

# Irish Security Soundings

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## Returnee Foreign Terrorist Fighters and their Families

### Situation

In January 2019, an Irish citizen, Alexandr Ruzmatovich Bekmirzaev, was captured by Kurdish-led forces in Syria, on suspicion of having fought with Islamic State. Mr. Bekmirzaev was originally from Belarus before coming to Ireland in the early 2000s. He reportedly made his way to Syria in 2013. This, coupled with more recent reports of the arrest of Lisa Smyth in Syria, an Irish female and former member of the Irish Defence Forces, brings the debate to Ireland about how we are going to manage returnee foreign terrorist fighters and their families, both documented and undocumented. We are not alone, other nations face similar situations with no simple answers.

### Comment

The case of Mr. Bekmirzaev, Ms. Smyth and the host of other European citizens wanting to return home serves to highlight the security, political and legal difficulties facing governments as they debate whether and how to manage such cases. Alex Younger, head of MI6, the UK's secret intelligence service, recently said that some of the returnees are "likely to have acquired the skills and connections that make them potentially very dangerous". However, assessing the potential risk posed by such individuals, is only one element of a complex equation. So, what other options are there? Can we leave our citizens in limbo, irrespective of what is alleged against them? Is it legally, morally or ethically acceptable to expect authorities in Iraq, Syria and nations who have set up refugee camps which contain families of suspected fighters, to deal with all these people?

Revoking citizenship is not easy. According to International law, a person's citizenship cannot be revoked if doing so would make them stateless. This might provide options for those who are nationalised citizens, as their citizenship can be revoked under a certain set of conditions. Nonetheless, this is also not as black and white as it sounds. For example, if someone obtained citizenship after having refugee status, the very reason for being given this status may have been on an assessment that it was not safe for them to go home. If this is still the case, it is unlikely it would be acceptable to send them back irrespective of what they are alleged to have done. Furthermore, in cases where someone has dual citizenship rights because of their parents, can we truly expect a nation to take back a person who has never exercised their right as a citizen of that country prior to this? From an ethical perspective perhaps, but from a moral perspective we should have a primary duty of care to our own citizens and their security. Moreover, this approach may present challenges for Ireland. It could possibly motivate or radicalise other dual citizens as a result of this treatment. Where would the line be drawn? could they be susceptible to the same treatment for more minor infractions? So withdrawing citizenship is no silver bullet. Furthermore, it should be noted that not

all those who may be entitled to return have alternative citizenship. Would we treat these differently? While we may have little choice, it raises questions about equality across citizens.

An alternative to this is to ensure that all returnees are arrested, de-briefed, prosecuted and if found guilty, imprisoned. However, even if individuals are allowed back with the proviso of prosecution, this may not be as easy as it sounds. Prosecutions may be difficult if at all possible, even for suspected fighters, given the challenges surrounding securing evidence from conflict zones at the standards necessary for our legal system. If they cannot be prosecuted, can they be integrated back into society? Will they be willing? Will the public be open to this? Repatriating such individuals is likely to be met with public anger. How will this be managed? They will require integration into society and thus will need social housing and resources dedicated to them ahead of other members of society. Politically this may be unacceptable however if we don't, we face a greater consequences down the road. Secondly how can one be certain beyond a reasonable doubt who fought with ISIS and who fought against them. Are we willing to change a core feature of our legal system? Should there be a difference in how we treat those who travelled to conflict zones irrespective of the side they supported, are we content in our notion of 'right'? Furthermore, are we confident in the knowledge that some citizens have fought against ISIS and have returned, yet may have the skills and connections that make them potentially very dangerous? Are we even asking the right questions to determine risk? Are our debriefing interviews fit for purpose and are we debriefing the right people?

## Assessment

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The Irish Government should not put off developing a policy to manage such returnees, even if that is dealing with individuals on a case by case basis, because there are short, medium and long term implications to any of the choices referred to above that need to be properly considered. For example, failure to repatriate citizens could leave them in limbo, likely to push them further underground, which may make them difficult to monitor. While this may reduce the potential direct impact on Ireland, there may be indirect risks. For one, this approach is also likely to reinforce possible feelings of disillusionment with the West, for those who want to come home and are unable to do so. Even if citizens are brought home, the government must think through the options available to them, the resource implications, and procedures and policy because prosecution may not be an option. One must carefully manage reintegration. For one, if this is not done properly, this may serve to motivate growing right wing sentiment, as being witnessed in other places across Europe.

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*The Irish Security Soundings are musings written by SAR's senior analyst, Sheelagh Brady, on security related issues facing Ireland at the moment and into the future, sometimes raising more questions than answers. If you would like to be placed on the mailing list to receive future sounding, please drop us a line to [info@sarconint.com](mailto:info@sarconint.com) or check us out at [www.sarconint.com](http://www.sarconint.com).*

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