup cell” was a part, centered on a group of Scandinavian jihadis hiding out in Bosnia who released an online statement with the title “Declaration of the Establishment of the al-Qaida Organization in Northern Europe.” For more detail, see Petter Nesser, *Islamist Terrorism in Europe: A History* (London: Hurst & Company, 2016), pp. 202-213; “Terrorism Defendants Sentenced in Atlanta,” U.S. Department of Justice, December 14, 2009; Sebastian Rotella, “Taking Jihad to the internet,” *South Coast Today*, April 17, 2007; “Hvem er den Danske Topterrorist Basila Hassan?”

h The Danish Security and Intelligence Service (DSIS) is the official English name of Denmark's police intelligence service. In Danish, it is called the Politiets Efterretningstjeneste (PET). See “Politiets Efterretningstjeneste - Danish Security and Intelligence Service: English.”

c The details on Khaled's date of migration are unclear. The sentencing document states that he migrated to Australia in “1987 or 1988,” while a document from the National Archives of Australia suggests he was granted a visa by the Australian Embassy in Damascus in February 1988. See “R v Khaled Khayat; R v Mahmoud Khayat (No 14) [2019] NSWSC 1817 (17 December 2019),” p. 34; “Khayat, Khaled,” National Archives of Australia, series no: A8299, control symbol: 1987/5326, item barcode: 21008788, p. 16.

d Tarek Khayat's date of birth is unclear, so 1970 is an inference based on reports that he was 48 years old when sentenced to death by an Iraqi court in October 2018. However, there have also been reports that he was born in 1972. See Adam Harvey, “Tarek Khayat: Islamic State commander and suspected Etihad plane bomb plot leader sentenced to death,” ABC News, October 11, 2018, and Ellen Whinnett, “20 minutes to terror,” *Advertiser*, June 5, 2018.



An Etihad Airways plane prepares to land in this file photo. The Islamic State attempted to bomb an Etihad flight leaving Sydney airport in July 2017. (Kamran Jibreili/File/AP Photo)

On February 5, 2013, Basil Hassan allegedly attempted an act of violence himself. The target was Lars Hedegaard, a 70-year-old Danish author and vocal critic of Islam. Wearing a postman's jacket, a man believed to be Hassan knocked on Hedegaard's front door, armed with a handgun. The assailant fired at Hedegaard's head, but missed, and then fled after the gun malfunctioned.<sup>20</sup> Hassan fled Denmark afterward and was soon being hunted by Danish and international intelligence services.<sup>21</sup>

Details on Hassan's movements after this point are unclear, but it appears he traveled to Lebanon, Turkey, and Syria.<sup>22</sup> He was soon working for the Islamic State and was believed to be playing a major part in their international drone acquisition program.<sup>1</sup> Through several supporters in Denmark, including an old school friend, Hassan allegedly arranged the purchase of commercial drones and equipment.<sup>23</sup>

Turkish Police arrested Basil Hassan at Istanbul Airport on April 14, 2014, on his way back to Denmark.<sup>24</sup> The Danish government

requested his extradition, but were informed in October 2014 that he had been released.<sup>25</sup> Danish authorities feared that his release had been part of a prisoner swap with the Islamic State, in exchange for 49 Turkish hostages, which Turkey denied.<sup>26</sup> Hassan returned to Syria and allegedly continued to use his engineering skills and Danish contacts to help develop the Islamic State's drone program.

Operating from the Islamic State's capital Raqqa, Hassan had ambitions for large-scale international attacks. According to reporting by Danish public broadcaster DR, Hassan had a particular interest in targeting aircraft and was part of a team that used operatives in Turkey and the Maldives to ship packages containing hidden explosives to countries across the world, including Qatar, Germany, the United Kingdom, and the United States, as an experiment to test their screening systems.<sup>27</sup> On November 22, 2016, the U.S. State Department listed Basil Hassan as a Specially Designated Global Terrorist, describing him as an "external operations plotter for ISIL."<sup>28</sup> Jason Blazakis, the Director of the Counterterrorism Finance and Designations Office at the time, later stated that, "Hassan is one of the most dangerous people we've ever designated at the Department of State."<sup>29</sup>

Basil Hassan was able to engineer the plot in Australia through the family connections of Tarek Khayat who, as noted above, was by 2017 also based in Raqqa. Just as Hassan had allegedly reached back to associates in Denmark to help acquire drone components for the Islamic State, Tarek Khayat reached out to two of his brothers who had had migrated to Sydney years earlier, Khaled and Mahmoud.

i Basil Hassan has been charged *in absentia* over the Lars Hedegaard murder attempt and the drone procurement network, and was implicated in the prosecutions of the Denmark-based members of the drone network. However, the allegations against him have not been tested in court as the Danish authorities have had no opportunity to bring him to trial and he is currently believed to be dead. Borzou Daragahi, "Terror cell busts in Denmark and Holland spark fears of homegrown attackers with Isis links," *Independent*, September 29, 2018; Mette Mayli Abaek, "Analyse: Heldigvis for PET handler terrorsager ikke kun om straf," DR, December 7, 2019.

There was also a third Khayat brother living in Sydney, Amer Khayat, but the family had little contact with him.<sup>30</sup> Amer had struggled with alcohol and drug abuse, using methamphetamines from 2011 to 2016.<sup>31</sup> He had been married and had two daughters, but the marriage had fallen apart some years before the plot.<sup>32</sup> Khaled and Mahmoud “disapproved of him because he drank, went clubbing, gambled and was gay which they regarded as bringing shame on the family.”<sup>33</sup> Amer initially had no connection to the plot, but Khaled and Mahmoud would reach out to him in mid-2017 and manipulate him into playing an unwitting role.

While Amer was estranged, Khaled and Mahmoud remained in close contact with their family in Tripoli. They moved back and forth between Australia and Lebanon, and would send money to pay workers in the family construction business.<sup>34</sup> They closely followed the Syrian civil war after it broke out, and they became committed supporters of the Islamic State. When the Khayat brothers were later sentenced, the judge stated that Mahmoud’s wife’s laptop contained photographs of their children wearing Islamic State symbols and holding toy firearms and, in one case, a real firearm.<sup>35</sup>

Khaled and Mahmoud also remained in close contact with Tarek as he was fighting in Syria with his three sons and nephew. After Tarek’s son Abdul-Rahman was killed in Syria in September 2016,<sup>j</sup> Mahmoud, Khaled, and Khaled’s son-in-law took photos of themselves making Islamic State gestures to send as a message of solidarity.<sup>36</sup> It was through their communications with Tarek that Khaled and Mahmoud became part of Basil Hassan’s efforts to carry out external operations for the Islamic State.

## Preparing the Attack

The Sydney plane plot effectively began on January 21, 2017, when Tarek asked Mahmoud to tell Khaled to contact him immediately. Khaled soon contacted Tarek, and they began arranging for the delivery of a parcel to Sydney. From this point on, Khaled took the lead in communicating with Tarek Khayat and then Basil Hassan, while Mahmoud assisted Khaled with various parts of the plot over the next six months.<sup>k</sup>

Tarek Khayat and Basil Hassan’s decision to reach out to Tarek’s brothers, rather than to individuals they only knew online, offered several advantages. A key advantage was that Tarek, and through

him Hassan, was in a position to know that Khaled and Mahmoud were genuinely committed Islamic State supporters.<sup>1</sup> Another advantage was that the Sydney brothers were not under close attention from authorities. The Australian Security Intelligence Organisation (ASIO) interviewed Khaled in 2015, after Tarek had traveled to Syria and joined the Islamic State, but otherwise the Sydney-based brothers do not appear to have been of active interest to security agencies.<sup>37</sup>

An additional advantage was that Khaled and Mahmoud were already security conscious about their communications. They had the Telegram app installed on separate phones from their everyday phones.<sup>38</sup> They regularly used these second phones to communicate with their family members in Lebanon and Syria, including Tarek. To communicate with each other, Khaled and Mahmoud used WhatsApp. The use of encrypted communication platforms helped the Khayat brothers hide evidence of their actions and would later cause difficulties for the prosecution’s case against them.<sup>m</sup>

Both Khaled and Mahmoud also made sure to not reveal the plot to anybody, including other family members, and made no known missteps that drew the attention of Australia’s counterterrorism authorities. This is evident from the plot’s earliest stages, as Khaled made sure that the package was not delivered to his own house. Instead, Khaled gave Tarek the address of their cousin, who was also Mahmoud’s brother-in-law.<sup>39</sup>

The package was sent by airmail from Turkey on April 13, 2017.<sup>40</sup> It contained a welding machine with an explosive substance hidden inside a copper coil. The package was reportedly first put together in Syria and taken to Turkey, where an Islamic State operative posted it to Australia, consistent with the Danish public broadcaster DR’s reporting that Basil Hassan had Islamic State supporters in Turkey posting explosives to multiple countries.<sup>41</sup> On April 16, 2017, the package was delivered to the Khayats’ cousin’s house by the international couriering service DHL, but the cousin was unaware of the impending parcel and was not there to receive it.<sup>42</sup> The next day, Mahmoud Khayat visited the DHL website and learned that they had attempted to deliver the package.<sup>43</sup> The following day, Mahmoud called DHL pretending to be his cousin to ask them to deliver it again. That same day, Khaled and Mahmoud told their cousin to expect a parcel, which they would pick up.<sup>n</sup> The next day,

j Some media reports suggest that the deaths of Tarek’s sons served as a motivating factor for this plot. This is highly plausible, but the public court material provides no new information as to whether this was part of plotters’ motivation. However, the court material does clarify the dates of these deaths, stating that Abdul-Rahman was killed in September 2016 and that another of Tarek’s sons, Mohamed, was killed in March 2017, while media reports previously stated that both were killed in December 2016. “R v Khaled Khayat; R v Mahmoud Khayat (No 14) [2019] NSWSC 1817 (17 December 2019),” pp. 8-9; Jacquelin Magnay, “‘Barbie’ plotters face death sentence,” *Weekend Australian*, March 24, 2018.

k The precise point at which Hassan directly participated in these communications is unclear, but it is clear that by April 2017, Khaled was in regular contact with Basil Hassan. Tarek Khayat did not step aside after putting Khaled in contact with Hassan, as both Tarek Khayat and Hassan were involved in the planning. The allegations against them referred to a “conspiracy between Tarek, the Controller and Khaled.” At some points in the court material, it is not clear whether the instructions came from Hassan or Tarek, though the most technical instructions do come from Hassan, whose close tutelage guided their efforts to build the devices. “R v Khayat (No 11) [2019] NSWSC 1320 (6 June 2019),” p. 6; “R v Khaled Khayat; R v Mahmoud Khayat (No 14) [2019] NSWSC 1817 (17 December 2019).”

l In several of the Islamic State’s virtually planned plots, the cybercoaches reached out to individuals they had never met, who sometimes proved unreliable. See John Mueller, “The Cybercoaching of Terrorists: Cause for Alarm?” *CTC Sentinel* 10:9 (2017): pp. 29-35; Daveed Gartenstein-Ross, Matt Shear, and David Jones, “Virtual Plotters. Drones. Weaponized AI?: Violent Non-State Actors as Deadly Early Adopters,” Valens Global, November 2019.

m During the trial, the prosecution was unable to present the Telegram exchanges between Khaled and Tarek Khayat, but was able to present some of Khaled’s exchanges with Hassan. “R v Khayat (No 4) [2019] NSWSC 1317 (14 March 2019),” p. 8.

n There is no suggestion in the available material that the cousin was aware the package contained a bomb. Police later questioned him and did not charge him over any role in the plot, and they later stated at a press conference that they were confident they had charged all the people involved. It is also unclear how close Khaled was to this cousin, as Khaled had to ask Mahmoud for the cousin’s full name and address, and Mahmoud then had to ask his wife. “R v Khayat (No 11) [2019] NSWSC 1320 (6 June 2019),” p. 5; “R v Khayat (No 6) [2019] NSWSC 1318 (16 April 2019),” p. 5; “AFP and NSW Police Discuss the Two Sydney Men Charged over Alleged Terrorist Acts,” Australian Federal Police National Media, August 4, 2017, <https://twitter.com/ausfedpolice/status/893244987315331072>.

Wednesday, April 19, they drove to their cousin's house and picked up the successfully delivered parcel.<sup>44</sup>

Khaled Khayat opened the parcel on April 21, 2017, in Mahmoud's presence.<sup>45</sup> He took out the welding machine and removed the copper coil containing the explosive substance. The type of explosive is not publicly known, though media reports suggested that it may have been pentaerythritol tetranitrate (PETN).<sup>46</sup> Khaled sent a photo of the coil to either Tarek Khayat or Basil Hassan to show that he had received it.<sup>47</sup> The coil almost amounted to a functioning bomb, but required batteries, wiring, and a timer. By sending the package, Tarek and Hassan overcame an obstacle that the Islamic State had often struggled with, as al-Qa`ida had before it: how to enable untrained operatives to construct working explosives.

Completing construction of the bomb nonetheless required close tutelage. On April 22, 2017, Basil Hassan sent Khaled Khayat an audio message through Telegram with instructions for how to wire the bomb.<sup>48</sup> Khaled repeatedly sent photos to both Tarek and Hassan to demonstrate his progress and seek feedback. Mahmoud assisted Khaled in conducting research on timers, ordering one through his wife's eBay account.<sup>49</sup> This timer did not prove effective, so on May 23, Khaled purchased another one that turned out to be more suitable.<sup>50</sup>

Although the plotters' priority was to prepare the bomb to destroy an international airliner, they worked on multiple attack plans at the same time, demonstrating the plot's ambitions. The second plan was the chemical weapon attack. On May 6, 2017, Khaled was sent instructions on how to create a chemical compound that could be dispersed as a lethal gas.<sup>51</sup> The public court material provides few details about the intended chemical weapon, but in a press conference on August 4, 2017, the Australian Federal Police described it as a plan to build an "improvised chemical dispersion device" that would release "highly toxic hydrogen sulfide" in "crowded closed spaces, such as public transport."<sup>52</sup> Khaled began by gathering the precursor chemicals and again kept Tarek Khayat and Basil Hassan updated on his progress by sending photos.<sup>53</sup> On May 21, 2017, either Tarek or Hassan via Telegram sent Khaled a video showing how to turn the chemical compound, which they had not yet created, into a poisonous gas.<sup>54</sup>

There was also a third attack plan, which was for Khaled Khayat and Mahmoud Khayat to produce explosives themselves. The intended target, if any was chosen, is unclear. On July 1, 2017, Basil Hassan sent Khaled a video explaining how to develop an explosive substance.<sup>55</sup> Khaled attempted to follow the instructions, but decided it was too difficult and dangerous.<sup>56</sup> This demonstrated the difficulty of creating homemade explosives, even with remote oversight, and the importance of the earlier innovation of delivering a nearly completed bomb through an international courier service.

Khaled and Mahmoud's main focus was on getting the copper coil bomb on board a plane. By June 2017, an opportunity presented itself. Khaled learnt that his estranged brother Amer Khayat was planning to fly to Lebanon.<sup>57</sup> Khaled consulted with Tarek Khayat and Basil Hassan, and they decided to use this as their chance to bomb an international airliner.<sup>58</sup> Khaled and Mahmoud would offer to drive Amer to the airport and provide him with extra luggage as gifts to take to family members.<sup>59</sup> Without Amer's knowledge, the extra luggage would include the bomb.

Amer Khayat's flight, from Sydney to Beirut via Abu Dhabi, was booked for July 15, 2017, so Khaled and Mahmoud needed to have the bomb ready in time.<sup>60</sup> In early July, Tarek asked Khaled to pur-

chase some sort of machinery to hide the bomb inside. Khaled decided to use a meat grinder that he already owned. He removed the meat grinder's internal components and used the space to hide the explosive coil, timer, batteries, and unspecified attachments, though they were not yet connected, and held them in place with silicon.<sup>61</sup> On July 11, 2017, Khaled sent Tarek a picture to show that the bomb components could fit inside the meat grinder.<sup>62</sup>

On July 14, 2017, the day before the planned flight, Basil Hassan advised Khaled on how to set the timer to ensure that the bomb would explode mid-flight. Hassan instructed Khaled to write down the calculations and to send a picture of his work. Khaled sent Hassan a photo, but it included the meat grinder, which was sitting on his desk. Hassan rebuked Khaled, messaging him that, "You should not have sent me a picture of the item you want to send brother."<sup>63</sup> This was one of the few signs of Hassan showing concern that the Khayats were not being sufficiently security-conscious.

The next morning, July 15, 2017, Khaled drove to Amer's house to take him to the airport. The plane was scheduled to leave at 3:00 PM, which provided time for Khaled and Mahmoud to carry out their plan.<sup>64</sup> On the way to the airport, Khaled and Amer stopped at Mahmoud's mother-in-law's house in the Sydney suburb of Surry Hills, where Mahmoud was waiting. While Amer was inside talking to his aunt, Khaled and Mahmoud stayed in the courtyard. Khaled connected the batteries and timer to the coil and other attachments.<sup>65</sup> With their functioning bomb concealed inside the meat grinder, Khaled, Mahmoud, and Amer Khayat traveled to the airport, arriving shortly after 1:00 PM.<sup>66</sup>

The plotters now faced what turned out to be their most serious obstacle yet. A passenger service agent at the Etihad Airways check-in objected to the amount of luggage Amer was carrying. Amer had checked in a suitcase as cabin baggage but was still carrying a black wheeled bag, a black backpack, and a white Toys R Us bag. The meat grinder was inside either the wheeled bag or the backpack, but Amer was unable to proceed further. The passenger service agent told Amer that these bags would exceed the 7kg weight limit for hand luggage and that he would have to either pay to check in some of these bags as cabin baggage or would need to repack his hand luggage. She diligently made a note in the system, suspecting that Amer might try to sneak past, and advised him to see her once he had repacked.<sup>67</sup>

Khaled and Amer returned to the car, where Mahmoud was waiting. Khaled put the White Toys R Us bag into the car and, concerned that the interactions with the passenger service agent had increased the risk of the bomb being discovered, removed the meat grinder from one of the black bags. He then gave the black bags back to Amer, who returned to the terminal and boarded the flight without the bomb.<sup>68</sup>

After failing to place the bomb as hand luggage on the plane, Khaled and Mahmoud returned to their family residence in Surry Hills. They disassembled the bomb by disconnecting the batteries and timer, and then disposed of the meat grinder.<sup>69</sup> Khaled took the coil back to his house in the suburb of Lakemba and placed it in his garage.<sup>70</sup> That evening, Khaled messaged Basil Hassan to tell him that the plan had gone wrong. The next day, July 16, 2017, Hassan asked for details to explain the failure. In response, Khaled lied to Hassan. Rather than revealing that he was at the airport and had removed the meat grinder from Amer's hand luggage, Khaled claimed that Amer had taken it upon himself to return the hand luggage and that he had not found out about it until 5:00 PM.<sup>71</sup>

The judge later described Khaled's actions, removing the bomb from the bag and then lying to Hassan about it, as being motivated by self-preservation.<sup>72</sup> Khaled's cautiousness had initially been an advantage to the Islamic State throughout the plot, as it reinforced their security precautions. Now Khaled's sense of self-preservation served as a hinderance, resulting in him preventing Hassan from receiving truthful information about a crucial part of the plot. However, had Khaled not removed the bomb from the bag, it would not necessarily have made it to the plane as the airport security systems would have posed a formidable obstacle. Although the bomb was intended to pass through undetected, the Australian Federal Police later stated that they tested a replica of the device at multiple airports and that it was detected each time.<sup>73</sup> Khaled's decision to remove the bomb may therefore have prevented the plot from being discovered on July 15, 2017.

Following this failed attempt to bomb the Etihad flight, the plotters took some time to decide on their next steps. Khaled proposed to Basil Hassan that they try again and offered to take the bomb on board a plane himself. However, Hassan said that he needed him to remain inside Australia for an attack.<sup>74</sup> It is not clear how serious Khaled's offer was, given that he had otherwise shown a strong sense of self-preservation. Mahmoud had been planning to fly to Lebanon in September that year and at one point spoke with Khaled about taking the bomb with him, but the conversation had an apparently humorous tone and it is similarly unclear that Mahmoud was genuinely willing to sacrifice himself.<sup>75</sup>

Instead, the plane bombing plan was put to the side. Khaled consulted with Basil Hassan and returned to the plan of developing a new explosive substance. Hassan began to convey a sense of urgency, telling Khaled that "we should be a bit fast."<sup>76</sup> The plotters also discussed returning to the poisonous gas attack as their next best option. On July 24, 2017, Hassan sent instructions to prepare and test the gas within a week.<sup>77</sup> He also provided instructions on how much of the gas would be needed to create a lethal effect in the sorts of public spaces where they were planning to use it. On July 27, 2017, Hassan clarified to Khaled that this meant the homemade explosives plan should be postponed, as the chemical weapon attack was now the top priority.<sup>78</sup>

On July 29, 2017, Khaled and Mahmoud took a bag containing the required chemicals to a barbecue in the parking space of Mahmoud's apartment block. Khaled burnt the chemicals together to create a single substance, which he placed in a plastic bag. At around 3:00 PM, he sent two photos to Hassan with the message, "This is during combustion and after combustion."<sup>79</sup> Khaled was unsure if he had done it correctly, telling Hassan, "But brother after mixing them I only got 94 grams."<sup>80</sup> Forensic evidence later confirmed that Khaled had not combined the chemicals correctly. He would not get another chance, because he and Mahmoud were arrested about an hour later, as a result of Australian counterterrorism authorities becoming aware of the plot three days earlier.

## Disrupting the Plot

For over six months after the plot began on January 21, 2017, Khaled and Mahmoud Khayat had proceeded with their plans undetected by Australian counterterrorism authorities. This changed on July 26, 2017, 11 days after the Khayats had tried to bomb the Etihad flight, when an international intelligence partner alerted Australian security agencies to the threat.<sup>81</sup> By several accounts, it was Israel that provided the crucial information.<sup>82</sup> Australian political

leaders have confirmed that they received information from Israel about the plot,<sup>83</sup> but not necessarily that Israel was the first or only source. Other accounts suggested that British, American, Danish, and Lebanese intelligence also provided Australian counterterrorism authorities with information about the plot.<sup>84</sup>

After becoming aware of the Khayat brothers' activities, security agencies needed to move quickly. As the plotters were based in Sydney, the appropriate mechanism was the New South Wales Joint Counter Terrorism Team. This was a combined federal and state counterterrorism unit established in the early 2000s, which includes members of the Australian Security Intelligence Organisation, the Australian Federal Police, the New South Wales Police, and the New South Wales Crime Commission.

The Joint Counter Terrorism Team established an investigation with the codename *Operation Silves* and immediately began investigating the Khayat brothers and their associates. This involved the use of rare powers such as covert search warrants.<sup>85</sup> The Australian Federal Police later stated that they "used nearly every counterterrorism power that's available to us under Commonwealth and New South Wales legislation, in this investigation."<sup>86</sup>

On the afternoon of July 29, 2017, the Joint Counter Terrorism Team searched the houses and vehicles of all the suspects in a series of high-profile raids.<sup>87</sup> At around 4:00 PM, they arrested Khaled and Mahmoud as well as two of their cousins, including the cousin whose address Khaled had provided to Tarek so that the package would be delivered there. Police questioned the suspects for several days. Khaled Khayat admitted his role in the plot, while firmly denying that Mahmoud was involved. His admissions did not stop him from later pleading not guilty and seeking, unsuccessfully, to have his interviews ruled as inadmissible.<sup>88</sup> Unlike Khaled, Mahmoud Khayat was not forthcoming under questioning. He claimed he had not spoken to Tarek Khayat for two years, but the police evidence showed that he had often communicated with Tarek through Telegram.<sup>89</sup>

Police charged Khaled and Mahmoud under federal legislation with "conspiracy between 20 January 2017 and about 29 July 2017 to do acts in preparation for a terrorist act."<sup>90</sup> Their two cousins were released without being charged with terrorism offences; one was charged for allegedly possessing an illegal weapon (the charge was later dismissed), but neither was accused of being part of the plot.<sup>91</sup>

Khaled Khayat and Mahmoud Khayat both pleaded not guilty, and they faced a joint trial, which began on March 18, 2019.<sup>92</sup> On May 1, 2019, the jury found Khaled guilty.<sup>93</sup> However, they were unable to come to a verdict on Mahmoud, so the jury was discharged on May 3.<sup>94</sup> Mahmoud's retrial began on August 5,<sup>95</sup> but on August 9, the judge decided to discharge the jury for reasons that are not publicly known.<sup>96</sup> Sometime afterward, Mahmoud underwent a second retrial and was found guilty on September 19, 2019.<sup>97</sup>

On December 17, 2019, Khaled Khayat and Mahmoud Khayat were both sentenced. Khaled was sentenced to a term of 40 years in prison and Mahmoud was sentenced to 36 years.<sup>98</sup> Khaled will be eligible for parole in 2047 and Mahmoud will be eligible in 2044.<sup>99</sup> These are the longest sentences that have ever been given in Australia to participants in a foiled terrorist plot.

The Syria-based plotters had little chance to continue their operations. Tarek Khayat was wounded in an airstrike in August 2017 shortly after the plot was foiled. Tarek's leg was amputated, but he managed to flee before Raqqa fell to the Syrian Democratic Forces,

only to be captured near the Syrian-Iraqi border by Iraqi forces on December 27, 2017.<sup>100</sup> In October 2018, an Iraqi court sentenced him to death, not specifically over the plane plot but over his broader role in the Islamic State.<sup>101</sup> It is currently unclear if the sentence has been carried out. There is little to no information available on what has since happened to Basil Hassan. By some accounts, he was killed in Syria at some point after the plot was foiled.<sup>102</sup> Danish authorities managed to dismantle the drone procurement network he allegedly helped establish in Denmark.<sup>103</sup>

The plot's unwitting participant, Amer Khayat, also faced prosecution. In late August 2017, Lebanese authorities announced that they had arrested Amer Khayat and considered him to have been a co-conspirator in the plot. He was charged with terrorism offenses and faced the death penalty. Under interrogation, Amer wrote a statement declaring that he had knowingly been part of the plot. However, this purported confession was tainted by allegations of torture and Australian authorities had always stated that they viewed Amer as an unwilling dupe.<sup>104</sup> Moreover, the prosecution's allegations in Amer's trial were often inconsistent with the evidence presented in Khaled and Mahmoud's trials. In September 2019, Amer was acquitted and returned to live in Australia.<sup>105</sup>

Amer Khayat's ordeal resulted in serious discrepancies in the reporting of what the plane bombing attempt involved. In Amer's trial in Lebanon, the prosecution alleged that a second bomb was taken to the airport on July 15, hidden inside a Barbie doll. This allegation has been widely reported, with the result that the plot is often referred to in the media as the "Barbie doll bomb plot."<sup>106</sup> However, the court material from Khaled and Mahmoud's trials provide no evidence to support the claim that a bomb was taken to the airport inside a doll.

There is one reference to a doll in the publicly available Australian court material, which potentially sheds light on how the claim originated. After Mahmoud Khayat was arrested, he tried to imply that a bomb might be hidden in a doll in the Toys R Us bag that was taken to the airport, to distract the police from the real explosive hidden in Khaled's garage. When sentencing, the judge stated that there "was no evidence, apart from Mahmoud's self-serving speculation, that indicated that the doll contained in the Toys R Us bag had ever contained a bomb.... Mahmoud raised the doll to mislead police about the location of the explosive device."<sup>107</sup>

This shows that Amer did indeed take a doll to the airport but undermines the widely reported claim that it contained a bomb. The information derived from the prosecutions of Khaled and Mahmoud in Australia should be treated as more authoritative than information derived from Amer's prosecutions in Lebanon, for multiple reasons. Unlike Amer's prosecution, the prosecutions of Khaled and Mahmoud resulted in convictions and were not tainted by allegations of torture. Furthermore, the Australian authorities were closer to the events in question and had the necessary forensic evidence at hand, and the court material contains no suggestion that a second bomb (or any components thereof) was unaccounted for.

o However, Human Rights Watch and similar organizations have credibly accused the Iraqi government of unfair trial processes and routine abuses in its dealings with suspected Islamic State members. See "Flawed Justice: Accountability for ISIS Crimes in Iraq," Human Rights Watch, December 5, 2017.

## Operation Silves in the Context of the Islamic State Threat in Australia

The 2017 Sydney plane plot was part of the unprecedented wave of jihadi plots Australia experienced after the Islamic State's global call to arms in September 2014.<sup>108</sup> Between September 2014 and April 2020, Australia experienced up to 24 jihadi plots. Seven of these plots managed to kill or injure people, while up to 17 were foiled by counterterrorism operations.<sup>p</sup>

These plots were inspired by the Islamic State but tended not to involve direct instructions, with the exceptions of five virtually planned plots. Four of these occurred relatively early (in September 2014, February 2015, April 2015, and May 2015) and the fifth was the 2017 Sydney plane plot.<sup>109</sup>

The overwhelming majority of Australia's jihadi plots since September 2014 were relatively simple, but sometimes deadly, and tragically managed to kill five people and injure several more. In most plots, the perpetrators were armed with blades or firearms and often sought to kill one or more police officers.<sup>110</sup> These plots tended not to involve attempted bombings, with the key exceptions being a Melbourne teenager who built pipe bombs under instructions from Islamic State cybercoach Junaid Hussain in May 2015, four men who planned to bomb Melbourne's central business district in December 2016, and the Melbourne Bourke Street attacker in November 2018 who unsuccessfully attempted to ignite gas canisters before stabbing members of the public.<sup>111</sup> The 2017 Sydney plane plot was another of these exceptions.<sup>q</sup>

It was also an exception because of how far the plotters progressed. Most Australian jihadi bomb plots were foiled before the plotters finished building their explosives, well before they were able to take them near the target, yet the Khayat brothers managed to take a functioning bomb to the airport. Another difference was that Khaled and Mahmoud were 49 and 32 years old, respectively, at the time of their arrests, making them older than the majority of Australia's Islamic State supporters (whose average age has been estimated as 25).<sup>112</sup> With military experience and practical skills, they would also prove to be more competent than many.

In short, the plot foiled by *Operation Silves* differed from many other Australian jihadi plots during the Islamic State era by being relatively sophisticated, virtually planned, involving a bomb, and coming close to completion. However, it was the plot's targeting of aviation and attempted development of a chemical weapon that made it so unusual among the Islamic State's external operations elsewhere in the world.

p At the time of writing, 14 foiled jihadi plots have been proven in court, while the individuals accused over the remaining three alleged plots are yet to face trial. Combining these 17 incidents with the seven violent attacks makes for the total of 24 jihadi plots (though three are currently unproven). For details on each of these incidents, see Andrew Zammit, "Proven and alleged terrorist plots in Australia since September 2014," Murphy Raid blog, last updated April 16, 2020.

q There had also been several jihadi bomb plots in Australia before the Islamic State's rise, such as the plot foiled in 2005 when two terrorist cells in Melbourne and Sydney were disrupted by an investigation called *Operation Pendennis*, a Lashkar-e-Taiba bomb plot in Sydney foiled in 2003, and an al-Qa'ida bomb plot that fell apart in 2000. See Andrew Zammit, "Explaining a turning point in Australian jihadism," *Studies in Conflict & Terrorism* 36:9 (2013): pp. 739-755.

## Operation Silves in the Context of the Islamic State's External Operations: Targeting Aviation

Aviation has long been a favored target for terrorists, due to its symbolic value, economic importance, and the prospect of causing so many deaths in a single attack. Since the 1970s, and more so after 9/11, aviation has also been one of the most heavily protected targets. Airports, particularly in developed countries, commonly feature sophisticated security systems with combinations of X-ray machines, sniffer dogs, explosive trace detectors, and well-trained staff.<sup>113</sup> Perhaps due to these difficulties, the Islamic State has not often targeted aviation, with some major exceptions being the bombing of the Russian airliner Metrojet 8968 in Egypt in October 2015 and reports in 2017 that the group was trying to create laptop bombs that could pass through airport security.<sup>114</sup> The attempt to bomb an international airliner in this Sydney plot, despite the security measures in place, points to the continuing importance of aviation as a target.

The decision to target aviation could also have been influenced by Basil Hassan's own priorities. The reporting by Danish public broadcaster DR suggested that he had a particular interest in targeting aviation, hence the efforts to test cargo security in multiple countries. The court material also raises the possibility that he was connected to the bombing of Metrojet 9268. The notes from a police interrogation of Khaled Khayat after his arrest state that he claimed that "there was a plane blown up over Egypt" and that "it was done by these same people offshore, using the same methodology."<sup>s</sup>

The 2017 Sydney plot raised new concerns about aviation security, particularly because the Islamic State had managed to send the explosive through air cargo to Australia without detection. Michael Outram, acting Commissioner of the Australian Border Force, described the plot as:

*"...a game-changer for us in the way we look at the border ... we cannot just look at the border in terms of the physical border when things arrive here ... we need to understand what happens at the various airports and choke points in the supply chain that, say, DHL, UPS, TNT or FedEx use and what are the arrangements at the various airports at which these parcels are being embarked onto aeroplanes."<sup>115</sup>*

These concerns were also held internationally. In late 2017, Nicholas Rasmussen, then Director of the United States National Counterterrorism Center, stated that "we were certainly quite struck by what our Australian colleagues uncovered in the course of that investigation. It revealed to us a broader vulnerability than we perhaps had earlier appreciated."<sup>116</sup> Kevin McAleenan, while serving as Commissioner of U.S. Customs and Border Protection, stated that the Sydney plane plot "galvanized international attention in partner agencies in Europe and elsewhere to focus on this threat."<sup>117</sup>

In response to *Operation Silves*, the Australian government announced the "New Policy Initiative (NPI) – Strengthening Aviation

Precinct Security" in the next federal budget. This allocated AU\$107 million (around US\$68 million) over four years to boost security at the major airports in Sydney, Canberra, Melbourne, Adelaide, Brisbane, Darwin, Cairns, Gold Coast, and Perth. The initiative increased the Australian Federal Police presence at these airports and sought to improving staff training, forensic capabilities, and intelligence efforts.<sup>118</sup> AU\$50.1 million (around US\$32 million) was also allocated to assist other airports across the country.<sup>119</sup>

The Sydney plane plot does not appear to represent a broader shift by the Islamic State to a greater focus on aviation. There is little evidence of the Islamic State targeting aviation since. The most important exception is a reported plot in the Maldives that resembles the Sydney plot. On December 2019, the Commissioner of the Maldives Police Service announced that a group of jihadis in the Maldivian capital city Malé had plotted to build an improvised explosive device to bomb an airliner in 2017, again under instructions from Islamic State operatives, in this case via a Maldivian militant in Syria.<sup>120</sup> However, in general, the Islamic State threat toward aviation does not appear to have escalated since the 2017 Sydney plane plot.

## Operation Silves in the Context of the Islamic State's External Operations: Chemical Weapon Use

Another defining feature of the plot foiled by *Operation Silves* was the attempted development of a chemical weapon. This was an extension of the Islamic State's use of chemical weapons such as chlorine and sulfur mustard agents inside Syria and Iraq, and had been anticipated by some scholars.<sup>1</sup> This aspect of the plot similarly gained international attention. Rebecca Weiner, Assistant Commissioner for Intelligence Analysis at the NYPD, described the attempted development of a chemical device as "one of those outliers that might be an augury of things to come ... you have skilled folks out there who are able to take on this much more specialized knowledge, perhaps with the help of people overseas, and this poses a significant concern."<sup>121</sup>

The Khayats' attempt to create a chemical weapon has fortunately remained an outlier among the Islamic State's external operations. As Markus Binder et al. have argued, the Islamic State had shown little other interest in using chemical weapons outside of Syria and Iraq.<sup>122</sup> For example, there were no instructions for such weapons in Dabiq or Rumiya magazine.<sup>123</sup> This argument holds up well, as subsequent Islamic State plots outside the region have not involved chemical weapons.

There has, however, been a parallel emergence of jihadi plots involving biological weapons. In 2018, Europe experienced three alleged jihadi plots involving the potential use of ricin.<sup>124</sup> The most prominent of these was the Cologne ricin plot in Germany foiled in

r Another potential exception is the Brussels airport bombing in March 2016, though this targeted an unsecured part of the airport rather than a plane flight.

s These are not Khaled Khayat's exact words, but the police notes paraphrasing his comments. "R v Khayat (No 3) [2019] NSWSC 1316 (14 March 2019)," p. 21; Mette Mayli Abaek, Jens Vithner, and Troels Kingo, "Dømt australsk terrorist: Basil Hassan bag bombe på russisk fly," DR, November 6, 2019.

t In 2016, Petter Nesser, Anne Stenerson, and Emilie Oftedal argued that the Islamic State's use of chemical weapons in Syria and Iraq could foreshadow the use of such weapons in Europe. Noting the difficulty of smuggling chemical weapons into Europe, they suggested it was more likely that "that IS bomb-makers devise a way to make improvised chemical bombs from available materials." Though this plot was in Australia rather than Europe, Nesser, Stenerson, and Oftedal's warning proved prescient. See Petter Nesser, Anne Stenerson, and Emilie Oftedal, "Jihadi Terrorism in Europe: The IS-Effect," *Perspectives on Terrorism* 10:6 (2016): pp. 19-20. For more on the Islamic State's chemical weapon use, see Eric Schmitt, "ISIS Used Chemical Arms at Least 52 Times in Syria and Iraq, Report Says," *New York Times*, November 21, 2016.

June 2018, which appears to have similarly been a virtually planned plot. According to German authorities, the key plotter was in contact via Telegram with at least two people suspected of being associated with the Islamic State. An assessment of the plot in this publication noted that “one of these persons allegedly gave him advice on the ricin production and the other one sent him information on how to build an explosive device.”<sup>125</sup> There was also an alleged ricin plot in France in May 2018<sup>126</sup> and an alleged plot involving both ricin and anthrax in Italy in November 2018.<sup>127</sup> The alleged Italian plotter was accused of having joined the Islamic State, but there is little public information about whether the alleged French plotter had Islamic State connections.<sup>128</sup>

There have also been tentative reports of Islamic State plots involving other CBRN (chemical, biological, radiological, and nuclear) approaches. An alleged plot foiled in Indonesia in August 2017 reportedly involved plans to make a radiological “dirty bomb.”<sup>129</sup> A prominent Indonesian Islamic State cybercoach, Bahrun Naim, had published instructions on his website for making such a device.<sup>130</sup> That these CBRN efforts came to light after the 2017 Sydney plane plot could suggest that the plot was partly a sign of things to come, but not dramatically so.<sup>131</sup> The bulk of Islamic State plots have remained more conventional, using bombs, firearms, knives, and cars.<sup>131</sup>

While the chemical weapons component of the 2017 Sydney plane plot does not demonstrate a broader shift, it does suggest that the Islamic State’s cybercoaches were granted considerable freedom to innovate. They did not need to stick to the sorts of approaches recommended in official Islamic State publications like *Rumiyah*; they could instead adapt and experiment in their efforts to cause mass casualties inside target countries.

### Operation Silves in the Context of the Islamic State’s External Operations: Virtual Planning

This leads to the key development behind the 2017 Sydney plane plot: the Islamic State’s need to innovate in its approach to external operations. By 2016, a series of territorial setbacks prompted the Islamic State to rely more on inciting self-starting attacks<sup>v</sup> and on the operational approach known as virtual planning.<sup>132</sup> Neither approach was new. Since 2014, the Islamic State had used a wide range of attack methods, including efforts to inspire self-starting attacks, engaging in virtually planned attacks, and sending foreign fighters to return to their home countries to directly carry out attacks.

u There were some possible CBRN efforts in the Islamic State’s external operations before July 2017, but there is less evidence for this than later. For example, see Dominic Casciani, “Derby terror plot: The online Casanova and his lover,” BBC, January 8, 2018.

v This is demonstrated by then Islamic State spokesman Abu Muhammad al-Adnani’s May 2016 speech telling the Islamic State’s transnational supporters to prioritize preparing attacks rather than trying to travel to Syria or Iraq; changes in its online publications, which now provided more detailed instructions on attack methods (such as the “Just Terror Tactics” sections in *Rumiyah* magazine); and the group’s increased willingness to claim credit for self-starting plots. See Haroro Ingram, “Islamic State’s English-language magazines, 2014-2017: Trends & implications for CT-CVE strategic communications,” *ICCT Research Paper*, March 2018; Alastair Reed and Haroro J. Ingram, “Exploring the Role of Instructional Material in AQAP’s Inspire and ISIS’ *Rumiyah*,” Europol Public Information, June 2017; and “Caliphate Soldiers and Lone Actors: What to Make of IS Claims for Attacks in the West 2016-2018,” *ICCT Research Paper*, April 2019.

However, by 2016, the Kurdish-led Syrian Democratic Forces, backed by the U.S.-led Global Coalition Against Daesh, had seized territory along the Syrian-Turkish border. Turkish forces seized additional territory along the border through Operation Euphrates Shield.<sup>w</sup> Turkey had been the core point of transit for people trying to join the Islamic State, so these losses made it more difficult for the group to both receive and dispatch foreign fighters for the sorts of attacks seen in Paris in November 2015 and in Brussels in March 2016.<sup>x</sup>

Instead, virtual planning allowed Islamic State operatives, usually based in Raqqa, to provide detailed instructions to aspiring attackers inside the target countries without having to send anybody to physically assist the attack. Sometimes these plots proved deadly, such as the shooting attack against a Jakarta mall that killed four people in January 2016 and the murder of a priest in Normandy in July 2016.<sup>133</sup> However, virtually planned plots had a high failure rate.<sup>y</sup> These failures resulted from the inherent difficulties of instigating attacks over long geographic distances, combined with the challenge of remotely screening recruits who could sometimes turn out to be “naïve, voluble, incautious, gullible, incapable, and/or troubled.”<sup>134</sup>

To achieve greater impact, the Islamic State’s cybercoaches continued to experiment with virtual planning by making greater use of encrypted communications technology.<sup>z</sup> They also began to remotely orchestrate the provision of logistical support, by introducing plotters to each other, arranging for sympathizers in the same country to give firearms and explosives to the plotters, and transferring money electronically.<sup>135</sup>

These innovations were built on by Basil Hassan and Tarek Khayat, who overcame some of the obstacles faced by earlier cybercoaches by instead recruiting through family connections and reducing how much they needed to depend on the skills of their

w Operation Euphrates Shield was a Turkish military offensive launched in August 2016 to deny both the Islamic State and Kurdish military forces access to the Syrian-Turkish border. Can Kasapoglu, “Operation Euphrates Shield: Progress and scope,” *Al Jazeera*, February 3, 2017; Metin Gurcan, “Assessing the Post-July 15 Turkish Military: Operations Euphrates Shield and Olive Branch,” *Washington Institute for Near East Policy*, March 2019.

x Sometimes, the Islamic State had to use operatives in Turkey to assist with the logistical dimensions of external operations because it was too difficult to bring the plotters to Syria. See Nuno Tiago Pinto, “The Portugal Connection in the Strasbourg-Marseille Islamic State Terrorist Network,” *CTC Sentinel* 11:10 (2018): pp. 20-21.

y Kim Cragin and Ari Weil found that the Islamic State’s virtually planned plots were less likely to succeed in causing deaths than either their centrally planned plots or self-starting plots. See Kim Cragin and Ari Weil, “‘Virtual Planners’ in the Arsenal of Islamic State External Operations,” *Orbis* 62:2 (2018).

z At first, the Islamic State’s virtually planned plots tended not to make use of encrypted platforms. For example, Junaid Hussain tried to direct several plots through Twitter Direct Messages, Amedy Coulibaly was guided through emails, and the September 2014 Operation Appleby plot in Sydney was guided through the telephone. See Gartenstein-Ross, Shear, and Jones, p. 34; “Paris attacks: Coulibaly ‘given orders by email,’” BBC, October 13, 2015; “R v Azari (No 12) [2019] NSWSC 314 (29 March 2019).”

in-country plotters.<sup>aa</sup> By sending a bomb-making kit and providing close tutelage for the assembly, they removed the need for Khaled Khayat and Mahmoud Khayat to develop skills that they did not already have. Described as an “IKEA model of terrorism,” this direct provision of materials over a long distance, combined with the instructions necessary to use them, was their key innovation.<sup>136</sup> Meghann Teubner, Director of Counterterrorism Intelligence Analysis at the NYPD, stated that the:

*“Australia plot in particular forced us to shift our thought on the threat of an external operation from ISIS, or any terrorist group; in this case a directed plot that does not involve deployed operatives but is instead extremists based in country receiving parts from overseas and possible online, remote communications. This could potentially increase an individual’s capabilities and lethality, and further challenges law enforcement capabilities to detect and disrupt by obfuscating some of the indicators of an advancing plot.”<sup>137</sup>*

Virtually planned plots have continued after *Operation Silves*, though their frequency is unclear. Robin Simcox found 18 plots in Europe between the fall of 2017 and summer of 2019 where the plotters “had some form of contact” with the Islamic State.<sup>138</sup> These would not necessarily have all been virtually planned plots, but some were, even as the Islamic State’s strongholds in Syria and Iraq collapsed. One Islamic State cybercoach in the Philippines directed a planned truck attack in the United Kingdom.<sup>139</sup> A group of alleged bomb plotters arrested in Germany in April 2020 were reportedly in communication with Islamic State operatives in Syria and Afghanistan.<sup>140</sup> Virtually planned plots also continued in other parts of the world, and in at least one case involved direct logistical support similar to the 2017 Sydney plane plot. For example, in 2018, an Islamic State cybercoach based in Idlib reportedly sent a supposed sympathizer in Lebanon (in reality, an intelligence agent) two bombs hidden inside buckets of cheese and provided the agent with instructions on how to assemble them.<sup>141</sup>

This raises the question of why there did not turn out to be many more Islamic State plots using this approach. One reason could be that the 2017 Sydney plane plot represented the personal preferences of figures like Basil Hassan more than the Islamic State’s broader priorities. This is consistent with the broader evidence that the Islamic State’s cybercoaches have considerable freedom to innovate. For example, some virtually planned plots involved female perpetrators at times when the Islamic State’s public material generally eschewed combat roles for women.<sup>142</sup>

aa This is an example of kinship recruitment, which is not rare in jihadi plots. For example, Fernando Reinares and Carola García-Calvo noted that four pairs of brothers were involved in the August 2017 Catalonia attacks, and that “the 2013 Boston bombings, the January 2015 Charlie Hebdo attacks, and the November 2015 Paris attacks” similarly involved siblings. Australian jihadi plots have also often involved family connections among the perpetrators. However, the kinship recruitment seen in the 2017 Sydney plane plot (where one of the Islamic State’s cybercoaches in Syria helped guide a plot by their siblings who lived in another country) appears to be unusual among the Islamic State’s virtually planned plots, as these plots often involved cybercoaches reaching out to individuals to whom they had no previous connections. Fernando Reinares and Carola García-Calvo, “Spaniards, You Are Going to Suffer: The Inside Story of the August 2017 Attacks in Barcelona and Cambrils,” *CTC Sentinel* 11:1 (2018): p. 7; Mohammed M. Hafez, “The Ties that Bind: How Terrorists Exploit Family Bonds,” *CTC Sentinel* 9:2 (2016); Shandon Harris-Hogan, “The Importance of Family - The Key to Understanding the Evolution of Jihadism in Australia,” *Security Challenges* 10:1 (2014).

Another reason, compatible with the first, is that the Islamic State simply did not get the chance to carry out many more ambitious and innovative plots like the Sydney plane plot because they soon faced devastating military losses. Raqqa, where the plot was directed from, fell to the Syrian Democratic Forces in October 2017. By 2018, the Global Coalition Against Daesh and its local partners had inflicted further territorial losses, killed many of the Islamic State’s prominent cybercoaches, and damaged the organization’s command and control structures.<sup>143</sup> Furthermore, the Islamic State’s online presence deteriorated due to crackdowns by social media companies and cyber offensives such as Operation Glowing Symphony.<sup>144</sup> The Islamic State has since lost even more momentum, as shown by a global decline in attacks, the death of its leader Abu Bakr al-Baghdadi, and the November 2019 Europol disruption campaign against the Islamic State’s Telegram channels.<sup>145</sup> These setbacks impeded the Islamic State’s external operations and reduced the prospects of further plots of the sort foiled by *Operation Silves*.

## Conclusion

The 2017 Sydney plane plot was a virtually planned plot characterized by the targeting of aviation, the attempted development of a chemical weapon, and the direct provision of logistical support over a long distance by mailing bomb components and providing instructions on bomb assembly. These characteristics made it unusual among the Islamic State’s external operations, which is what gained the plot widespread international attention after it was foiled by *Operation Silves* in July 2017.

At the individual level, the 2017 Sydney plane plot resulted from Basil Hassan and Tarek Khayat joining forces in Raqqa. They grew up in Denmark and Lebanon, respectively, and each man became involved in local jihadi networks with international connections and reportedly engaged in violence against local targets (a Danish public figure and the Lebanese military) before fleeing to Syria and playing important roles in the Islamic State. At the organizational level, the plot resulted from the evolution of the Islamic State’s external operations. The group’s territorial losses, particularly along the Syrian-Turkish border, disrupted the movement of foreign fighters and increased the relative importance of virtually planned attacks. Yet these plots often failed, rarely causing mass deaths, creating the need for adaptation.

By early 2017, Basil Hassan, who had already been designated by the United States as a key “external operations plotter,” was playing an active role in these attempts to innovate.<sup>146</sup> Tarek Khayat was able to assist by reaching out to two of his brothers in Australia who were firm Islamic State supporters. Khaled Khayat and Mahmoud Khayat accepted their guidance and prepared to murder hundreds of plane passengers and to use poison gas to murder more members of the public.

Despite seeking to attack harder targets than most other Islamic State plots in the West, Tarek Khayat and Basil Hassan possessed many advantages that helped the plot progress. By recruiting through family connections, they ensured that they chose plotters who were competent enough to follow instructions and proceed with their plans without drawing attention to themselves. This had not been the case for some of the Islamic State’s other virtually planned plots.<sup>147</sup> Another advantage was that Khaled Khayat and Mahmoud Khayat were not already under close security attention. An additional advantage was that by providing direct logistical sup-

port by mailing bomb components and providing instructions on bomb assembly, the Islamic State did not need to rely on the Sydney brothers' own bomb-making skills.

However, these advantages were not enough to overcome all the obstacles the plot faced. These obstacles included dilemmas that were familiar to many of the Islamic State's virtually planned plots, such as Khaled Khayat and Mahmoud Khayat struggling when required to create their own weapons. Furthermore, they were not always compliant, as shown when Khaled lied to Hassan by pretending that it was not he who removed the bomb from Amer's bag.

The security environment posed the biggest obstacles. Australia's airport security measures made it unlikely that the bomb would have actually made it onto the plane. International intelligence cooperation meant that Australian authorities were able to become aware of the plot without first detecting it themselves. Counterterrorism measures, which had been in place for years and were being used repeatedly after September 2014, meant that Australia's police and security agencies were able to rapidly act on this information and arrest the plotters three days later.

Looking back nearly three years later, the plot remains largely an outlier. Its distinctive characteristics—targeting aviation, attempting to develop a chemical weapon, and direct logistical support over a long geographic distance—may have been due to the Islamic State's cybercoaches having space to innovate rather than larger shifts in the group's priorities. The subsequent degradation of the Islamic State's external operations capability reduced the opportunities for further plots featuring these characteristics.

The 2017 Sydney plane plot therefore remains one of the most ambitious and innovative of the Islamic State's external operations in the West, and the most serious jihadi plot that Australia has faced. The plotters possessed several advantages that enabled their plans to come closer to completion than many comparable Islamic State plots, particularly its other virtually planned attacks. However, these advantages were not enough to overcome the obstacles posed by the inherent difficulties involved in long-distance terrorist plots and by Australia's years of investment in airport security, international intelligence cooperation, and counterterrorism capabilities. **CTC**

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# A View from the CT Foxhole: Donald Yamamoto, United States Ambassador to Somalia

By Jason Warner

*Ambassador Donald Yamamoto is the U.S. Ambassador to Somalia. Before this posting, he most recently served as Acting Assistant Secretary for the Bureau of African Affairs. Previously, he also served as Senior Vice President at the National Defense University and in senior positions in Afghanistan. Over the course of his Foreign Service career, he served multiple tours in Africa, including as United States Ambassador to both Ethiopia and Djibouti, and Head of Mission in Somalia, Eritrea, and Guinea. Mr. Yamamoto earned an A.B. and M.A. from Columbia University and an M.S. from the National War College. Among his awards are the Robert Frasure Memorial Award, a Presidential Distinguished Honor Award, a Presidential Distinguished Service Award, and a Secretary of State Distinguished Honor Award. Mr. Yamamoto speaks Japanese, Chinese, and French.*

*Editor's note: This interview, which has been edited by CTC Sentinel, was conducted in front of cadets on February 18, 2020, at the U.S. Military Academy at West Point. While the primary discussion was between Ambassador Yamamoto and Dr. Warner, West Point cadets also asked Ambassador Yamamoto questions.*

**CTC: You told us earlier today that you hold the distinguished title of being the longest-serving foreign service officer in the State Department. What stands out, really from an outsider's perspective, is the profound degree of experience you have on the African continent. How did that come about, and what have been the issues you have worked on?**

**Yamamoto:** I started off as a Middle East expert, and then because I was able to speak some Asian languages, the Asia Bureau recruited me to serve as Ambassador Michael Mansfield's chief of staff because of his desire to have a Japanese speaker. I had great experiences working with great ambassadors: Michael Mansfield, who [was] the longest-serving Senate Majority leader, and of course later on with Vice President [Walter] Mondale when he was ambassador to Tokyo. And then in China, as the human rights officer with James Lilley, who was the station chief for President Bush 41 when he was the head of the mission.

Going to Africa probably offers an opportunity that you don't have in other embassies. We have over 270 embassies, diplomatic missions, and consulates worldwide. As a young officer, you're assigned sometimes to a big embassy, and your job has a very focused scope. But [with] Africa, we have limited human resources, and we expect everyone to assume multiple roles in a significant and dynamic manner.

And in that context, right now particularly in the service because we had not hired for so long, we have a lot of people retiring. And so the corps is really young. Maybe 65 percent to 70 percent have less than 10 years of service, and most of them have less than five

years of service. So it's a very, very young service, and we expect them to do a lot of work. In Somalia, I include my staff, which is not very many, when we go meet the president [of Somalia], the prime minister, local leaders, they're there in the meetings with me. When we're talking to [U.S. AFRICOM Commander] General [Stephen] Townsend, I'll have a couple of young officers there with me to understand what the military's doing. And then we have our daily and weekly meetings with the most senior officials in Somalia but also with our U.S. military personnel at the different commands. And our staff is right there. So it's an opportunity that you do not see in very many embassies in the world. It's a very unusual operation.

The State Department and the military are very similar in one regard. You have combatant commanders, regional combatant commanders [in the U.S. military]. Same thing at the State Department; we have regional assistant secretaries. So I did two stints as Acting [Assistant Secretary of State for African Affairs], and it's like the combatant commanders. You really have a lot of authority and say over your personnel, your budgeting. And Africa is probably the newest of the regional bureaus. We have about 1,500 or so officers and then 3,200 interagency staff and about 14,000 local staff and a number of dependents working in our embassies focused on Africa.

What we did, evolutionary-wise [as concerns U.S. policy in Africa] was how to help transition Africa from colonial to post-colonial to development, to a model where countries move toward self-reliance. For instance, we had [former U.S. Ambassador Ryan] Crocker and the others who were looking at this transition in South Africa. The second major issue for U.S.-Africa policy was how to forgive debt. And so simultaneously, we have to help countries transition from post-colonial to development to self-reliance by forgiving debt, we thought we could get countries back on their feet and become stable.

A third sector that U.S. policy has focused on is democracy and governance issues. We had very few countries which were democratically elected at this moment in time. You've got to use that term very loosely because [democracy] is still an evolving process. But now we have probably two dozen African countries that are democratically elected, again, with varying levels of freedom and fairness in their elections.

Then the next phase [the fourth aspect of U.S.-Africa policy] is, of course, security and terrorism. After 9/11, there has been profound change in this area. You have not only the rise of Boko Haram and other terrorist groups within certain countries but also international groups affiliated with ISIS and al-Qa`ida, including, of course, al-Shabaab in Somalia. So those are some of the areas that we're seeing trendlines [in].

**CTC: As we're at this 30,000-foot view of trying to understand what the U.S. government, the U.S. military, and the State Department are doing in Africa, one of the priorities the U.S. government outlined in the 2018 National Security Strategy that**



*United States Ambassador to Somalia Donald Yamamoto is pictured during his February 2020 interview with Dr. Jason Warner at the United States Military Academy at West Point.*

**it is, in fact, moving away from a focus on looking at particular terror groups as the primary threat to U.S. national security to a new focus, to some extent, on near-peer competitors or great power competition. In other words, we're moving away from an era in which al-Qa`ida and transnational jihadi groups were looked at as the primary source of U.S. worry abroad, and increasingly, nation-state adversaries like Russia, China, and Iran are assuming that role. To the extent that that is the new outlook, how does the African continent figure into that? How do we think about the role of great-power competition or near-peer competition on the continent from your perspective?**

**Yamamoto:** So the new terminology now is not “great powers” but “global powers” because the United States is *the* great power. Even despite this shift, we need to still focus on extremism because it is a problem. It remains a problem. It remains a problem not only from Boko Haram in Nigeria, ISIS West Africa across the trans-Sahel but also al-Shabaab.

When it comes to our near-peer competitors such as China and Russia, one of the things they're focused on is the *resources* that are coming from East Africa. Because if you look at the future, the biggest repository of rare earth minerals, heavy metals, is East Africa. That's the future. All your cell phones, all your future high-tech weapons, all those materials can be found in Africa, and mainly East Africa. That's why these U.S. competitors are there; that's why we need to look at the continent. What do global competitors want in Africa? You think they care about Africa? Forget it. They do not care. What they want is resources. Why? Because resources are the key to their own economic development.

I look at this issue particularly in the case of Somalia. Once you have a destabilized Somalia, you're going to have a destabilized world because everything affects each other. And what we try to tell these global competitors is that it is in their national interest to ensure they don't suck out all these resources, that it's in their interest to work to develop this so that at least the Africans can benefit from these resources. And also from there, stabilize the countries, which means you have fewer problems—from exporting terrorism or being a base for terrorism, to migrant crises.

**CTC: Looking at Somalia, how did al-Shabaab originate, and what threat does it pose to the country?**

**Yamamoto:** Back in January 1991, in the height of civil war between the clans [in Somalia], the U.S. closed the mission, the embassy. When the people started to look at how to overcome civil war, they started to look towards Islamic-based groups. One of them was called the Islamic Courts Union. Back in the mid-2000s, Ethiopia launched its operations against the Islamic Courts Union, and the United States was closely aligned with Ethiopia as an important economic and security partner. Many assessed that this unleashed an even more powerful and more violent group, the al-Shabaab elements, the threat of which we're still trying to address in Somalia today. A lot of them are Taliban trained. [Mukhtar] Robow, one of the founding members of al-Shabaab, was a prime example of an Afghan-trained militant with high levels of access, including having met directly with Usama bin Ladin.

Today, [al-Shabaab] controls a lot of the agricultural centers that we're trying to release. They control the main taxation of the main

road areas. They have about 10,000 fighters, but they also have about 2,000 to 3,000 hardcore ideologues. That's really the passion that drives them. They're violent, extraordinarily brutal.

**CTC:** To what extent do those in the Somali government say, “Yes, it is in fact China or Russia or Iran that is our primary concern as opposed to al-Shabaab and its affiliations with al-Qa`ida”?

**Yamamoto:** To the Somalis, the biggest challenge and problem is not Russia and China because they have not made the impact into Somalia that they have in other countries. Right now, just on the China issue—because that's become the flavor of the week—the \$500 billion in total debt load in Africa, most of that is [held] by multilateral institutions (approximately 35 percent). China only has 20 percent, but it's focused its attention on those countries with high rates of rare-earth minerals, metals, and of course port facilities. That's about 18 countries. Somalia, on the other hand, only accounts for about \$5 billion of debt, most of which is owed to the United States from the Somali Civil War period (1970-1990).

I think once we are on track to greater stability, which we are, in part because of the efforts of the United States, then I think you're going to see a lot more activities by these three countries [China, Russia, and Iran]. But in the meantime, the United States is Somalia's best partner.

The other issue too is the [African] diaspora, which plays a significantly positive role not only in Somalia but across the continent. And the involvement of the Somali Diaspora in the U.S. is a benefit that you don't see from these peer competitors because, for one, they don't take in diaspora people, because they're very homogenous and very closed societies. This gives the United States an advantage.

What are the priority issues for Somalis? It is Shabaab and security, but the challenge they face is more than Shabaab. For them, it's about stability and building a future. If you ask a Somali, “What are the things you really want?” his answer will be, “We want to get jobs. We want to have stability.” If there's 70 percent unemployment, a job is critical. The other desire is education. If you have a 65-percent illiteracy rate, education becomes an issue. Another priority is healthcare. If one out of every 10 of your children is going to die before the age of five, that's a challenge.

**CTC:** To the extent that the United States is involved in combating al-Shabaab, can you walk us through how the United States has thought about it as a challenge and some of the efforts that the United States has undertaken either alone or in concert with others to fight al-Shabaab?

**Yamamoto:** So why is the U.S. in Somalia in general? Somalia was dead last in foreign assistance for years after the U.S. left the country in 1991. Why is it now in the top five of aid recipients? It's because the United States is making a concerted effort to have greater stability in Somalia because of the threat that would emanate if we didn't. [Particularly to] our main, core embassies in the region—in Addis [Ababa], Ethiopia, and in Nairobi, Kenya—our largest missions in Africa, our most important, would face risks from an unstable Somalia, so we need to look at how we can stabilize Somalia.

So what is the United States doing? We're taking a different approach, as we came in last year, we went to the president [of Somalia] and said, “we're not going to have just American troops out



*Ambassador Yamamoto and Dr. Warner are pictured during their interview on February 18, 2020.*

there every night. We want to see Somali troops.” And that's why we've launched the first ever in Somalia joint military operation led by the Somali army and U.S.-trained Somali soldiers called Danab, which are specialized units. The United Nations, Great Britain, the European Union, the United States are the major supporters of sustaining this army against Shabaab. There has also been help from other countries—Turkey has trained troops, UAE, Qatar, and of course the Italians have done a great job. But again, it's a long-range effort. It's going to require generational change. My one caution is that Somalia must move to diversify its armed forces from a northern-based army and include more soldiers from clans and groups from the southern region of Somalia. There has to be more southern inclusion because Shabaab is based in the south.

**CTC:** AMISOM, the African Union Mission in Somalia, has been one of the primary bulwarks against al-Shabaab over many years, but by the end of this month [February 2020], AMISOM is supposed to draw down its forces rather significantly by about 1,000 people,<sup>1</sup> which has caused great concern. Could you speak a little bit about AMISOM and what the potential impact of this drawdown would be?

**Yamamoto:** After the Islamic Courts Union dominated Somalia, and the Ethiopians came in in 2006 and 2007, the issue became: how do you stabilize Somalia? The answer we came up with is we need to have the African Union as part of it. So we went to all the leaders in East Africa and said, “Let's form a group.” The thinking was that this group would eventually be supported by the United Nations as well. But this gets to the heart of what the United States is doing in Africa. There has to be an African approach to these Af-

frican challenges. And so when you look at peacekeeping operations in Africa just 20 years ago, they were undertaken predominantly by non-Africans. And so [in] an effort by the State Department, along with DoD, we've now trained in the last decade, under the ACOTA program, the Africa Contingency Operations Training and Assistance program, over 350,000 troops from 32 [African] countries. So instead of seeing 80 percent of peacekeepers from non-African countries, it's now 80 percent of forces from Africa that are dealing with these issues.

**CTC [cadet question]: You started talking about the clan dimension of Somalia's civil war. What are the United States, Somalia, and the African Union doing to try to overcome these differences between clans?**

**Yamamoto:** [The main issue with clan politics is] that, simply by looking at someone, you don't know which clan someone comes from. Until they start talking about which clan they're from, it's difficult to know.

That raises a challenge because what clan people belong to tends to determine who supports them, who gives them protection, and who gives help to their families. It becomes a support mechanism. To change this reliance on clan affiliation, what you want is generational change. Over 70 percent of Somalis are under 30, and they want change. And what overreliance on clan politics does is prevents change.

What the U.S. is doing to help overcome some of these challenges around clan dynamics is based on the notion that education is going to set people free. If you have 65-percent illiteracy rates, the clans will obviously dominate, because everyone depends on them. But, if you can use education to help citizens move beyond clan politics, then that's going to help change that process. That change though is only going to come through generational change and cultural change. It's going to take time. What you instead want to do is have a peaceful transition from a reliance on clan politics to a much more individual, dynamic approach based on giving people the freedom to choose and select their pathways in life rather than having elders selecting for them.

**CTC: When we look at the fight against al-Shabaab, while there are glimmers of hope, in general, there is still a tremendous amount of progress that needs to be made. And so, one of the perennial questions is why, after years of battling al-Shabaab, can't we get it right? What are some of the core facets that keep us from getting rid of al-Shabaab?**

**Yamamoto:** It goes back to the heart of "what is the national strategy?" It's stabilization. It's putting Somalia on a trajectory that's going to benefit the people. Shabaab is only emblematic or endemic of the broader challenges that face Somalia. So if you eliminate the Shabaab without addressing the fundamental problems that gave rise [to it], then you're going to have another problem. Just as the Islamic Courts Union gave into Shabaab, Shabaab could potentially give rise to an even more violent organization and group. And that's the challenge we're trying to face. How do you do long-term and definite stabilization to the country that will bring peace to not only Somalia but to the rest of the region? That really is the fundamental question that the U.S. and the international community is trying to answer. And so that's what we're trying to do, through development

and through really a political change of re-transforming clan-ism to a much more comprehensive, dynamic, modern type of society.

**CTC: One of the other suggestions that is increasingly percolating in international policy circles is, particularly in light of recent negotiations with the Taliban, that there might be space for a negotiated settlement with al-Shabaab. I'd be interested to hear your thoughts on what the likelihood of that might be, if it could succeed, or even if it's politically feasible.**

**Yamamoto:** The question is: is there any basis for negotiations? There are some countries that think that negotiations could put an end [to the] conflict [in Somalia]. From my experience, negotiations are great, but it has to be in the context of members of the group being willing to negotiate. In the specific case of Somalia, if you have got 2,000 to 3,000 hardcore fighters in Shabaab who are not going to negotiate, then that's a problem. So how do you bring them to the table? We're looking at Afghanistan right now and the agreement with the Taliban. Is that model a basis for other areas of conflict? Or are we looking at delaying a problem as we did in Vietnam and eventually allowing the party we're negotiating with to take over? Every scenario—Vietnam, Afghanistan, or Somalia—has to be looked at individually. I think right now in Somalia, it's too early to say, "we need to negotiate." I think ultimately negotiation, be it with Shabaab or groups or organizations, is a challenge. It's something the people of Somalia need to address. It's not a U.S. call. It's going to be a Somalia call. And we really have to understand it's their battle, it's their war, it's their conflict. It affects us and we're going to play a role in it, but ultimately, it's going to be the Somalis to decide if they want to negotiate or not.

**CTC: What is your perception of the role of women as both the perpetrators of violence as well as bulwarks against violence being perpetrated by al-Shabaab?**

**Yamamoto:** You know, that's a very good question because the answer is that we don't have all the data and the details. Women play a strong role in African culture, and in families in general, and in Somalia in particular. And so if you have women groups who are on the cusp of supporting change and leading that change despite the threats that they face by Shabaab, that's something that's natural. But then you see women that are part of Shabaab, like for instance, the recent suicide bombing against the mayor of Mogadishu by a female adviser, a woman that we knew about being an important influencer for the rights of women and the disabled.<sup>a</sup> And here, she takes out the mayor and the [municipal] cabinet. How is it that she became such a true believer in the fight? That's a threat that we need to look at, societal and culturally. And the Somalis need to answer that question themselves.

They said that so long as Shabaab continues their in-roads into destroying Somali culture, which is a very family-oriented fabric

<sup>a</sup> Editor's note: On July 24, 2019, an attack by a female suicide bomber at the headquarters of the mayor of Mogadishu resulted in the deaths of eight people, including the mayor Abdirahman Omar Osman, who later died of his injuries. Voice of America reported that "the female bomber was blind and had been working for the mayor as the special needs coordinator since May, 2018." Harun Maruf, "Mogadishu Mayor Targeted by Female Bomber," Voice of America, August 9, 2019.

and what Shabaab wants to do is destroy that fabric and control and dominate, if that continues—Shabaab domination—you’re going to see a further degradation of cultural and societal norms. That’s the

challenge I think for the Somali people but also probably for all of us in the future in fighting extremism. **CTC**

## Citations

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- 1 “AMISOM. Somali security forces and international partners discuss drawdown and future operations,” AMISOM, February 4, 2020.

# Overblown: Exploring the Gap Between the Fear of Terrorist Recidivism and the Evidence

By Thomas Renard

**Two recent attacks in London, in November 2019 and February 2020, by two convicted terrorists released from prison resulted in a surge of concern about terrorist recidivism. However, statistics and the academic literature suggest that, on the contrary, terrorists are unlikely to relapse into violent extremism. A review of the judiciary files of 557 jihadi terrorist convicts in Belgium, spanning the three decades from 1990, confirms that less than five percent re-engaged in terrorist activities. These findings bear significant implications for counterterrorism policies broadly and for sentencing and post-penitentiary measures more specifically.**

**T**he fear that terrorist offenders could go back to their ‘old ways’ after their release from prison is widely shared among security services and the public. Two recent attacks have just added to this fear. On November 29, 2019, Usman Khan stabbed two people to death near London Bridge, around a year after his release from prison.<sup>1</sup> He had been sentenced in 2012 for planning terrorist activities.<sup>2</sup> On February 2, 2020, Sudesh Amman was shot dead by police shortly after he started stabbing passersby in Streatham, South London, only 10 days after his release from prison.<sup>3</sup> He had been convicted in November 2018 to 40 months in jail for possession and dissemination of terrorist material, in connection with the Islamic State.<sup>4</sup>

For more than two years, European security services have been raising concerns about the planned release of hundreds of jihadis from prison. This is a “worrying threat that we are taking very seriously,” a European official told Agence France-Presse in early 2018.<sup>5</sup> In its annual report published in 2018, the Belgian intelligence service, VSSE, warned of a potential new wave of terrorism resulting from a “recidivism surge” among released extremists.<sup>6</sup> The report observed that “many” terrorists convicted in Belgium between 2001-2011 had reoffended, while highlighting a “current and persistent trend of recidivism” among terrorist offenders.<sup>7</sup> Meanwhile, European prison and probation officers have discussed this issue

on several occasions, in the context of the E.U.-wide Radicalisation Awareness Network (RAN).<sup>a</sup>

Even before the recent London stabbing attacks, the management of released terrorist offenders had been identified as a political priority. The 2018 final report of the European Union’s High-Level Commission Expert Group on Radicalisation (HLCEG-R)<sup>b</sup> warned that prison “may only delay” the threat posed by extremists.<sup>8</sup> In June 2019, the Council of the European Union, gathering all E.U. ministers of justice, adopted conclusions on “dealing with terrorist and violent extremist offenders after release.”<sup>9</sup> In February 2020, the Under-Secretary-General of the United Nations Counter-Terrorism Office, Vladimir Voronkov, stated that reducing the risk of recidivism for returning foreign fighters and terrorist offenders was a key priority for the United Nations.<sup>10</sup>

Clearly, the dominant perception is that a significant number of terrorists could potentially recidivate. However, in contrast with this perception, this article argues that though terrorist recidivism hits the headlines when it occurs, it is a very rare phenomenon.

This article starts with a review of the debate and data on terrorist recidivism. After defining (terrorist) recidivism, it highlights the main findings from the existing literature, which points to low rates of terrorist recidivism. Subsequently, this article introduces a new dataset on jihadi offenders in Belgium, including more than 500 terrorist convicts between January 1, 1990, and the end of 2019. The key finding is that there is a low rate of terrorist recidivism in Belgium, a similar conclusion to other studies in the literature.

## Part One: The Debate and the Data So Far on Terrorist Recidivism

### Fear-Based Policies

Terrorist recidivism is not a new phenomenon. A famous precedent was Cherif Kouachi, one of the co-perpetrators of the terrorist attack against the staff of the French satire magazine *Charlie Hebdo* in January 2015, killing 12.<sup>11</sup> Kouachi had been arrested in 2005 and sentenced in 2008 for his role in a network that had sent jihadi volunteers to fight in Iraq. However, he walked free of the trial as he had already served 18 months between 2005-2006.<sup>12</sup> Many

*Thomas Renard is a Senior Research Fellow at the Egmont Institute and Adjunct Professor at the Vesalius College in Brussels. The author thanks Cassandra Bockstael for her assistance in the coding of recidivism data and is also very grateful to the Belgian Coordination Unit for the Threat Analysis (CUTA), which provided tremendous support to this project, and to the Federal Prosecutor’s Office for granting access to terrorism-related judgments. Finally, the author thanks his colleague Rik Coolsaet and Andrew Silke, for their helpful comments on early drafts. Follow @tom\_renard*

a The RAN was established in 2011 and is funded by the European Commission. It brings together over 2,400 practitioners from across Europe on a regular basis to discuss specific issues and share good practices. There is notably a working group on Prison and Probation and another one on Exit programs.

b HLCEG-R was established in 2017 and convened relevant representatives from the E.U. institutions and E.U. member states.

other cases of terrorist reoffending could be cited.<sup>c</sup> Long before Amman, Khan, or Kouachi, one could, for instance, mention Abu Musab al-Zarqawi (jailed in 1993),<sup>13</sup> founder of al-Qa`ida in Iraq; or Ayman al-Zawahiri (jailed in 1981),<sup>14</sup> current leader of al-Qa`ida.

Given these remarkable precedents, the rising concerns about terrorist recidivism must be understood in light of the unprecedented magnitude of the jihadi threat, particularly in prison. There are currently more than 4,000 inmates in Western Europe that are either returning foreign fighters, convicted terrorists, radicalized inmates, or inmates “vulnerable to radicalization.”<sup>d</sup> The planned release of a significant number of these inmates in the coming two years is a considerable source of concern. (For example, approximately 90 percent of the 1,700 terrorist convicts and radicalized inmates in France will be released by 2025.<sup>15</sup>)

The fear of recidivism is further reinforced by concerns about radicalization in prisons, which have been commonly described as “breeding ground for radicalization” or “universities of jihad.” As Alain Grignard,<sup>16</sup> long a leading figure in Belgian counterterrorism, has argued “rarely do people come out of prison better than when they went in ... they can come out even more motivated than before.”<sup>17</sup> In the United Kingdom, an independent review of Islamist extremism in prisons concluded in 2016 that radicalization in prison was a “growing problem” that was poorly handled.<sup>18</sup> In France, new research claims that the jihadi movement is exploiting prisons to regroup.<sup>19</sup> According to this view, terrorist offenders tend to withhold or strengthen their extremist views in prison, or radicalize others, making them even more dangerous upon release.

Such assessments suggest there will be more Usman Khans and Sudesh Ammans to come. The problem, however, is that there is little more than anecdotal evidence to support these gloomy evaluations. In fact, the academic literature challenges such assumptions. As noted by Andrew Silke, radicalization in prison remains a marginal phenomenon, and the fear of *potential* radicalization is often higher than the *actual* radicalization.<sup>20</sup> The same can be said about recidivism, as this article will highlight.

Yet, policy discussions over radicalization in prison and terrorist recidivism are too often shaped by unsupported assumptions or misperceptions. Many analysts argue or assume, without evidence, that terrorists are likely to recidivate. As a result, policies tend to be more driven by fear than evidence.<sup>e</sup>

Recent discussions in the United Kingdom illustrate this. An emergency bill to restrict the release of terrorist offenders was passed by Parliament, following recent attacks.<sup>21</sup> This was approved despite evidence that Khan and Amman are more likely to

be eye-catching outliers than a harbinger of things to come. Indeed, according to recently released figures, only six terrorist offenders have been reconvicted of a further terrorist offense in England and Wales, out of 196 offenders released between January 2013 and December 2019 (3%).<sup>22</sup> While the concern about terrorist recidivism is understandable, particularly from the point of view of security services, it is unclear how longer prison sentences would reduce recidivism, or how this would address the correlated risk of radicalization in prison. Yet, fear and emotions seem to have dominated, and it is hard to see anything else than a knee-jerk (over)reaction recently in the United Kingdom.

## What is Recidivism?

Before looking into the literature on terrorist recidivism, it is necessary to first clarify what is meant by *recidivism*. Indeed, there can be different understandings leading to very different results. In its traditional, narrow sense, *recidivism* can be conceived as two separate convictions, for distinct offenses. An even narrower definition focuses on individuals who recidivated during their period of probation or reprieve (“legal recidivism”). In these classical understandings, recidivism rates incorporate reconvictions for any type of offense (for instance, murder and tax fraud). These rates exclude, however, re-arrest that did not lead to reconviction.

Along these lines, *terrorist recidivism* can be conceived in two different manners. In one broad conception, it can be a person who is convicted (at least) twice, including at least once for a terrorism-related offense. This would include, for instance, a former terrorist offender reconvicted for a criminal offense. In a narrower conception, it can be defined as two distinct convictions for terrorism-related offenses.

Arguably, the latter definition encapsulates the main fear of security services and society, that is a released terrorist who would go back to terrorist activities and possibly seek to commit an attack. In contrast, the former definition encapsulates terrorists with a criminal past, or future, covering the so-called “crime-terror nexus,” which is indeed a growing focus in the academic literature as well as in policy discussions.<sup>23</sup> This would include a larger group of individuals who are not the primary concern of intelligence services, such as former terrorists who returned to criminal activities. This broad definition is more likely to approach “ordinary” rates of recidivism, which equally do not distinguish between the type of offense.

Some researchers argue convincingly that what matters is not reconviction rates (recidivism), but whether an individual reengages in terrorist activities or not. After all, this is indeed the main security concern. *Terrorist reengagement* has been conceptualized as “a return to terrorism after a period of disengagement, regardless of whether the disengagement was involuntary or voluntary.”<sup>24</sup> Involuntary disengagement can refer to imprisonment, not necessarily sanctioned by a judiciary decision, whereas voluntary disengagement occurs when a person distances itself from violence on its own initiative. This additional conceptualization is helpful and complementary with terrorist recidivism. It accounts for individuals who reengaged without being convicted.<sup>f</sup> For instance, Usman

c A recent review of 87 autobiographies of terrorists, published between 1912 and 2011, covering 70 different terrorist organizations, identified 52 individuals who reoffended multiple times. See Mary Beth Altier, Emma L. Boyle, and John G. Horgan, “Returning to the Fight: An Empirical Analysis of Terrorist Reengagement and Recidivism,” *Terrorism and Political Violence*, online November 18, 2019.

d This includes notably about 1,700 in France, 700 in the United Kingdom, over 700 in Spain and Italy, over 100 in Scandinavia, and over 200 in Belgium. This estimate is based on the author’s own compilation, relying on open sources and interviews with analysts from all relevant countries, in 2018-2019. A forthcoming publication by Rajan Basra and Peter Neumann of the ICSR in London has more figures on this.

e To be fair, the evidence is sometimes missing due to a paucity of rigorous academic research in these topics, providing empirical or quantitative evidence on the risk of recidivism, as highlighted in this article.

f Reengagement rates can include individuals who were convicted only once for terrorism-related offenses, but also individuals who were never convicted. There are some jihadi militants in Europe whose names appear in a number of cases, but have never been convicted or prosecuted.

Khan and Sudesh Amman would not—under a definition looking at convictions—be counted as recidivists, since they were killed, and therefore not prosecuted, although they definitely reengaged in terrorism. Logically, according to such a definition, there are more cases of reengagement than recidivism.

Another important distinction in the academic literature is between studies that have looked into terrorist recidivism in a specific country over an extended period of time, generally relying on data provided by the authorities, and studies that have evaluated deradicalization or rehabilitation programs, focusing on the clients of these programs only. In the second case, the objective is not to measure recidivism rates, but rather the success (or not) of the program. Often, these evaluations are conducted in a very opaque manner by the same agencies that implement these programs, hence raising legitimate questions about their findings.<sup>25</sup>

Finally, it should be mentioned that the study of (terrorist) recidivism is fraught with difficulties. Here is a short, non-exhaustive list of the challenges. First, terrorism is a marginal phenomenon in most parts of the world, and there is therefore only a limited amount of data available. Most studies on terrorist recidivism are based on relatively small samples. As a result, small changes in the figures may have significant consequences on the calculated rates. Second, measuring recidivism ideally involves the access to judiciary and/or penitentiary data, which is not always readily available or easily accessible. Some studies have therefore relied on open source data, which may include a series of bias, lacunae, imperfections, or mistakes.

Third, since terrorism is a transnational phenomenon, there are many cases of individuals being convicted for one terrorist offense in one country, then for a different terrorist offense in another country, which are cases of recidivism at the international level.<sup>g</sup> Such cases are extremely difficult to account for since it requires access to data from several countries. Fourth, various studies use different methodologies. Some account for recidivism broadly defined, others for terrorist recidivism or reengagement, but they do not always clearly state what they are measuring precisely (or how they are measuring it), hence making comparison between studies very difficult.

A final difficulty is the need to collect data over a sufficiently long period of time, to be able to actually measure recidivism, particularly since prison sentences can be relatively long in some countries and recidivism may only occur several years after release.

### Terrorist Recidivism Rates: The Data So Far

Most countries do not hold records of recidivism rates, and studies on terrorist recidivism are fairly limited. However, the few studies that exist consistently indicate a very low rate of terrorist recidivism, certainly compared with the average rates of criminal recidivism (generally between 40 and 60 percent, worldwide),<sup>26</sup> hence challenging the common perception that terrorists are likely recidivists.

g To the author's knowledge, there is no study reviewing cases of international terrorists convicted in different countries. However, the author has come across several cases, just in Belgium. One such case is Farid Melouk, convicted in France in 1998 (*in absentia*) to seven years in prison for recruitment, and convicted to nine years in Belgium in 1999. Another case is Abdelkader Hakimi, convicted twice in Belgium for terrorism (in 2007 and 2018), and previously convicted to death in Morocco in 1985, for his participation to a youth jihadi movement.

The first estimates of terrorist recidivism rates appeared in early studies that analyzed the profile of jihadi terrorists across a range of criteria. Although the objective of these studies was different and the data collection not systematic, they found low rates of terrorist recidivism in their samples. In 2006, Edwin Bakker found that six out of 242 European jihadis (2.5%) had a prior record for terrorism-related offenses.<sup>27</sup> Marc Sageman found no case of terrorist recidivism in his sample of 172 jihadis in 2004.<sup>28</sup> Similarly, Frank Bovenkerk found in 2011 that 24 Moluccan terrorists<sup>h</sup> who had been convicted in the Netherlands in the 1970s and had served long prison sentences, had not relapsed since.<sup>29</sup> The latter study, albeit based on anecdotal evidence, was interesting for its longer time frame.

A number of academic studies have recently looked into the issue of terrorist recidivism in a more systematic manner. Omi Hodwitz compiled a dataset of 561 individuals convicted of terrorism-related offenses in the United States between 2001 and 2018.<sup>30</sup> Only nine of them recidivated (1.6%), five of whom did so in prison. However, only three cases were linked to terrorism (radicalization of other inmates), thus bringing the actual rate of terrorist recidivism (in the narrow sense) down to 0.5%. Christopher Wright compiled another dataset of 189 individuals who were involved in jihadi plots against targets in the United States between 1990 and 2019.<sup>31</sup> Only two of them, he found, were involved in jihadi activities after their release (1%).<sup>3</sup> Fernando Reinares, Carola Garcia-Calvo, and Alvaro Vicente compiled a dataset of 199 jihadi terrorists convicted or killed in Spain between 2004 and 2018.<sup>32</sup> They found that 14 of them recidivated in terrorism (7%), five of which in prison. In their detailed evaluation of a Dutch reintegration program for terrorist convicts, Liesbeth van der Heide and Bart Schuurman found that eight of the 189 individuals who participated in the program between 2012-2018 recidivated in relation to terrorism (4.2%).<sup>33</sup>

Figures released by some countries fall in similar ranges. Malaysia claims that only 13 terrorist convicts arrested between 2001-2011 "relapsed," out of 240 individuals (5.4%).<sup>34</sup> j In 2013, the Indonesian National Counterterrorism Agency claimed that 25 out of 300 terrorist convicts released from prison recidivated (8.3%).<sup>k</sup>

h Moluccans refer to the indigeneous people from Maluku Islands (currently part of Indonesia). In the 1970s, some Moluccans living in the Netherlands, the former colonial occupying power, were responsible for a spate of attacks.

i Christopher Wright calculates a recidivism rate of 6.5%, on the basis of 31 released terrorist offenders. However, since reoffending is possible in prison, the rate of recidivism compared with Wright's entire dataset is presented here. This is also more in line with the methodology of similar studies (Hodwitz, Reinares et al.) and with this study.

j In a number of studies or figures shared by governments, it is not entirely clear what is covered by recidivism figures. In the case of Malaysia, it is not entirely clear what is meant by "relapsing" and how it is calculated, which could be, for instance, based on intelligence information, re-arrest, or re-conviction.

k The rate of terrorist recidivism in Indonesia might be as high as 15%, according to researchers who counted additional cases of recidivism between 2013-2016. However, these researchers seem to use the same figure (300 in 2013) for released offenders as the Indonesian National Counterterrorism Agency did in calculating the rate, as if no terrorist offender were released between 2013 and 2016, which raises important methodological questions. See Noor Huda Ismail and Susan Tim, "From prison to carnage in Jakarta: Predicting terrorist recidivism in Indonesia's prisons (Part 2)," Brookings, January 28, 2016.

Saudi Arabia and Pakistan have claimed very low rates of terrorist reoffending for participants in their deradicalization programs, below 3%, although some analysts argue it is likely higher.<sup>35</sup>

Figure 1: Review of Studies on Terrorist Recidivism<sup>1</sup>

Study	Time Span	Geographical Focus	N (sample size)	Recidivism rate
Bakker (2006)	2001-2006	Europe	242	2.5% (6/242)
Sage-man (2004)	1990-2004	Global	172	0% (0/172)
Boven-kerk (2011)	1970-2011	Netherlands	24	0% (0/24)
Malaysia (2011)	2001-2011	Malaysia	240	5.4% (13/240)
Indo-nesia (2013)	n/a	Indonesia	300	8.3% (25/300)
United King- dom (2020)	2013-2019	England and Wales	196	3% (6/196)
Silke (2014)	2001-2014	England and Wales	196	0% (0/196)
Silke (2014)	1998-2011	Northern Ireland	453	2.2% (10/453)
Hodwitz (2018)	2001-2018	United States	561	0.5% (3/561)
Wright (2019)	1990-2019	United States	189	1% (2/189)
Reinares et al. (2018)	2004-2018	Spain	199	7% (14/199)
Van der Heide et al. (2018)	2012-2018	Netherlands	189	4.2% (8/189)
			<b>Total: 2,961</b>	<b>Average: 2.9% (87/2,961)</b>

Source: Author's own compilation

In the United Kingdom, terrorist recidivism figures for 2013-2019 were already mentioned above, at 3%. These figures are in continuity with previous decades. Between 2001 and 2008, there were 196 terrorist-related convictions in England and Wales, and more than 100 convicts had been released by early 2009. According to Andrew Silke, in a book published in 2014, none of them had been rearrested or reconvicted for a terrorist offense.<sup>36</sup> In Northern Ireland, 453 paramilitary prisoners were released in 1998 as part of the Good Friday Peace Agreement. By 2011, only 10 of them had been recalled in custody for involvement in terrorist activities (2.2%).<sup>37</sup>

In the United States, a report from the Office of the Director of National Intelligence (DNI) indicates that as of January 2019, 124 of 729 former Guantanamo detainees had reengaged in terrorist activities (17%), while an additional 100 former detainees (13.7%) were suspected of reengagement.<sup>38</sup> This rate of 30.7 percent is significantly higher than other rates discussed above. This could, of course, be linked to the particular profile of Guantanamo detainees. However, it should be clarified here that this rate is absolutely not comparable to other rates discussed above. Indeed, the DNI figures are about cases of reengagement, thus individuals who returned or were suspected to have returned to terrorist activities but who may not have (yet) been prosecuted for it. Moreover, most Guantanamo detainees have never been convicted in the first place, and sometimes the evidence of their involvement in terrorism was thin.<sup>39</sup>

Two recent studies might appear to contradict the consistently low rates of terrorist recidivism cited above. A study by Israeli researchers concluded on a five-year recidivism rate of 60.2% for 1,557 offenders between 2004-2017, mostly affiliated with Palestinian terrorist groups.<sup>40</sup> However, these findings cannot be compared to other studies discussed above. First, it calculates "recidivism" on the basis on (re)incarceration, not (re)conviction, which is, of course, a much lower threshold. Furthermore, the study seems unable to isolate terrorist offenders, who are included in a broader set of "security offenders" and "criminal offenders," based on data provided by the Israel Prison Service. As such, the study measures reengagement and not recidivism, and it possibly includes non-terrorist offenders and non-terrorist-related offenses.

The second study that might seem to contradict findings on recidivism is a review of 87 autobiographical accounts of terrorists, published between 1912 and 2011.<sup>41</sup> Based on their sample, the researchers calculated a rate of reengagement of 61% (52 out of 85 individuals). However, these results are to be treated with caution. First, the authors looked at "re-engagement," rather than "recidivism," which is a much broader category as discussed above. Furthermore, the study is based on autobiographies, which are more likely to overrepresent reoffenders' profiles. Terrorist leaders are more likely to write their memoirs than average members, whereas people with a short terrorist career are "less likely to pen a memoir and re-engage," as the authors acknowledge themselves. As a result, it can be confidently said that this study does not challenge the findings from other studies.

1 While this table brings together a number of studies on terrorist recidivism, it should be acknowledged that these studies are not entirely comparable for they use different methodologies, in terms of selection criteria, timespan, or definition of recidivism. For instance, Silke and Hodwitz use strictly two convictions as a criteria for recidivism, whereas Wright also include terrorist convicts or jihadi plotters who subsequently died in a terrorist attack, even if not convicted (of which he finds only one case). As discussed above, what is actually covered by official figures released by some governments (here Indonesia and Malaysia) is often unclear as well. As a result of these caveats, the 'average' presented in this table is purely indicative, and should be read with caution.

Figure 2: Review of Studies on Terrorist Reengagement

Study	Time Span	Geographical Focus	N (sample size)	Rearrest/Reengagement
Hasisi et al. (2019)	2004-2017	Israel	1,557	60.2%
Altier et al. (2019)	1912-2011	Global	85	61% (52/85)
DNI (2019)	2001-2019	Global (Guantanamo)	729	30.7% (224/729)

Source: Author's own compilation

Finally, to conclude this literature review, it seems appropriate to briefly look into the key findings of the literature on foreign fighters, given that current fears about terrorist recidivism are largely linked to returning foreign fighters from Syria and Iraq. A few studies have looked at the ratio of returning fighters involved in terrorist plots or attacks, which could be seen as one of the worst forms of recidivism or reengagement from a public security point of view. Although there are clear limitations in the ability to collect reliable data from open sources, the “blowback rate,” as it has been called, has been estimated to be certainly well below 10 percent for all jihadi returnees worldwide since the 1980s, and possibly even below one percent.<sup>42</sup>

To be fair, attack plotting is only one pathway to reengagement that foreign fighters can follow. Foreign fighters can present a threat in different manners. They can be involved in terrorist plots, training, recruitment, or mere logistical support for terrorist networks, at home or abroad.<sup>43</sup> Some estimate, for instance, that 10 percent of the foreign fighters who traveled to Syria had a prior experience with jihad, while a majority of foreign fighters in Iraq in the early 2000s were allegedly recruited by veteran fighters.<sup>44</sup> Overall, some foreign fighters can therefore remain engaged in terrorism for life and become ‘career terrorists.’ While security services are clearly concerned about this ‘veteran effect,’ the proportion of returning fighters who pursue their engagement over years appears limited,<sup>45</sup> which is therefore unlikely to fundamentally challenge findings on recidivism.

A study by David Malet and Rachel Hayes calculated the time-lag between the return of jihadi foreign fighters in Western countries and their involvement in a terrorist plot.<sup>46</sup> They compiled a dataset of 230 returnees-turned-plotters between 1980 and 2016, and were able to measure the time-lag for 134 of them. The average lag time was 10 months, but the majority of returnees-turned-plotters either conducted an attack or were arrested within the five months following their return. This would suggest that many foreign fighters returned with the intention of plotting an attack, as it was the case for the attacks in Paris (2015) and Brussels (2016), which cannot really be considered a form of recidivism or reengagement, but rather the continuation of their terrorist engagement. The “blowback rate” of returnees is therefore an imperfect measure for recidivism. The study of Malet and Hayes furthermore highlights that the threat of returning foreign fighters may not only decrease over time, but that it actually decreases very quickly.<sup>47</sup>

## Part Two: Terrorist Recidivism in Belgium: A New Dataset

### Methodology

Given there is a disconnect between findings from the literature on terrorist recidivism and fears over the threat posed by this phenomenon, more research appears necessary. Belgium stands out as an interesting case study. The country has been confronted with Islamist terrorism since the early 1990s, with networks linked to the Algerian GIA or the Moroccan GICM.<sup>48</sup> In recent years, Belgium was faced with an unprecedented mobilization for the jihad in Syria and Iraq. Four hundred thirty-three individuals traveled to join jihadi groups in the region,<sup>m</sup> meaning that Belgium had the highest ratio of jihadi fighters per capita in the European Union.<sup>49</sup>

Like most countries, Belgium does not maintain metrics on terrorist recidivism.<sup>n</sup> Therefore, it was necessary to build a dedicated dataset, the “Jihadi Terrorist Offenders in Belgium” (JTOB), based on all convictions for terrorism-related offenses pronounced by Belgian courts. In this regard, it should be noted that terrorist offenses were only included in the Belgian criminal code in 2003. For previous convictions, terrorism-related trials were identified on the basis of the nature of the incriminated offenses.<sup>50</sup> All terrorism-related judgments from January 1, 1990,<sup>o</sup> until the end of 2019 were obtained with the help of the Federal Prosecutor's Office, which is in charge of terrorism cases, and the Coordination Unit for the Threat Analysis (CUTA), which is Belgium's counterterrorism fusion center.

Judgments are not readily available in Belgium but can be obtained upon justification, particularly for research purposes. They include a description of the events linked to the offense, as well as some basic information about the offender(s), and the sentencing decision itself. The length of these documents varies from about 10 pages to over 100 pages for more complex cases. Depending on the Court, documents are in French or in Dutch. Judgments from Courts of First Instance, Appeal, and Cassation were obtained. All these documents were read thoroughly and coded in a spreadsheet.

In the context of this project, following the conceptual work introduced by Mary Beth Altier, Emma Boyle, and John Horgan,<sup>51</sup> the author decided to look at terrorist recidivism narrowly defined, as well as at terrorist reengagement more broadly. The author defines terrorist *recidivism* as two convictions for distinct terrorist offenses over distinct periods of time, separated by a clear period of disengagement (commonly imprisonment). Thus, two convictions covering a similar period of terrorist engagement, not clearly separated in time, would not be counted as a form of recidivism. Terrorist *reengagement* is defined as two periods of engagement in terrorism, separated by a period of voluntary or involuntary disengagement, but not necessarily sanctioned by a judiciary decision.

This distinction enables a more comprehensive overview of the

m Information provided by the Coordination Unit for the Threat Analysis (CUTA), as of December 2019.

n This project started with a question that the author raised to the relevant services in Belgium, asking for rates of terrorist recidivism. While indicating that such information was not readily available to them, they expressed a keen interest to investigate this matter further.

o The first recorded trial in the dataset is the appeal decision of September 1995, regarding members of the GIA arrested in March 1994 and first sentenced in October 1994.

individuals that are considered to be a lasting problem by the Belgian security services. It also addresses some of the most obvious pitfalls of the data on recidivism identified above, as illustrated by the cases of Usman Khan and Sudesh Amman, who were killed rather than convicted again for terrorism and would therefore be categorized as examples of terrorist reengagement rather than terrorist recidivism under the author's methodology.

The methodology contains some important caveats. The JTOB dataset includes only individuals that were convicted at least once for terrorism in Belgium. As a result, all cases of terrorist recidivism are included. However, cases of Belgian citizens or residents who were involved in terrorist activities, but never convicted in Belgium, are not included, even if they were tried for terrorism-related offenses in another country.<sup>p</sup> Some cases of international recidivism following two convictions for terrorism, one in Belgium and one in another country, are also likely missing.

Furthermore, since the dataset is based on terrorist convictions primarily, data on reengagement is not exhaustive. It is limited to individuals who were prosecuted at least once for terrorism-related offenses in Belgium, but had engaged in terrorism before or reengaged after their conviction. For instance, some judgments referred to previous terrorist activities (in Belgium or abroad) that had not been formally sanctioned, such as imprisonment in Guantanamo. Individuals that may have reengaged in terrorism over time but were never prosecuted or convicted in Belgium do not appear in the JTOB dataset.

There was also a challenge linked to the fact that many Belgian foreign fighters are still in Syria, possibly including some recidivists. The JTOB data was therefore crossed with the list of frozen assets,<sup>52</sup> which basically includes all Belgian foreign fighters still in Syria. This list is established by the Belgian National Security Council, upon recommendations of CUTA; it includes about 280 individuals suspected of terrorist activities. This crossing of data permitted the identification of a few additional cases of reengagement, which will likely become cases of recidivism in the near future, after prosecution in Belgium is completed.<sup>q</sup>

Finally, it is worth highlighting that this project is clearly a work in progress.<sup>r</sup> Terrorism-related trials occur almost on a weekly basis in Belgium these days, which means that the data is bound to evolve.<sup>s</sup>

The JTOB dataset includes 557 individuals, convicted in the context of jihadi terrorism between January 1, 1990, and December 31,

p Some such cases are well known from open sources, but given the impossibility to collect such information in a systematic manner, the author decided to ignore it altogether. However, for individuals subject to at least one conviction in Belgium, information for reengagement was included when available, including terrorism-related convictions abroad.

q In Belgium, trials can be conducted *in absentia*, and all foreign fighters still in Syria (even if presumed dead) have been or will be prosecuted.

r Several meetings were organized with CUTA at various stages of the research, between October 2019 and March 2020, to limit the risk of missing cases in the dataset or to discuss specific cases for which the coding was not straightforward.

s As of December 2019, about 160 individuals in the JTOB dataset were still believed to be in Syria, while about 60 were in prison. However, it should be noted here that recidivism, or at least reengagement, is possible for most of these individuals. This is certainly the case for those in prison, as illustrated by some of the terrorist attacks that have taken place in France and the United Kingdom in recent years.

2019—a span of three decades. Compared with the previous studies reviewed above, the author's JTOB dataset is therefore significantly larger than all but one study (Hodwitz);<sup>t</sup> and the time span longer than all but one as well (Wright). This makes the JTOB dataset comparatively and statistically robust.

This project was limited to jihadi terrorism. The original dataset included non-jihadi offenders, such as far-right terrorists, but they were eventually removed from the dataset for consistency purposes. They accounted for more than 20 individuals in total.

The JTOB dataset includes information about names, gender, date of birth, indications of previous criminal record,<sup>u</sup> date of (the start of) offense, date of judgment,<sup>v</sup> type of offense,<sup>w</sup> and length of sentence.<sup>x</sup> For cases of recidivism, information is repeated and the date of prison release was added, when available.

## Data Overview

Given the unprecedented mobilization for jihad in Belgium since 2012, the majority of the convictions are unsurprisingly linked to Syria.<sup>y</sup> However, 110 individuals were convicted for a first terrorism offense that started between 1990 and 2010, thus before the Syrian mobilization.<sup>z</sup>

The dataset includes 472 men (85%) and 85 women (15%). While this men/women ratio is higher than for most other studies, the influence of the Syrian mobilization is evident: prior to 2011, only four women in the dataset (3.6%) had been convicted of a first terrorist offense compared to 106 men (96.4%).

The average age at the time of the first terrorist offense leading to conviction is 26.8 years.<sup>aa</sup> Some studies have noted that jihadi militants in Europe, and in Belgium specifically, were younger during the Syrian mobilization compared to previous mobilizations.<sup>53</sup> The JTOB dataset confirms this observation. The average age at the time of the first offense that resulted in conviction was 28.7 prior to 2011 and 26.3 after 2011.

When available, the author looked for evidence of prior criminal

t The DNI figures and Israeli study also have larger samples, but as discussed, they are not comparable in their methodology.

u Judgments sometimes refer to the criminal records of the offender, although not systematically. This is therefore a category of the dataset for which there is no information for a number of offenders.

v In cases of appeal, the coders used the date of the judgment on appeal.

w The coders distinguished between five types of offense: recruitment or leadership of a terrorist network; terrorist attack or attempt; financing or logistical support to terrorism; propaganda or apology of terrorism; foreign fighting (or attempted foreign fighting). These offenses do not correspond to specific articles in the penal code, which means that judgment calls had to be made during the coding process. However, these categories correspond to clearly distinct terrorist behaviors.

x It is the length of sentence in the final judgment (e.g., appeal) that is coded.

y This includes foreign fighters, traveling or attempting to travel from Belgium to join a jihadi group in Syria, but also individuals convicted for recruitment, plotting an attack, financing, or propaganda in connection to a jihadi group active in Syria.

z A small number of individuals among these 110 were convicted in relation to the Syrian mobilization (post-2011) as members of recruitment networks notably, but their engagement in militant jihadi activities started before 2010, however, and thus in a different context.

aa Age was calculated on the basis of the beginning of the terrorist offense, as indicated in judgments. As a result, the true engagement with terrorism might be longer in a number of cases.

records. The hypothesis has been formulated in the criminology literature that a longer criminal experience increases the risk of recidivism.<sup>54</sup> The hypothesis has also been formulated that criminal activities could lead to jihadi militancy, along the new crime-terror nexus.<sup>55</sup> The JTOB includes information on criminal records for 205 individuals. One hundred six of them had a prior criminal record before their first terrorist conviction (51.7%), while 99 did not. The data does not allow to infer for the entire dataset, but this ratio is in line with the statement of Belgium's Federal Prosecutor who said that half of Belgium's foreign fighters had a prior criminal experience.<sup>56</sup> <sup>ab</sup> There is no significant difference in the data with regard to prior criminal offenses between the pre-2011 and the post-2011 offenders.

With regard to the types of offense, Figure 3 shows that foreign fighting (61.4%) and financial or logistical support (36.3%) are the most common terrorist offenses among first-time terrorist convicts. However, when looking at the break-down between the pre-2011 and post-2011 offenders, the influence of the Syrian mobilization can clearly be seen, with a jump in foreign fighting. Quite interestingly, the ratio of involvement in terrorist attacks or terrorist plots has remained stable over time, just above two percent—although it should be noted that some individuals were killed or died in Belgium in the context of terrorist attacks since 2015. Still, the overwhelming majority of terrorist convicts were simply not charged with participation in planning or carrying out a terrorist attack.

Figure 3: Terrorist Convictions by Types of Offense for First Conviction<sup>ac</sup>

	All (N=557)	Pre-2011 (N=110)	Post-2011 (N=447)
<b>Recruitment/ Leadership</b>	83 (15%)	25 (22.7%)	58 (13%)
<b>Attack/Plot</b>	13 (2.3%)	3 (2.7%)	10 (2.2%)
<b>Financing/ Logistical Support</b>	202 (36.3%)	54 (49%)	148 (33.1%)
<b>Propaganda/ Apology</b>	69 (12.4%)	9 (8.2%)	60 (13.4%)
<b>Foreign Terrorist Fighter</b>	342 (61.4%)	37 (33.6%)	305 (68.2%)

Source: Author's own calculation based on the JTOB

Finally, with regard to sentences for the first conviction for terrorism, 482 individuals were sentenced to time in jail, 28 to a sus-

pending sentence or community service, and 47 were discharged.<sup>ad</sup> For the first conviction, the average length of actual sentences was 60.5 months (excluding discharges, suspensions, and community service), while the median was 60 months (five years). In fact, a majority of the individuals in the JTOB dataset spent five years or less in jail for their first conviction, as the effective time in prison is generally shorter than the sentence. They had therefore plenty of opportunities within the time horizon of the data collection to reengage or recidivate.<sup>ae</sup> It is worth noting that the average sentence has remained relatively stable over time, albeit increasing slightly. It was 55 months for individuals whose first terrorist offense leading to a conviction in Belgium started before 2011, and 61.7 months after 2011.

### The Findings on Terrorist Recidivism in Belgium

In the JTOB dataset, the author identified 13 cases of terrorist recidivism (2.3%), which is in line with previous studies discussed above. In addition, the author identified 10 cases of reengagement, and four cases where reengagement was subject to discussion.<sup>af</sup> Even when including these four questionable cases, the rate of recidivism and reengagement when combined was only 4.8%.

To be complete, it should be added that 13 other individuals were convicted twice for a terrorist offense in two distinct trials, but covering the same context and period of engagement, thus without separation (i.e., disengagement) between the two offenses. This includes mostly individuals who were convicted twice in relation to Syria (e.g., once for participation in a terrorist organization, then for threats against Belgium, often expressed from Syria). Furthermore, 36 individuals were convicted for terrorism while in a situation of reprieve or probation for criminal activities ("legal recidivism").<sup>ag</sup>

Among the 27 cases of terrorist recidivism and (suspected) terrorist reengagement, there are four women (14.8%) and 23 men (85.2%), which is exactly the same female-male ratio as in the whole dataset. Eighteen out of the 27 were already involved in terrorist activities before 2011, and 11 of them before 2005, which suggests a continuity of recidivist behavior over time. Two of them were detained in Guantanamo.<sup>ah</sup> Twenty-four out of the 27 cases (88.9%) had at least one offense linked to Syria, which strongly suggests that Syria offered an unprecedented opportunity for recidivism to previous offenders. Furthermore, seven individuals had two suc-

ad The author made the decision to maintain individuals that were discharged in the dataset, on the assumption (sometimes stated in the judgment or proven by later evidence) that this does not mean that these individuals had not engaged in terrorism-related activities. In any case, removing these cases from the dataset did not result in significant statistical changes.

ae See footnote S.

af Some cases of reengagement were uncertain because information available from judgments and from open sources could not confirm with certainty whether these individuals had really reengaged or not. These cases include, for instance, an individual who traveled first to Syria as a minor with her family (and thus not clearly on her own volition) and then again as an adult; and an individual who is suspected to have joined al-Shabaab in Somalia before the Islamic State (inside Syria), but evidence of this prior engagement was not confirmed by the Court.

ag This included, for instance, individuals convicted for terrorism who had been convicted previously for violence or traffic misdemeanors.

ah It should be noted here that one of these two individuals is possibly the most debatable case of reengagement, as the person was reconvicted in context of a burglary, with only indirect connections with terrorism.

ab Similar ratios have been observed in France, Germany, the Netherlands, and the United Kingdom, notably, according to Basra and Neumann. See Rajan Basra and Peter R. Neumann, "Crime as Jihad: Developments in the Crime-Terror Nexus in Europe," *CTC Sentinel* 10:9 (2017).

ac The sum of each column in Figure 3 is higher than 100% because individuals can be convicted for different types of offenses.

cessive convictions linked to Syria, which suggests that the time span of the JTOB dataset is sufficiently large to start to detect such a form of recidivism.

Criminal records information was available for 15 of the 27 terrorist reoffenders, among which eight had prior criminal records and seven did not, which is also almost the same as the ratio in the dataset as a whole. Contrary to some of the hypotheses formulated in the literature, the author cannot therefore draw a connection between criminal experience and risk of terrorist recidivism/reengagement.

With regard to age, the average on the first offense among the 27 reoffenders was 28.9 years, which is higher than the average for the JTOB dataset as a whole (26.8 years). This finding is interesting because it seemingly contradicts a hypothesis formulated in the literature that a younger start in criminal or terrorist activities increases the likelihood of recidivism.<sup>57</sup>

The time span between the date of release from prison and the beginning of the second terrorist offense or engagement was also calculated. This was not possible for some individuals, as they did not go to prison for their first offense: they were either discharged or they traveled to Syria before their trial or imprisonment (but after a police arrest that marked the end of their first offense). One individual convicted in 2016 of terrorism in Belgium had previously been transferred from Guantanamo to Algeria in November 2008 and left to Syria in early 2013, but no precise date for his release could be identified as his situation in Algeria was unclear.<sup>58</sup> For the 17 individuals for which full information was available, the average time-lag between prison release after the first terrorist offense and the beginning of the second terrorist offense was 23 months, and the median was nine months. In fact, the majority reoffended within nine months, and only three individuals recidivated or reengaged after more than three years. The precise dispersion can be seen in Figure 4.<sup>aj</sup>

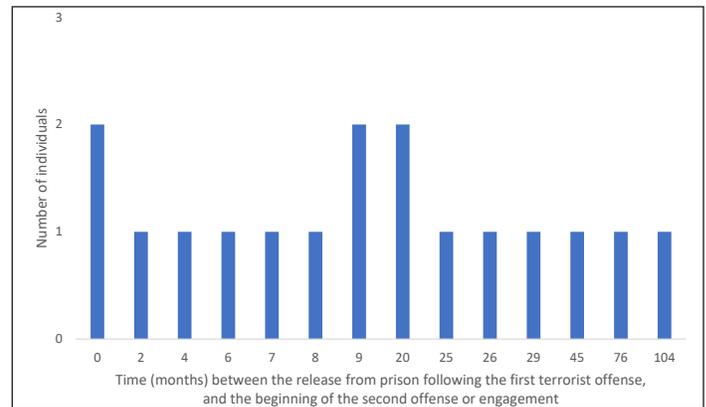
While conclusions should be drawn carefully in light of the small size of the sample, this could suggest at least two things. Firstly, the first months after release see the higher risk of reoffending, contrary to a previous assumption in the literature that potential recidivists need years to show their ‘true colors.’<sup>58</sup> Secondly, Syria provided a powerful pull for recidivism, as most reoffenders had at least one offense linked to the Syrian mobilization. Given the age of some of these reoffenders, above 45 or even 50 years old at the time of reoffending, and the relatively long time-lag between offenses for some reoffenders, it can be asked whether some of these individuals would have recidivated if it was not for the Syrian jihad.

Finally, with regard to the type of offenses, there are some slight differences between the 27 reoffenders and the full dataset. The ratio of individuals involved in a terrorist plot as a first offense is higher for reoffenders than in the dataset as a whole (7.4% vs 2.3%). This is also true for individuals involved in financing or logistical

support (44.4% vs 36.3%). The ratio for the other types of first offenses, however, is very similar to the entire dataset (59.2% vs 61.4% FTF; 14.8% vs 15% Recruitment/Leadership; 14.8% vs 12.4% Propaganda/Apology).

In their second offense, reoffenders were much more likely to be involved in FTF activities (21 out of 27; 77.8%), than in their first offense, which is unsurprising since most of them were reoffending in connection to Syria. There was also a certain consistency of behavior for some, as 14 out of the 16 individuals engaged in FTF activities in their first period of engagement reoffended as FTF a second time. Furthermore, six individuals were involved in recruitment or leadership activities in their second offense (22.2%), four of which were former FTFs, which could reinforce the idea suggested above that veteran jihadis can become key recruiters or “entrepreneurs” for future networks.<sup>59</sup> In contrast, no reoffender was involved in a terrorist plot for their second offense, which is in itself a significant finding.<sup>ak</sup> Six individuals were convicted for financing or logistical activities for their follow-up offense, and three for propaganda or apology.

Figure 4: Time-Lag Between Release from Prison and the Beginning of the Second Terrorist Offense or Engagement in Months (N=17)<sup>al</sup>



Source: Author's own calculation based on the JTOB

## Conclusion

The findings from this literature review and from the analysis of the JTOB dataset suggest that the threat of terrorist recidivism and reengagement is limited. Although every case of terrorist reoffending is one case too many, the fear of recidivism appears to be disproportionate compared to its actual occurrence. It is interesting to note that in existing studies, low recidivism rates were encountered across different forms of terrorism and in different contexts. This

ai He was prosecuted in Algeria and reportedly convicted for terrorism, but no information on his detention and release was found. See “Quatre ex-détenus de Guantanamo prochainement jugés devant le tribunal criminel d’Alger,” Associated Press, November 30, 2011.

aj If a date for the end of the first offense for the remaining offenders is approximated using the date of the first trial, the average time-lag until the beginning of the second terrorist offense, as stated by the judge in his/her judgment, or second engagement, for the entire group of 27 reoffenders becomes 22.5 months.

ak Christopher Wright came to a similar finding in his dataset of jihadi plotters in the United States, noting that in his “dataset, there is not a single individual in the United States who was jailed in a case related to jihadi plotting, was released, and then became involved in jihadi attack plotting again.” Christopher Wright, “An Examination of Jihadi Recidivism Rates in the United States,” *CTC Sentinel* 12:10 (2019).

al Time-lag was calculated automatically as the lapse between the date of effective release from prison and the beginning of the second offense, as stated by the judge in his/her judgment, or second engagement. As such, the value ‘zero’ indicates that the judge considered that the individual reengaged in terrorist activities on the day of his release from prison.

would suggest that low recidivism rates are not strongly correlated with specific sentencing measures, counterterrorism regimes, or political contexts.

A predictable critique of these findings is that recidivism may need more time to be observed or that major cases of reoffending will remain unaccounted for, including notably: those with prior terrorist convictions killed carrying out terrorist attacks, foreign fighters taking the fight to other conflict zones, or recruiters remaining within the boundary of the legal system. This is indeed a valid point. The JTOB sought to address this partly by including cases of reengagement, beyond a narrow definition of recidivism, but a number of terrorist reoffenders are most certainly missing. For instance, a key figure such as Oussama Atar does not appear in the JTOB dataset because he was never convicted in Belgium, although he is a prominent case of terrorist reengagement. Atar, who French intelligence services reportedly presume to be dead,<sup>60</sup> has been presented as a leading member of the Islamic State in Syria and the mastermind of the attacks in Paris (2015) and Brussels (2016).<sup>61</sup> In 2005, he had been arrested and detained in Iraq, notably in the camps of Abu Ghraib and Camp Bucca.<sup>62</sup> He came back to Belgium in 2012 and left for Syria in December 2013.<sup>63</sup>

While acknowledging some missing cases, it is far from clear whether this has a significant impact on the rate of reengagement (and by definition, it does not influence the rate of recidivism, in any case). Indeed, there seems to be only a limited number of individuals known or suspected of reengagement by the Belgian authorities who do not appear in the JTOB dataset.<sup>am</sup> Moreover, traditional statistics on criminal recidivism are subject to similar flaws. (Similarly to terrorists, criminals can escape abroad, remain undetected, or die before prosecution).

In fact, one of the key reasons explaining low rates of terrorist recidivism could very simply be methodological. Terrorist recidivism calculates only a very narrow form of recidivism into a *same type* of offense (terrorism), which is itself a marginal phenomenon, whereas ordinary recidivism calculates recidivism into *any type* of offense. As a result, it is not surprising to encounter lower rates. As discussed above, when looking at the criminal records of terrorist offenders, in a broader understanding of terrorist recidivism, there is around the same rate as for ordinary criminals, with around 50 percent of jihadis convicted in Belgium having a prior criminal conviction.

Two recent evaluations from the Belgian counterterrorism fusion center (CUTA) further reinforce the findings of this article. They concluded that 84% of the male returnees from Syria (37/44) and 95% of women returnees (19/20),<sup>an</sup> and 73% of the “failed men and women travelers” (47/64)<sup>ao</sup> have been showing signs of disengagement.<sup>64</sup> These figures only refer to individuals who were free,

am This is based on known cases from open sources and from conversations with analysts at CUTA.

an In a previous version of this evaluation (2018), this figure was lower, at 75%, pointing to the positive evolution of most returnees after their release over a longer period of time.

ao For ‘failed travelers,’ the disengagement rate of men and women is similar, according to the evaluation.

after serving time in prison or not, and thus exclude individuals still in prison or detained abroad. These evaluations, together with the literature on terrorist recidivism, tend to suggest that most terrorist convicts simply do not seek to return to their ‘old habits,’ contrary to the dominant perception.

In contrast, the two CUTA evaluations found that a minority of released offenders remain of high concern. This suggests that a small number of die-hards will remain active across successive waves of jihadi militancy, and remain a key concern for police and intelligence services. To some extent, the low rates of recidivism found by this author may be partly a sign of the success of Belgian security services. Yet, the gap between Belgian (and other Western security services’) (over)representation of the threat of recidivism as “surging,” as expressed by intelligence and police analysts,<sup>65</sup> on the one hand, and the findings of this study, on the other hand, is puzzling and worth reflecting upon. It is conceivable that security services may be overly influenced by the magnifying effect of a few eye-catching, problematic cases, which take up a lot of their resources. As a result, these services might overlook the fact that most convicts simply leave terrorism behind after prison.

To conclude, it is interesting to note how much the fear of recidivism is part of the (post-)penal process, while so little is known about it. For instance, in the United States, the likelihood of reoffending has long been factored into judges’ sentencing decisions.<sup>66</sup> Similarly, in Belgium, the risk of recidivism is often part of the motivation of a judge’s sentencing decision.<sup>ap</sup> In the United Kingdom as well, preventing recidivism is at the core of the management of terrorist cases.<sup>67</sup> Yet, it is far from clear how judges (or probation services, later) assess the risk of recidivism of individuals. Similarly, the reduction of recidivism is one of the core goals of rehabilitation (disengagement or deradicalization) programs, and often the main or only criterion for evaluating success.<sup>68</sup> However, in light of the low rates of terrorist recidivism identified in this article, it can be questioned whether this is indeed the right criteria for evaluation. Although it is not the aim of this article to criticize these rehabilitation programs, their ambition and added value should perhaps be reconsidered if terrorists are found to disengage on their own.

As a wave of terrorist offenders are about to be released from prison in the coming months, the conclusions of this article should be pondered carefully by policy makers and counterterrorism practitioners. The take-away should not be to discard the threat of recidivism altogether. The monitoring of released terrorist offenders and preventing their relapse is a clear and necessary task of security services, as even a small number of recidivists can still constitute a most serious threat in the short- to longer-term. However, this article clearly supports the need for evidence-based policies, aiming to increase public security, while mitigating the potentially counterproductive effects of indiscriminate, fear-based responses. As to scholars, more research should be conducted on this issue, notably with a focus on the causes of (the low degree of) recidivism. **CTC**

ap In most judgments reviewed by the author for the JTOB, there is the following standard motivation: “Only a very severe and dissuasive prison sentence, commensurate to the offence, will ensure the objective of the legal proceedings and, as much as possible, *will limit the risk of recidivism.*” [emphasis added]

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# The Nexus Between Far-Right Extremists in the United States and Ukraine

By Tim Lister

**Neo-Nazi and white supremacist groups in the United States and Europe have become more active and dangerous in the last decade and have developed a much deeper online presence. This has helped them establish closer transnational contacts. One common preoccupation for both individuals and groups has been the conflict in Ukraine, where a well-established far-right extremist movement and its associated militia have consistently engaged with and welcomed far-right ideologues and fighters from other parts of Europe and North America.**

**N**eo-Nazi and white supremacist groups are a growing preoccupation for security services and intelligence agencies in the United States and Europe. Fragmented and loosely organized, they are difficult to track. But their members frequently interact across borders and continents, thanks to encrypted messaging tools and online forums. Hundreds also travel between North America and Europe, with Ukraine emerging as a favored destination for a significant number of American far-right extremists.<sup>a</sup>

In recent years, some Americans and Europeans drawn to various brands of far-right nationalism have looked to Ukraine as their field of dreams: a country with a well-established, trained, and equipped far-right militia—the Azov Regiment—that has been actively engaged in the conflict against Russian-backed separatists in Donbas. Most of these ‘foreign fighters’ appear to travel as individuals and at their own expense, according to the author’s review of many cases, but there is a broader relationship between the Ukrainian far-right, and especially its political flagship the National Corps,<sup>1</sup> and a variety of far-right groups and individuals in the United States and Europe.

Far-right groups remain strong in Ukraine, with the ability to

a Exactly who might be described as ‘far right’ is considered later. It is impossible to be precise about the number of such individuals traveling between the United States and Europe, but the author’s research into events (such as far-right sponsored mixed martial arts tournaments, conferences, and ‘white nationalist’ rock festivals), as well as court documents and social media traffic indicates that over the past few years, at least hundreds and maybe more have traveled across the Atlantic—with most making trips from the United States to Europe rather than vice versa.

*Tim Lister is a journalist with CNN who has covered multiple conflicts in the past decade in the Middle East and Ukraine. He is also co-author of Agent Storm: My Life Inside al Qaeda and the CIA and Nine Lives: My Time as MI6’s Top Spy Inside al Qaeda. Follow @TimListerCNN*

marshal thousands of supporters for protests and rallies, some of whom carry Nazi and white supremacist insignia. The author witnessed one such rally in the Ukrainian capital Kyiv in October 2019. These groups have bitterly opposed any suggestion of compromise with Russia over Donbas through the Normandy negotiating process and were prominent at another rally witnessed by the author in Kyiv in the fall of 2019 to oppose concessions floated by President Volodymyr Zelensky. However, the mobilization of far-right groups in Ukraine does not extend to political success; in the 2019 parliamentary elections, they received little over two percent of the vote.<sup>2</sup>

Analysis of social media communications, court documents, travel histories, and other connections shows that a number of prominent individuals among far-right extremist groups in the United States and Europe have actively sought out relationships with representatives of the far-right in Ukraine, specifically the National Corps and its associated militia, the Azov Regiment. In some instances, as this article will show, U.S.-based individuals have spoken or written about how the training available in Ukraine might assist them and others in their paramilitary-style activities at home.

Before examining the nexus between far-right extremists in the United States and Ukraine, it is useful to define terms and outline recent trends. There are many differences among the groups and individuals who come under the generic umbrella of ‘far-right’ extremism. Some specifically regard themselves as neo-Nazis. Such groups “collectively develop a shared culture of radical opposition to mainstream society, idealizing a revolution in the name of the Aryan race,” according to Paul Jackson, a scholar who tracks contemporary neo-Nazism.<sup>3</sup> Even within these groups, Jackson points out, not all by any means are committed to violence.

Other far-right extremist perspectives avoid any association with National Socialism (or Nazism) but are nevertheless driven by hatred of Jews and/or Muslims, migrants, and progressive culture. Many embrace historic conspiracy theories. The Global Terrorism Index for 2019 identified the “far-right” as “a political ideology that is centred on one or more of the following elements: strident nationalism (usually racial or exclusivist in some fashion), fascism, racism, anti-Semitism, anti-immigration, chauvinism, nativism, and xenophobia.”<sup>4</sup>

Similarly, a Combating Terrorism Center study from 2012 described white nationalist groups as “interested in preserving or restoring what they perceive as the appropriate and natural racial and cultural hierarchy, by enforcing social and political control over non-Aryans/non-whites such as African Americans, Jews, and various immigrant communities. Therefore, their ideological foundations are based mainly on ideas of racism, segregation, xenophobia, and nativism (rejection of foreign norms and practices).”<sup>5</sup>

Elements of the far-right extremism movement are, to quote one scholar, “atomized, amorphous, predominantly online, and mostly anonymous,” at once making it more difficult to analyze and possibly more dangerous.<sup>6</sup> They include “online troll cultures,

misogynists in the manosphere, neofascists, ultranationalists, identitarians, and white supremacists.<sup>77</sup>

In both the United States and Europe, members and followers of these groups have been responsible for a rising number of violent attacks in recent years, according to the available statistics and government surveys. The Institute for Economics and Peace reported in its latest Global Terrorism Index that globally the number of far-right “terrorist incidents” rose 320 percent in the five years to 2018. “There were 56 attacks recorded in 2017, the highest number of far-right terrorist incidents in the past fifty years,” the Institute reported.<sup>8</sup>

According to the Center for Strategic and International Studies, far-right attacks in Europe jumped 43 percent between 2016 and 2017.<sup>9</sup>

In the United States, right-wing extremists were linked to at least 50 murders in 2018, a 35-percent increase over 2017, according to the Anti-Defamation League.<sup>10</sup> The Southern Poverty Law Center, which tracks hate groups, concluded that the number of white nationalist groups in the United States rose by nearly 50 percent in 2018, growing from 100 chapters in 2017 to 148.<sup>11</sup>

FBI data shows that hate crimes overall were down slightly in 2018 following three years of increases. However, analysis of the 7,036 single-bias incidents reported in 2018 revealed that 57.5 percent were motivated by a race/ethnicity/ancestry bias.<sup>12</sup> Of the 6,266 known hate crime offenders, 53.6 percent were white.<sup>13</sup>

Part One of this article looks at the far-right extremist environment in the United States and the growing attention it is receiving from federal agencies. It assesses the role of social media and the international connections of American far-right extremists. Drawing on nearly a dozen reporting trips the author made to Ukraine between 2014 and 2019, Part Two looks at the far-right environment in Ukraine and its evolving international links. It traces the evolution of the far-right movement in Ukraine, both politically and on the battlefield, since the Ukrainian revolution in 2014. It then considers the attraction of Ukraine for far-right activists around the world, including those from the United States, and the ways in which far-right extremists in Ukraine and around the world interact, both ideologically and in terms of foreign volunteers seeking to fight in Ukraine. It also explores one venue—the mixed martial arts scene—that far-right extremists have leveraged to facilitate interaction.

## Part One: The Far-Right Extremist Environment in the United States

### *The Rise of U.S. Far Right and White Supremacist Groups*

In early 2020, the FBI elevated its assessment of the danger posed by racially motivated extremists in the United States to a “national threat priority.” FBI director Christopher Wray said in congressional testimony in February 2020 that the Bureau was putting the risk of violence from such groups “on the same footing” as threats posed by foreign terrorist organizations (FTO).<sup>14</sup>

That decision followed the creation in the spring of 2019 of the Bureau’s Domestic Terrorism-Hate Crimes Fusion Cell to improve sharing of intelligence between FBI criminal investigation and terrorism divisions.

Wray testified that “the underlying drivers for domestic violent extremism—such as perceptions of government or law enforcement overreach, socio-political conditions, racism, anti-Semitism, Islam-

phobia, and reactions to legislative actions—remain constant.”<sup>15</sup>

He added: “The top threat we face from domestic violent extremists stems from those we now identify as racially/ethnically motivated violent extremists (RMVEs). RMVEs were the primary source of ideologically-motivated lethal incidents and violence in 2018 and 2019.”<sup>16</sup>

Research by The Soufan Center suggests that the threat long predates the last two years. In a recent report, it said analysis of the University of Maryland’s Global Terrorism Database (GTD) between September 2001 and the end of 2017 showed that in the United States, “white supremacy extremism groups carried out 123 attacks, compared to 46 Islamist-motivated extremists and 83 by left-wing radicals.”<sup>17</sup>

The ‘militia’ movement, of course, predates 2001. In a detailed study of violent action attributed to far-right extremists between 1990 and 2011, Arie Perliger found that “fourteen of the 21 years covered in this analysis witnessed more attacks than the previous year.”<sup>18</sup>

Wray said supporters of both RMVE (racially motivated violent extremism) and jihadi groups posed a grave threat because the perpetrators were often “lone actors” who look to attack “soft targets” such as public gatherings, restaurants, or places of worship.<sup>19</sup> This is an important point. The far-right extremist groups discussed here rarely make explicit and specific calls for violence, but sometimes their sympathizers devise serious plots and carry out attacks, inspired by online forums, the ‘manifestos’ of others, and previous attacks.

As the scholar Paul Jackson writes, “Typically, the most extreme aggression comes from those on the fringes of the group, not their leaders.”<sup>20</sup> He adds: “Such groups are not developing centrally directed terrorist attacks. Rather their role in violent radicalization is to help intensify and deepen wider vulnerabilities among some of their members.”

The ‘cycle’ of inspiration can be traced in recent attacks in the United States.

- Patrick Crusius, a 21-year-old from a suburb of Dallas who had been radicalized as a white supremacist online and who saw immigrants as a threat to the future of ‘white’ America, has been charged with killing 22 people at a Walmart in El Paso, Texas, on August 3, 2019.<sup>21</sup> Like several others accused of such attacks in the United States, Crusius praised in his ‘manifesto’ the Australian Brenton Tarrant, who shot dead 51 people in gun attacks on two mosques in Christchurch, New Zealand, in March 2019 and pleaded guilty to the murders a year later.<sup>22</sup> Crusius also embraced white nationalist themes about “ethnic displacement” and condemned what he described as the “Hispanic invasion of Texas.”<sup>23</sup>
- John Timothy is charged with killing a 60-year-old woman and wounding a rabbi and two others in an attack with a gun in Poway, California, in April 2019.<sup>24</sup> Timothy referred to a “meticulously planned genocide of the European race” in an open letter posted to the 8chan forum hours before the shooting.<sup>25</sup> He also praised Tarrant and Robert Bowers,<sup>26</sup> who is charged with killing 11 people at the Tree of Life synagogue in Pittsburgh in October 2018. Bowers had posted anti-Semitic messages online leading up to the attack,<sup>27</sup> and he was later praised by Tarrant.<sup>28</sup>
- Dylann Roof, a white supremacist, shot and killed nine African-Americans in 2015 at a church in Charleston, South

Carolina. Roof is frequently referred to as St. Roof on far-right chat forums and was also praised by Tarrant.<sup>29</sup>

Prominent among white supremacist groups in the United States are Atomwaffen Division, The Base, the Patriot Front, and the Rise Above Movement. All these groups, in their online activities, seek the establishment of a racially pure ‘white’ state. For example, The Base is described in a federal affidavit as a “neo-Nazi group that aims to unify militant white supremacists around the globe and provide them with paramilitary training in preparation for a ‘race war.’”<sup>30</sup>

Atomwaffen’s website, now taken down, described the group as “a Revolutionary National Socialist organization centered around political activism and the practice of an autonomous Fascist lifestyle. As an ideological band of comrades, we perform both activism and militant training.”<sup>31b</sup> Its members have been photographed with neo-Nazi ideologue James Mason, whose writing has been described as providing the group with its “ideological foundation.”<sup>32</sup>

The Patriot Front, which attracted some former Atomwaffen members,<sup>c</sup> describes itself as “a white supremacist group whose members maintain that their ancestors conquered America and bequeathed it to them alone.”<sup>33</sup>

These groups plan and carry out a variety of acts, such as disrupting and attacking left-wing and LGBT events, threatening journalists, swatting,<sup>d</sup> or carrying out acts of vandalism. Targeting university campuses with ‘sticker’ campaigns in the hope of attracting new recruits has become an especially popular tactic.<sup>e</sup>

None of these groups appear to have grown beyond a few hundred followers. However, constant internal fissures and defections, as well as their inherent lack of structure and formal membership, complicate any accurate estimation of their strength.<sup>f</sup> As The Soufan Center observed in 2019, “White nationalist activity on Twitter demonstrated a far more factionalized movement, which included numerous competing movements within it, especially when compared with jihadist activity online.”<sup>34</sup>

While there is no archetypal profile of followers of these groups in the United States, they tend to be young and often middle-class white males. Many are still teenagers living at home. Others have

served briefly in the military.<sup>5</sup> The author’s review of many of the cases that have come to trial show that many tend to have few social interactions and be avid video-gamers.<sup>35</sup>

The notorious Unite The Right rally in Charlottesville, Virginia, in August 2017 galvanized the followers of such groups, but also led to a growing focus by federal authorities on their activities and subsequently to a variety of criminal cases in several states.

Federal authorities have frequently used drug and weapons laws to charge far-right extremist activists. For example, Brian Baynes and Andrew Thomasberg—both members of Atomwaffen Division—pleaded guilty in separate cases to possession of a firearm by a controlled substance abuser.<sup>h</sup> In February 2020, federal prosecutors charged five men connected to Atomwaffen, including John Cameron Denton, with trying to intimidate and harass journalists and others. Notably, the Department of Justice statement announcing Denton’s arrest said that two ringleaders in the campaign were foreign nationals living outside the United States but offered no further details.<sup>36</sup>

Several members of the Rise Above Movement have been charged and convicted with conspiracy to riot,<sup>37</sup> and in January 2020, seven members of The Base were detained in various U.S. jurisdictions and charged with a variety of offenses.<sup>38</sup> The criminal complaint against three of them in Maryland said that “since 2018 The Base has been building a coalition of white supremacist members within the United States and abroad.”<sup>39</sup>

As discussed later, there is pressure in Congress to designate some of these U.S.-based groups as foreign terrorist organizations because of their established and growing links with overseas affiliates, including in Ukraine. Thus far, the Trump administration has not made any designations for Ukrainian groups. However, in April 2020, the State Department notably designated the Russian Imperial Movement (RIM) and its leaders as Specially Designated Global Terrorists, the first time it has designated a white supremacist terrorist group.<sup>i</sup>

Nathan Sales, the State Department counterterrorism coordinator, said the RIM “plays a prominent role in trying to rally like-minded Europeans and Americans into a common front

b Atomwaffen Division also idealized extreme right-wing terrorism, supporting Dylann Roof and describing Anders Breivik, Ted Kaczynski, and Timothy McVeigh as “the father, the son, and the holy spirit.” See Anti-Defamation League profile of Atomwaffen Division.

c Andrew Jon Thomasberg was one Atomwaffen member who applied to join Patriot Front. See “Former Atomwaffen Division Member Sentenced to Prison,” U.S. Department of Justice notice, Eastern District of Virginia, February 28, 2020.

d Swatting is the practice of making anonymous calls to law enforcement, claiming a hostage situation or shooting at the home or workplace of a target. It has been a favored tactic of Atomwaffen Division. See “Former Atomwaffen Division Leader Arrested for Swatting Conspiracy,” U.S. Department of Justice, Eastern District of Virginia, February 26, 2020.

e According to the Southern Poverty Law Center, Patriot Front members posted flyers on college campuses at least 335 times in 2019, a six-fold increase from 2018. “The Year In Hate and Extremism, 2019,” Southern Poverty Law Center, March 18, 2020, p. 15.

f A lengthy ProPublica investigation estimated that the Patriot Front had some 300 members, regionally dispersed across the United States. Carol Schaeffer and Fritz Zimmermann, “They Are Racist: Some of Them Have Guns. Inside the White Supremacist Group Hiding in Plain Sight,” ProPublica, November 8, 2019.

g One Patriot Front member, Joffre Cross, was 33 years old when arrested on gun charges in Houston in February 2019. A former Army soldier, his links with white supremacists dated back to his active-duty days. Julian Gill, “Man with alleged ties to white supremacist groups arrested in Houston on weapons charges,” *Houston Chronicle*, February 25, 2019. Other examples of veterans becoming linked to far-right extremist groups are cited in this article. For a broader look at military veterans among far-right extremist groups, see Heidi Beirich, “Alarming Incidents of White Supremacy in the Military – How to Stop It?” Testimony to the U.S. House of Representatives Armed Services Committee, February 11, 2020.

h Thomasberg pleaded guilty in November 2019 to possessing firearms while being an unlawful drug user and making a false statement in order to illegally purchase a firearm. “Atomwaffen Division Member Pleads Guilty to Firearms Charge,” U.S. Department of Justice, Eastern District of Virginia, November 12, 2019. Thomasberg was subsequently sentenced to one year in prison. He had joined Atomwaffen after attending the Unite the Right rally in Charlottesville. “Former Atomwaffen Division Member Sentenced to Prison,” U.S. Department of Justice, Eastern District of Virginia, February 28, 2020.

i RIM and its leaders Stanislav Anatolyevich Vorobyev, Denis Valiullovich Gariyev, and Nikolay Nikolayevich Trushchalov were designated. Nathan Sales, “Designation of the Russian Imperial Movement, Remarks,” U.S. Department of State, April 6, 2020.



*Activists of the Ukrainian far-right party National Corps are seen attending their march called “March of National Squads” at the Independence Square in Kyiv, Ukraine, on March 2, 2019. (Pavlo Gonchar/SOPA Images/Sipa USA/via AP Images)*

against their perceived enemies.<sup>40</sup>

### **Social Media**

Social media activity among far-right extremists has dramatically increased in recent years. George Washington University’s Program on Extremism calculated that major American white nationalist groups on Twitter added about 22,000 followers between 2012 and 2016—a 600 percent increase.<sup>41</sup> “The most popular theme among white nationalists on Twitter was the concept of ‘white genocide,’ the notion that the ‘white race’ is directly endangered by the increasing diversity of society,” the report said.<sup>42</sup>

The SITE Intelligence Group found that almost 80 percent of a sample of 374 far-right Telegram channels and groups were created between the massacre in Christchurch, New Zealand, on March 15, 2019, and October 30, 2019. SITE reported that a sample of far-right channels created in May 2019 collectively more than doubled their reach—from 65,523 to 142,486—by the end of October 2019. Some groups accrued over 4,000 followers in under a year.<sup>43</sup>

The advocacy group Hope Not Hate has also studied the use of Telegram by far-right extremists. In a report released in March 2020, it said that “most channels are in English or Ukrainian, although German and Spanish channels also exist; many of those in English appear to be U.S.-oriented, although a handful are known to be U.K.-based.”<sup>44</sup>

The groups often repost content from each other’s channels, including supremacist propaganda, videos of shootings and survival training, as well as tactical guidance for carrying out acts of violence.

Indeed, the far-right extremist movement has a broad and deep online infrastructure: white nationalists favor chat rooms and forums such as 4chan and 8chan (now 8kun)<sup>45</sup> as well as more explicitly far-right extremist venues such as Ironmarch (discussed below), and the websites Stormfront and the Daily Stormer. In its report on white supremacy extremism, The Soufan Center concurred that “the rapid expanse of social media facilitates radicalization and recruitment within the white supremacy extremist domain.”<sup>46</sup>

These websites have not gone unchallenged. Domain hosting company GoDaddy ordered the Daily Stormer to remove its website after a scornful article about the woman killed in the Charlottesville, Virginia, protest.<sup>47</sup> The Daily Stormer tried, unsuccessfully, to move to Google.<sup>48</sup> Its subsequent efforts to establish a Russian domain were also unsuccessful.<sup>49</sup> Atomwaffen members also used Discord, an online chat service for video-gamers, for secure conversations. After ProPublica published more than 250,000 Atomwaffen messages posted on the platform, Discord shut down the group’s server.<sup>50</sup>

But as one channel of communication closes, another opens. In its report on 2019, the Southern Poverty Law Center also noted that white supremacists “are increasingly congregating online, often not formally joining hate groups but networking, raising funds, recruiting and spreading propaganda that radicalizes young people and stokes violence against nonwhite immigrants, Jews, Muslims, Black people and others who belong to minority groups.”<sup>51</sup>

### *Transnational Connections*

In his February 2020 testimony, FBI Director Wray noted that hate-crimes “are not limited to the United States and, with the aid of Internet like-minded hate groups, can reach across borders.”<sup>52</sup> Those groups are especially prominent in Germany, Italy, Croatia, Ukraine, and Russia but also present in most European countries. Some have direct and recurring links with groups in the United States.

A week after Wray’s testimony, the House Committee on Homeland Security unanimously advanced Congressman Max Rose’s Transnational White Supremacist Extremism Review Act (H.R. 5736), which would direct the Department of Homeland Security to provide a threat assessment of foreign violent white supremacist groups.<sup>53</sup> Rose, who chairs the Homeland Security Subcommittee on Intelligence and Counterterrorism, said that “the threat posed by foreign white supremacist extremist groups and their nexus to domestic activity is one of the major challenges we face in terms of homeland security.”<sup>54</sup>

There is certainly growing evidence of that nexus. At the end of 2018, it emerged that members of a small neo-Nazi group in the United Kingdom, Sonnenkreig Division, communicated with members of Atomwaffen Division through online chat forums. Reportedly led by Andrew Dymock, a student, the British group’s members had called for Prince Harry to be shot as a “race traitor.”<sup>55</sup>

In December that year, Atomwaffen member Kaleb James Cole, an American, returned home from Europe. U.S. investigators allegedly found photos on his mobile phone in which he posed with another neo-Nazi in front of the Auschwitz concentration camp memorial, both wearing masks typical of Atomwaffen and holding an Atomwaffen flag.<sup>56</sup> In September 2019, Washington state police confiscated Cole’s firearms. Seattle City Attorney Pete Holmes said the seizure may have prevented a massacre. “This is a hate-filled human being, but unfortunately one who possesses really alarming numbers of weapons,” Holmes said.<sup>57</sup> Cole was subsequently charged with a gross misdemeanor.<sup>58</sup> Five months later, Cole and three others were charged in federal court with conspiracy “to threaten journalists and activists, particularly Jews and other minorities,”<sup>59</sup> part of a concerted campaign by federal authorities to dismantle white supremacist groups in the United States.

As a result, James Mason recorded an audio message in March 2020 announcing that Atomwaffen Division was disbanding. “Over the course of past weeks and months, the level and degree of federal infiltration and the numerous arrests stemming from that have so severely hampered the group’s ability to function as a group that it would be pointless to even pretend that anything resembling organizational activity could continue,” he said.<sup>60</sup>

However, Atomwaffen’s German affiliate may still be operational, after emerging in mid-2018.<sup>61</sup> In October 2019, German officials attributed to the Atomwaffen cell death threats emailed to two prominent Green Party politicians, one of whom had Turkish heritage. The German news magazine *Der Spiegel* reported that an email to one of them, Claudia Roth, read: “You are currently the second name on our hit list” and was signed “Sincerely, Atomwaffen Division Deutschland.”<sup>62</sup> German Interior Minister Horst Seehofer said the group’s activities were being closely monitored by the intelligence services.<sup>63</sup>

German authorities are also concerned about the number of armed forces members with far-right extremist views. Christof Gramm, head of military intelligence, said in January 2020 that some 550 Bundeswehr soldiers were being investigated on suspi-

cion of right-wing extremism, 360 of them new cases in 2019.<sup>64</sup>

Transnational contacts among white supremacists were energized by the online forum ironmarch.org, which was active between 2011 and 2017. Over the six years of its existence, 1,600 users collectively posted more than 150,000 messages.<sup>65</sup> Ironmarch became a virtual meeting place for adherents of neo-Nazi and other far-right extremist groups around the world.

Many Ironmarch participants did not actively seek overseas connections but appear to have been well aware of similarly minded groups and individuals in other countries. Groups such as National Action in the United Kingdom, the Azov Regiment in Ukraine, the Nordic Resistance Movement, and Skydas in Lithuania are among those represented and mentioned on the forum.<sup>66</sup>

Within months of its closure, another forum—fascistforge.com—was established. Its moderator, “Mathias,” declared on the site that it was “expressly pro Esoteric Fascism/Hitlerism. Christianity, Islam, or any other Abrahamic religion will not be tolerated here.” According to the Southern Poverty Law Center, the forum gained more than 1,000 registered users in the year to October 2019.<sup>67</sup> Paul Jackson assessed that “ironmarch.org and fascistforge.com allowed activists to conceive of their activism as set within a wider network of global neo-Nazism.”<sup>68</sup> Atomwaffen’s German activists have been active on fascistforge, posting a variety of Nazi images and slogans against Muslims.<sup>l</sup>

Dozens of Americans—possibly hundreds—have traveled to Europe to meet like-minded far-right activists and paramilitary groups.<sup>69</sup> For example, rock concerts and mixed martial arts (MMA) events (discussed further below) frequently see white supremacists from the United States and Europe gather together. Ukraine holds a particular attraction for white supremacists—ideologues, activists, and adventurers alike.

## **Part Two: The Far-Right Extremist Environment in Ukraine**

### *The Evolution of the Far Right in Ukraine*

In 2014, as pro-Russian groups began to seize parts of the Donbas, a neo-Nazi group that called itself Patriot of Ukraine formed a battalion to reinforce the beleaguered Ukrainian army. Few qualifications were required, and volunteers came from all walks of life. The group soon became better known as the Azov Regiment.

The author met some of the group’s fighters around the port city of Mariupol on the Sea of Azov in the summer and fall of 2014. At that time, few were properly armed or had much military training, but they were very much on the frontlines. The Azov Regiment enjoyed support from within the government of then President Petro Poroshenko and the security services,<sup>k</sup> despite well-documented reports of human rights abuses.<sup>70</sup> The deputy head of the Kyiv region police Serhiy Bondarenko openly voiced his support for Azov in

j For example, one of many posts in February 2020 showed a masked gunman and a swastika with the slogan “It Is Nearly Time” in German.

k One senior member, the commander of Azov’s reconnaissance unit, was a Belarus citizen—Sergei Korotkykh. He was very publicly granted Ukrainian citizenship by President Petro Poroshenko in December 2014 and thanked “for his courageous, dedicated service.” The original posting on the presidential website has been removed, but details can be found at “Poroshenko grants Belarusian Neo-Nazi Ukrainian citizenship,” Kharkiv Human Rights Protection Group, December 8, 2014.

2015.<sup>l</sup> Members of the Azov Regiment also organized youth camps that taught basic military skills and ideology.<sup>71</sup>

The emergence of such an overtly far-right white nationalist militia—publicly celebrated, openly organizing, and with friends in high places—was electrifying to far-right individuals and groups in Europe, the United States, and further afield. Among them was the Christchurch shooter, Brenton Tarrant.

In his rambling 74-page manifesto, Tarrant implied he had been to Ukraine, though research by the author in both New Zealand and Ukraine suggests he did not. However, his manifesto became popular among Ukrainian paramilitary groups online and was translated into Ukrainian and printed as a book, according to research by the investigative group, Bellingcat.<sup>72</sup> Bellingcat subsequently identified the man behind a Telegram channel selling the translation, a 22-year-old living in Kyiv.<sup>73</sup>

Since late 2014, with the gradual modernization of the Ukrainian armed forces and the attrition of the Donbas conflict, the Azov Regiment has become more formally organized, building on its formal affiliation with the Ukrainian National Guard.<sup>m</sup> This relationship gave it access to better weapons and training; Azov is equipped with tanks and other heavy armor. Azov Media now has 38,000 subscribers to its YouTube channel.<sup>74</sup>

Azov formally separated from its political leadership in October 2016 at a conference in Kyiv at which the National Corps was formed. Andriy Biletsky, founder and the first commander of the Azov Regiment, was elected the Corps' leader. The conference was attended by supporters from Poland, Latvia, Croatia, Greece, Italy, and Germany.<sup>75</sup> The creation of the National Corps gave far-right activism in Ukraine a new powerbase and a new complexion. The National Corps joined with other right-wing groups in the 2019 parliamentary elections in an effort to pass the five-percent threshold for representation. The alliance also included Freedom (Svoboda) and Right Sector as part of a "united nationalist bloc." The bloc won barely two and a half percent of the vote,<sup>76</sup> in part because President Petro Poroshenko had tacked considerably to the right in an abortive effort to be re-elected, co-opting much of its support.

However, the National Corps' strength does not lie in parliamentary corridors. It focuses on grassroots activism that translates into a street presence that often threatens its adversaries. In 2018, hundreds of members of its so-called "National Militia Units" paraded through Kyiv in uniform and swore to clean the streets of illegal alcohol, drug traffickers, and illegal gambling establishments.<sup>77</sup> They began patrols in some Kyiv districts, ostensibly as part of an anti-crime campaign. A National Corps spokesman described the patrols as "part of the Azov movement" that would help "where the authorities either can't or do not want to help the Ukrainian community."<sup>78</sup>

Their presence was largely tolerated by the National Police and Interior Ministry, according to human rights researchers in Ukraine

who have spoken with the author.<sup>79 n</sup> On June 8, 2018, a group from the National Militia Units attacked and destroyed a Romany camp in Kyiv after its residents failed to respond to their ultimatum to leave within 24 hours. Police were at the scene but did not intervene, according to witnesses.<sup>80</sup>

The National Militia also threatened to intervene in the presidential election in March 2019. "If law enforcers turn a blind eye to outright violations and don't want to document them," spokesman Ihor Vdovin said, the group would carry out the orders of its commander, Ihor Mikhailenko, who had declared on Telegram, "If we need to punch someone in the face in the name of justice, we will do this without hesitation."<sup>81</sup>

Another far-right group in Ukraine that has attracted interest and support among far-right extremists in the West is Right Sector. Originally involved in the Euromaidan protests in November 2013 because of its animosity toward Russia, Right Sector evolved into a volunteer fighting battalion in the Donbas.

Other far-right groups in Ukraine include Karpatsa Sich, whose members tried to disrupt the Pride rally in Kyiv in June 2019<sup>82</sup> and attended a gathering of far-right groups in Rome in January 2019.<sup>83</sup> In 2019 and again this year, Karpatsa Sich joined "Festung Budapest"—a celebration organized by Légió Hungária of the attempted breakout by Nazi and pro-Nazi forces against the Soviet advance in 1945.<sup>84</sup> Members of Karpatsa Sich have also been enthusiastic proponents of the Ukrainian translation of the Tarrant manifesto.<sup>85</sup>

The National Corps is the most potent and ideologically influential of the Ukrainian far-right groups. The head of its international department, Olena Semenyaka, is a leading light in European far-right circles, traveling to Germany, Sweden, Poland, Italy, and Estonia to address meetings and meet with National Corps' allies. She has attended the Annual Ethnofutur Conference in Tallinn and the European Congress of the "Young Nationalists" in Germany.<sup>86</sup>

The messages she has conveyed—alluding to a sense of European loss—are calculated to appeal both to the European and American far right. In a July 2015 interview on the Azov podcast,<sup>87</sup> Semenyaka said: "We try to reconstruct the problem of this European decline, so to speak. And we want to start a revolt against it. Reconquista, revolt, revolution—of course all of them are homological concepts which are quite understandable to European right-wingers and other educated persons."<sup>88</sup> Semenyaka described Eastern Europe and Ukraine as the vanguard of this Reconquista. "From this space—Eastern Europe—it will expand to the Western European and the whole world."<sup>89</sup> Atomwaffen had a similar sentiment on its website: "The west cannot be saved, but it can be rebuilt and even stronger [sic] without the burdens of the past."<sup>90</sup>

The message of the far right in Ukraine has certainly struck a chord among white supremacists in the United States. The recent hack of the defunct ironmarch.org has provided thousands of posts and messages from far-right activists around the world and is a useful window into their thinking.<sup>o</sup> The data was made public by

l Bondarenko made his support clear in an interview on an Azov podcast in 2015 reviewed by the author when he said he had previously taken part in what he called "direct action" and said he believed members of the Azov movement had "permanent ideological views."

m The Azov Regiment was formally incorporated into the Ukrainian National Guard in November 2014 but retains considerable autonomy. See Oleksiy Kuzmenko, "The Azov Regiment Has Not Depoliticized," Atlantic Council, March 19, 2020.

n A senior commander in Azov, Vadim Troyan, became head of the Kyiv Regional Police in late 2014 and later First Deputy Head of the National Police. See Christopher Miller, "In Ukraine, Ultranationalist Militia Strikes Fear In Some Quarters," Radio Free Europe/Radio Liberty, January 30, 2018.

o Ironmarch.org was founded by the pseudonymous Alexander Slavros and was in existence between 2011 and 2017. See Michael Edison Hayden, "Mysterious Neo-Nazi Advocated Terrorism for Six Years Before Disappearance," Southern Poverty Law Center, May 21, 2019.

an anonymous source in November 2019 and included emails, IP addresses, usernames, and private messages.<sup>91</sup> One anonymous user posted in 2015, while talking about a “shared racial identity”: “I think we can take inspiration from Right Sector in this regard. I like there [sic] motto of ‘European Reconquista.’ It appeals to the shared past of Europe, a shared identity, and outlines their mission to carry on the work of European Christendom to drive out the foreign invaders.”<sup>92</sup> Other posts on the forum suggested contacting Semenyaka as the first move in trying to reach Ukraine.<sup>93</sup>

Officials of the National Corps were instrumental in organizing ‘Paneuropa’ conferences in Kyiv in April 2017 and October 2018, attracting white supremacist and other far-right groups from across Europe.<sup>94</sup> Semenyaka invited Greg Johnson, editor of Counter-Currents and a prominent figure in the U.S. alt-right movement, to the Kyiv conference in October 2018.<sup>95</sup> Johnson champions what he has called the “North American New Right,” whose goal (like that of several paramilitary groups) is a white ethno-state.<sup>95</sup> At the conference, Johnson spoke about his Manifesto of White Nationalism and said that what was “happening in Ukraine is a model and an inspiration for nationalists of all white nations.”<sup>96</sup> Also attending the event were representatives of the Norwegian Alliansen Nationalist Party, the neo-fascist CasaPound Italia, neo-Nazis affiliated with the German Der III. Weg and JN-NPD youth group, as well as Karpatsa Sich.<sup>97</sup>

The Paneuropa conference in 2018 was one of many in Europe that have brought together the far right from either side of the Atlantic. In March 2019, Semenyaka appeared with Johnson at the Scandza Forum in Stockholm.<sup>98</sup>

Another American ideologue of the far right (though no friend of Johnson’s), Richard Spencer, has also developed a relationship with European counterparts.<sup>9</sup>

Beyond the *political* alt-right, members of groups such as the Rise Above Movement, The Base, and Atomwaffen Division have been attracted to similar circles in Europe and specifically to Ukraine. Some of them have been courted by Azov and the National Corps.

The American who founded Atomwaffen, Brandon Russell, contacted an anonymous representative of Azov in 2015 through Ironmarch. Using the handle Odin, he described himself as “an avid supporter of the Azov Battalion” and said he’d like “some advice from you about my militia that I lead in the US.”<sup>99</sup> Russell was a physics major who had joined the Florida National Guard.<sup>r</sup>

p Counter-Currents’ publishing arm translates books and articles from European white nationalists into English and translates many English articles into European languages. The author has been shown a brief clip of Johnson at the conference saying he is on a “listening tour.”

q In 2017, Polish authorities banned Spencer from entering the country to speak at the Europe Of The Future 2 conference organized by the Polish group Szturmowcy (Stormtroopers.) Spencer was due to appear with Semenyaka. “Negujacy Holokaust zwolennik rasizmu z zakazem wjazdu do Schengen. Wnioskowały o to polskie władze,” Polish News Agency cited by Niezalezna, November 20, 2017.

r Russell was sentenced to five years in jail in January 2018 for possession of an unregistered destructive device and improper storage of explosive materials. “Neo-Nazi Leader Sentenced to Five Years in Federal Prison for Explosives Charges,” U.S. Department of Justice, January 9, 2018. On his background, including in the Florida National Guard, see Jonah Engel Bromwich, “Man in Florida Told the Police He Killed Neo-Nazi Roommates for Disrespecting His Muslim Faith,” *New York Times*, May 24, 2017, and Janet Reitman, “How Did a Convicted Neo-Nazi Release Propaganda From Prison?” *Rolling Stone*, May 25, 2018.

According to an investigation by Bellingcat, Azov was in contact with another putative member of Atomwaffen, Andrew Oneschuk, early in 2016 via its online podcast.<sup>100</sup> According to Bellingcat, Oneschuk discussed issues facing Americans who wanted to join Azov, “and expressed interest in learning methods of attracting youth to nationalism in America.”<sup>101</sup> Oneschuk had actually tried to travel to Ukraine the previous year, at the age of 15, but had been stopped by his parents.<sup>102</sup>

At least one of the members of The Base arrested in January 2020 had expressed a desire to go to Ukraine. According to court documents, William Bilbrough had “repeatedly expressed an interest in traveling to Ukraine to fight with nationalists there” and had tried to recruit two other members of The Base to accompany him.<sup>103</sup>

Court documents also show that several members of the Rise Above Movement, including Robert Rundo, Ben Daley, and Michael Miselis, traveled to Germany, Italy, and Ukraine in the spring of 2018. They attended the *Schild und Schwert* (Shield and Sword) Festival, held in Germany on Adolf Hitler’s birthday, and met with European white supremacists.<sup>104</sup> Their professed aim was to “bridge the gap between the two nationalist scenes,” according to a now-deleted YouTube video.<sup>105</sup>

According to the court documents, a video posted online on the group’s YouTube channel (also now removed) showed Daley “in Ukraine performing a salute known to be associated with the white Hammerskins,” a violent skinhead group in California to which Daley and others had previously belonged. It also allegedly included images of stickers being distributed with such messages as “rapefugees not welcome” and “fckantifa.”<sup>106</sup>

While in Ukraine, the group met the ubiquitous Olena Semenyaka, who said they had come “to learn our ways” and “showed interest in learning how to create youth forces in the ways Azov has.”<sup>107</sup> According to an investigation by Radio Free Europe/Radio Liberty, they also attended a concert by the white nationalist metal band Sokya Peruna, replete with Nazi regalia.<sup>108</sup>

It is worth noting that not all far-right activists and sympathizers see Ukraine as worthy of support, partly because some right-wing groups helped the Euromaidan pro-democracy movement in 2013 and partly because some find Russia a more attractive model. One German user on the ironmarch.org forum said: “I’m against this pro Ukrainian view, which is insulting the Nationalists and Patriots of Novorossiya. I think the Nationalists which are fighting for the Euromaidan-Regime are wrong and doing the job of the Western liberal-marxists.”<sup>109</sup>

Notably, the founder of The Base, Rinaldo Nazzaro, moved to St. Petersburg in Russia and married a Russian national.<sup>110</sup> According to *The New York Times*, the FBI is scrutinizing any ties between Russian intelligence or its proxies and Nazzaro. One U.S. official said federal investigators are examining how at least one neo-Nazi organization, The Base, with ties to Russia is funded.<sup>111</sup>

### Foreign Fighters in Ukraine

It is very difficult to establish how many foreign volunteers have

s Oneschuk was shot to death in May 2017 in Florida. His alleged killer, Devon Arthurs, has been held in a secure hospital in Florida. Dan Sullivan, “Experts: One-time neo-Nazi charged in double murder has autism, schizophrenia,” *Tampa Bay Times*, December 19, 2019.

traveled to Ukraine to fight in the Donbas conflict, whether for the pro-Russian separatists or the Ukrainian side. One estimate suggested that around 17,000 foreigners from 50 countries have at one time or another joined the conflict, but the vast majority were Russians on the rebels' side.<sup>112</sup>

Having spent much of 2014 and 2015 in eastern Ukraine, the author would be surprised if the numbers of foreign fighters with Ukrainian units has ever exceeded the hundreds, especially once fighters of Russian origin are excluded. Nevertheless, the Azov Regiment has attracted far-right activists from across Europe and the United States. Exact numbers are difficult to establish, but research by Arkadiusz Legiec, senior analyst at the Polish Institute of International Affairs, estimated that over a five-year period, foreign volunteers from Belarus and Georgia topped 100 in each case, while a few dozen nationals from Italy, Sweden, Croatia, and Germany also went.<sup>113</sup>

Some volunteers have lasted just a few weeks. Others, like the Swede Mikael Skillt, served in the Battalion for months on the frontline.<sup>114</sup> Skillt was an accomplished sniper, though not himself a white supremacist. The Azov Regiment also attracted a number of Croatian fighters or 'Legionnaires.'<sup>115</sup> A retired Croatian brigadier general associated with the far right, Bruno Zorica, appeared at a rally organized by the National Corps in 2018.<sup>116</sup>

The handful of Americans known to have traveled to Ukraine to fight as volunteers have largely done so as individuals rather than as members of a group. Some have been inspired to defend Ukraine against what they see as Russian aggression. Some have simply wanted adventure, seduced by a romanticized ideal of the Donbas conflict. Others have been attracted by the white supremacist or neo-Nazi messaging of far-right extremist groups.

The most notorious of the American fighters is a former U.S. soldier, Craig Lang. Lang arrived in Ukraine in 2014 and was one of several foreigners to join the Georgia National Legion, a volunteer group prohibited by Ukrainian authorities from taking part in combat operations.<sup>117</sup> Lang later joined the Right Sector but by 2016 had returned to the United States because—in his words—the conflict had “got too slow” and “became trench warfare.”<sup>118</sup>

According to U.S. court documents, another former U.S. soldier, Alex Zwiefelhofer, arrived in Ukraine and met Lang in late 2016 or 2017. Zwiefelhofer appears to have been more attracted by adventure than far-right ideology. He had absconded from the U.S. Army in 2016 at the age of 19 and tried to join the French Foreign Legion before joining Right Sector in Ukraine.<sup>119</sup>

In June 2017, the pair were detained by Kenyan police as they tried to reach South Sudan.<sup>120</sup> Their intent was apparently to fight against the al-Qa`ida affiliate al-Shabaab in Kenya or Somalia, according to the court documents. They later planned to go to Venezuela to join the opposition to the Maduro regime.<sup>121</sup>

In April 2018, Lang and Zwiefelhofer allegedly killed a married couple in Florida. Both men were indicted by a federal grand jury on charges related to the killings, including conspiracy to commit violence, but not actual murder charges.<sup>122</sup> By then, Lang had returned to Ukraine, where he awaits extradition back to the United States.<sup>123</sup>

According to court documents, while in Ukraine, Lang also communicated via Facebook with Jarrett William Smith. In an exchange in June 2016, Smith wrote: “No former military experience, but if I cannot find a slot in Ukraine by October I’ll be going into the Army ... To fight is what I want to do.”<sup>124</sup>

Lang responded, “I’ll forward you over to the guy that screens people he’ll most likely add you soon ... Also as a pre-warning if you come to this unit and the government comes to shut down the unit you will be asked to fight.”<sup>125</sup>

Smith did join the U.S. Army, a year after beginning his exchanges with Lang. The two also met in El Paso, Texas, according to the complaint against Smith.<sup>126</sup> Like Lang, Smith appears not to have belonged to a far-right group, but he was inspired by white supremacist ideology. Indeed, he belonged to a Telegram group that counted the Ukrainian publisher of the Christchurch shooter’s manifesto among its members.<sup>127</sup> In February 2020, “Smith pleaded guilty to two counts of distributing information related to explosives, destructive devices, and weapons of mass destruction.”<sup>128</sup>

Further evidence of the loose networks that connect far-right activists comes in the shape of Joachim Furholm, who had served in the Ukrainian armed forces before his contract was terminated. Ukrainian officials told the author that Furholm, who is Norwegian, tried to attract Americans to Ukraine to fight and expressed the view that such combat experience could be useful when fighters returned to the United States.<sup>129</sup>

In September 2018, Furholm reportedly spoke at a National Corps rally in Kyiv. A month later, he appeared on the American white nationalist Radio Wehrwolf and said the National Corps could help Americans who wanted to fight on the Ukrainian side in Donbas.<sup>130</sup> Furholm also believed that Ukraine was ripe for a white nationalist government, citing its “perfect mix of bad economy, wartime situation, corrupt elite and media that no one trusts.”<sup>131</sup>

Furholm has said in the past that he “respects” Norwegian terrorist Anders Breivik who committed the 2011 attacks that killed 77 people in Norway.<sup>132</sup> He blamed Norwegian authorities for getting him expelled from his Ukrainian unit.<sup>133</sup>

### *The MMA Scene*

One thread linking far-right Americans with Europeans of similar views is the mixed martial arts scene. The Rise Above Movement members who visited Europe in 2018 attended the Shield and Sword Festival in Ostritz, a small German town near the Polish border, as well as an event in Ukraine’s capital.<sup>134</sup> Rise Above has described itself as “the premier MMA club of the Alt-Right representing the United States.”<sup>135</sup> The group’s self-appointed leader, Robert Rundo, is an MMA fighter and took part in an event at the Reconquista Club in Kyiv in April 2018.<sup>136</sup> In a post on the far-right messaging board Gab, the Rise Above Movement said “one of our guys has had the honor to be the first American to compete in the pan european organization Reconquista in Ukraine. This was a great experience meeting nationalist [sic] that came as far as Portugal and Switzerland to take part.”<sup>137</sup>

According to the criminal complaint against Rundo and his fellow travelers, they met members of the Russia-based White Rex group.<sup>138</sup> Specifically, according to the author’s sources in Ukraine, they met the group’s founder Denis Nikitin.<sup>139</sup> Nikitin used to organize MMA bouts internationally and is connected to the Azov

t In August 2019, Smith spoke with an FBI informant in an online chat, according to the criminal complaint, and discussed a plan for an attack inside the United States and the possibility of killing members of the left-wing group Antifa. Their communications are discussed in the indictment against Smith. See “USA v Jarrett William Smith, Indictment,” U.S. District Court, District of Kansas, September 25, 2019.

Movement despite being Russian.<sup>140</sup> Nikitin and Semenyaka both spoke at the ‘Europe Of The Future 2’ conference organized by Polish white supremacist group Szturmowcy in 2017.<sup>141</sup>

Nikitin is another example of the transnational networking of far-right extremism. He has openly expressed white supremacist views. He told *The Guardian* in 2018: “If we kill one immigrant every day, that’s 365 immigrants in a year. But tens of thousands more will come anyway. I realised we were fighting the consequence, but not the underlying reason.”<sup>142</sup>

White Rex sells clothing with neo-Nazi symbols and racist slogans, including “Zero Tolerance” and “White Rex Against Tolerance.” Rise Above’s own clothing line, Right Brand (now defunct), underlined the link with White Rex. One t-shirt read: “Facing the sun in my uniform. That’s how death will find me. White REX.”<sup>143</sup> U.S. court documents attest that Right Brand Clothing’s Instagram page included a photograph of Rise Above Movement members meeting with Olena Semenyaka.<sup>144</sup>

White Rex events frequently featured the Russian *Kolovrat*, a swastika-like symbol popular with Russian white nationalists,<sup>u</sup> as well as the Black Sun symbol, which was worn by Tarrant during his Christchurch rampage.<sup>145</sup>

Posts on ironmarch.org also indicated that MMA is significant connective tissue for far-right groups in the United States and Europe. One user posted: “The great thing about MMA training like National Action and Sigurd do is it really doesn’t require much money, organization or structure like the other things I have mentioned. It can be done as long as people are near one another and can coordinate online when to meet up.”<sup>146</sup>

## Conclusion

The Donbas conflict has become less attractive for foreign volunteers since 2016 as it has become less dynamic and as Ukrainian authorities have become more wary of the adverse publicity that these fighters often bring. Over the last year, sources in Ukraine have told the author that the number of foreigners accepted into fighting units—principally the Azov Regiment—has fallen into the low dozens.

Additionally, in 2018, the United States Congress banned the Azov Regiment from receiving weapons being supplied to the Ukrainian government, which now include Javelin anti-tank missiles.<sup>147</sup> Its members are also not allowed to take part in U.S.-led military training held near Lvov.

There is pressure within the U.S. Congress to designate white supremacist groups that have developed international contacts as foreign terrorist organizations (FTO), to provide additional prosecutorial firepower against Americans who might be tempted to support them.

As already noted, in February 2020, U.S. Congressman Max Rose introduced the Transnational White Supremacist Extremism Review Act, which urges the Department of State to designate qualifying violent foreign white supremacist groups as FTOs. At the time of writing (April 2020), the legislation had not been introduced on the House floor.

The United Kingdom and Canada have designated several far-

right entities as terrorist groups.<sup>v</sup> But the situation in the United States is different. The State Department must show an organization is foreign based and has engaged in terrorist activity that threatens U.S. national security interests. Currently, there are no far-right extremist groups listed among the more than 70 FTO, although as noted the Russian Imperial Movement and three of its leaders have been labeled Specially Designated Global Terrorists.

However, then Acting U.S. Homeland Secretary Kevin McAleenan told the House Homeland Security Committee in October 2019 that the United States was tracking Americans that went overseas to train with far-right organizations such as Azov. “We’ve had multiple efforts—Hammerskins, Rise Above Movement—just in the last year, where we’ve used that international cross-border collaboration and movement to address and make arrests, take away visas, prevent that collaboration,” McAleenan said.<sup>148</sup>

As noted, for now, the appeal of the Ukrainian ‘front’ to foreign volunteers, many of whom espouse far-right extremist views, has ebbed. However, the Kyiv government in December 2019 adopted a mechanism to apply legislation introduced by the leader of the National Corps Andriy Biletsky that makes it easier for foreigners fighting in the Ukrainian armed forces to acquire citizenship.<sup>149</sup> Biletsky sits as an independent member of parliament.

It is too early to tell what effect the legislation may have. As noted, the number of volunteer fighters has fallen sharply in recent years but ideological ties between groups such as the Rise Above Movement, the remnants of Atomwaffen, and the National Corps remain. This shared outlook and mutual encouragement poses a greater challenge than the dwindling numbers of foreign fighters. There is no evidence that any foreign fighter has used his training in Ukraine to plan an attack in his homeland, even if a few individuals have considered that gaining military experience in Ukraine might be of benefit at home.

The numbers, training, and motivations of volunteer fighters in Ukraine are not in any way comparable to the networks of foreign jihadis in Syria and Iraq. However, white supremacist groups and individuals in the United States have established a web of informal links with similarly minded groups in Europe, online, and in person. Ukraine remains, as evidenced in court documents and on social media, the favored destination of many American and European white supremacists. The National Corps welcomes and encourages them, even as the Ukrainian state regards their presence as an irritant or embarrassment.

Recent cases in the United States, many of which are covered in this survey, suggest that a number of individuals charged with or convicted of offenses ranging from conspiracy to swatting have admired neo-Nazi movements in Europe, and especially the Azov Regiment and National Corps in Ukraine.

In the future, the appeal of Ukraine as a destination for foreign white supremacists will depend on the success of the National Corps and its militant street presence. Should the government of President Volodymyr Zelensky, which is inexperienced and struggling to

v In the United Kingdom, the Home Secretary has the power to ban extremist organizations. In February 2020, the far-right Sonnenkrieg Division was proscribed. See Jamie Grierson, “UK to ban neo-Nazi Sonnenkrieg Division as a terrorist group,” *Guardian*, February 24, 2020. Canada added two white supremacist groups to its list of proscribed terror organizations in June 2019. See Kathleen Harris, “Liberals add far-right extremist groups to list of outlawed terror networks,” CBC, June 26, 2019.

u The White Rex Facebook page, though not updated since 2015, has several images of the Kolovrat.

deal with Ukraine's multi-layered economic and social problems, falter, there may yet be an opening for the National Corps. The National Corps has been vocal in opposing ideas floated by Ukraine's President for deescalating the tension in Donbas, seeing them as concessions to the Kremlin.<sup>150</sup>

The National Corps is well-organized, appears to be well-funded, and actively solicits international connections. Olena Semenyaka said in 2018: "If crises like Brexit and the refugee problem continue, in this case, partnerships with nationalist groups in Europe can be a kind of platform for our entry into the European Union."<sup>151</sup>

It is clear that U.S. federal authorities have stepped up the surveillance and infiltration of white supremacist groups, judging by the spate of arrests and convictions in the last year. However, the polarized political climate in the United States and much of Europe is fertile ground for such groups and the individuals who support them. Their growing presence on social media and messaging apps and at events on both sides of the Atlantic will continue to test law enforcement agencies. The links between white supremacists in North America and Europe continue to deepen, with Ukraine's National Corps a key facilitator. **CTC**

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