TERRORISM AND POLITICAL VIOLENCE
https://doi.org/10.1080/09546553.2018.1497987

Foreign Fighter Returnees: An Indefinite Threat?

David Malet[a] and Rachel Hayes[b]

[a]Department of Justice, Law and Criminology, American University, Washington, DC, USA; [b]Elliott School of International Affairs, George Washington University, Washington, DC, USA

ABSTRACT

How long does it typically take a returned foreign fighter to launch a domestic terror attack? The issue of returnees, and appropriate national and international responses to potential threats, has become a preeminent security concern of the 2010s, impacting policies on everything from refugees to whether to permit ISIS fighters to leave the theater of conflict alive. This article attempts to illuminate these contentious debates through a new data set of Lags in Attack Times of Extremist Returnees (LATER) that examines 230 jihadi returnees to Western countries. The data indicate that the majority of attempted attacks occur within one year, with a median lag time of just four months. Prison appears to play no role in lag times. Our findings indicate that security and reintegration efforts should be targeted within the critical six months after return, which diminishes the risk of attack considerably.

KEYWORDS

Foreign fighter; recidivism; jihadi; CVE; reintegration

Introduction

The potential threat that foreign fighters, also known as foreign terrorist fighters (FTF), pose to their countries of residence once they return from the battlefield has concerned policymakers since the invasion of Afghanistan in 2001. Returnees are presumed to be particularly radicalized and to present an indefinite threat of domestic terrorism. While there has been considerable analysis of the propensity for and effectiveness of domestic attacks by returnees, and whether most travelers exhibit greater radicalization, the same attention has not been afforded to the question of the duration of the threat they may pose. Asked simply, of those returnees who do become involved in domestic terrorism, what is the average time frame for their attempted attacks?

The question carries significant import because Western countries are divided over how to respond to the challenges of foreign fighters post-conflict. Fear of perpetual terror threats has led some governments to enact legislation that strips the citizenships from travelers; others have refused to repatriate their citizens, even for criminal trial. And some have been detained as unlawful enemy combatants for nearly twenty years. With the scope of foreign fighter participation in the Syrian Civil War and its extension into Iraq, the peril of potentially hundreds of Western volunteers returning to become sleeper cell terrorists is the main rationale offered for these policies.

CONTACT David Malet malet@american.edu American University, School of Public Affairs, 4400 Massachusetts Avenue NW, Washington, DC, 20016, USA

Color versions of one or more of the figures in the article can be found online at www.tandfonline.com/ftpv.

This article answers basic but highly consequential empirical questions. Among those foreign fighters who do become domestic terrorists, what is the typical lag time between returning and attacking? Are returnees who plot attacks sleeper terrorists who were waiting to be awakened by controllers or are they individuals who find themselves adrift after leaving the battlefield and re-radicalize in prison or in their pre-war social networks? What, if any, impact does prison time have on the lag time between returning and attacking?

Our findings are generated by an original data set of Lags in Attack Times of Extremist Returnees (LATER). The results are highly germane for counterterrorism planning as well as for national security policy making. Knowing whether there is typically a long or short lag time before attacks has a direct bearing on the application of resources, from surveillance to reintegration programs, as well as to strategic assessments of whether it is riskier to bring citizens back or to leave them on the world stage.

We first examine what existing research indicates about the propensity for returnees to become involved in violence. We next present the LATER data and discuss considerations in coding. Finally, we conclude with implications for policy making.

Expectations of recidivism

It is problematic to employ a single descriptor for plots by returned foreign fighters because their circumstances may be very different. For example, one individual may return to his or her home country with malicious intentions, while another may return home disaffected with the cause but ultimately join another extremist group or take action alone. The former would never have ceased to be an extremist, whereas the latter fell back into anti-social behavior either through personal failings or the failings of the system. The latter would be described as a recidivist, but the former would not.

To date there have been several studies of the behavior of foreign fighter returnees, but they have not distinguished between directed attackers returning on a mission, sleeper cell terrorists who never truly demobilized after being insurgents, prisoners who may have been delayed in plots, recidivists who continued to be engaged in extremist groups but did not take part in violence for some time, and recidivists who returned home from being insurgents and truly disengaged only to re-radicalize and become terrorists later. There may be an entire typology of returnees that could be established and studied if researchers could reliably code individual intentions.

A necessary first step, however, and the one within the scope of this study, is to simply observe how much lag time exists on average between returning from foreign fighting and attempting terrorist acts (or being caught planning them). If those returnees who launch attacks tend to do so very soon after returning, it would be difficult to describe them as having become disengaged and then re-radicalized. Likewise, if most plots take place years after fighting, that would presumably undercut expectations of foreign fighters returning to perpetrate directed attacks. Before examining the empirical data, we review what is already known about post-return offenses by foreign fighters.

Criminal recidivism

The study of repeat offender rates among terrorists is a relatively new pursuit that is limited by the population size, but far more statistics are available for individuals who have repeated patterns of non-terroristic, conventional criminal activity. For example, in the United States, decades of data indicate consistently that more than 60 percent of inmates are re-arrested within three years of release from prison.[1] Across Western countries, while overall rates of criminal activity have declined in recent years, recidivism rates have remained constant, at roughly half of the criminal population being re-arrested within two years of release from prison.[2] Regardless of any treatments while incarcerated, released convicts are seen to be at risk of relapse because they tend to return to their previous social networks and socioeconomic conditions, and they likely experience still greater difficulties re-acculturating to mainstream society because of their status. However, among those who do manage to avoid an immediate return to criminal activity, the risk of re-arrest decreases over time as compared to the recently released.[3]

Terrorist recidivism

While at least half of conventional criminals typically become repeat offenders, former terrorists appear from reported data to be far less likely to become recidivists. In 2014, the United States government confirmed that just 17 percent of Guantanamo Bay detainees, who could all be classified as foreign fighters, had re-engaged, defined as becoming directly involved in terrorist or insurgent activity, subsequent to their release.[4] In Indonesia, the domestic jihadist terrorist recidivism rate has been estimated to be a comparable 15 percent.[5] Saudi Arabia has claimed a similar 10–20 ratio for graduates of its deradicalization program.[6] Other programs from Northern Ireland to Colombia likewise claim high levels of success resulting from interventions ranging from anti-indoctrination programs to simple signed pledges. However, much of the data about the claimed effectiveness of deradicalization programs internationally is not available for independent verification and must therefore be accepted with caution.[7]

While some counterterrorism strategies seek to cause organizations to disband through discrediting ideologies or decapitating leadership, preventing recidivism among individuals who had been part of terrorist groups is generally regarded as requiring a tailored approach focused on specific, needed psychosocial interventions. Prisons, by contrast, are seen as breeding grounds of radicalization. As with conventional criminals, removing at-risk individuals from social milieus that promote anti-social behavior is viewed as key, as is measuring behavior rather than attitudes. Disengagement from terrorism is far easier to observe than ideological deradicalization.[8]

Demobilizing insurgents

However, foreign fighters are classified differently from terrorists in the research literature, notwithstanding the United Nations Security Council's creation of the FTF term in 2014. They are instead studied as transnational members of insurgencies, the non-state or rebel factions fighting against regular state military forces in armed conflicts. And while insurgencies may use terrorist tactics, demobilizing insurgencies requires different

approaches than dismantling terror networks. If foreign fighter returnees are akin to demobilized local insurgents, then recidivism may be a less appropriate lens than reintegration for generating expectations of their behavior.[9]

International organizations invest in peace-building in conflict-torn societies—the civil war zones where insurgents operate—through programs of disarmament, demobilization, and reintegration (DDR). Donors work with local governments to provide a negotiated amnesty for rebel fighters in exchange for a cessation of hostilities; local governments in turn assist with sending them to home or local communities. A key component of the DDR program is the provision of assistance such as job training for setting up productive post-conflict lives with no need for financial recourse to joining an armed group. As with anti-terrorism programs for countering violent extremism (CVE) and anti-recidivism, many DDR programs claim extremely high success rates that are difficult to verify independently. As Kaplan and Nussio note, despite hundreds of millions of dollars invested in DDR programs worldwide for decades, it is difficult to determine when they are most likely to be effective because "there is little systematic evidence about who decides to go bad." However, the success of DDR programs appears to correlate with the psychosocial traits of participants in the programs, as measured by their prior arrest records.[10] When organizations such as ISIS attract younger recruits without prior records, these predictive indicators clearly become less useful.

As with CVE efforts, DDR programs measure reintegration by disengagement, not by an ideological shift or deradicalization. DDR programs are intended to be alternatives to prison sentences, speeding the end of the conflict by reducing the losing side's fear of punitive measures, but also because it is infeasible to imprison rebel armies, their families, and supporters. Programs are therefore conducted on a group scale and tend to have a community focus rather than on just individual participants' needs. In some instances, there are specialized programs for women and children who are particularly affected by domestic violence and the PTSD impacting former combatant family members. Unlike many CVE programs for returning foreign fighters, such as the Danish mix of amnesty and social programs that is perhaps closest to the DDR approach, participation is mandatory and state-run.[11]

Not only are the long-term impacts of intervention programs difficult to study, but it is even more difficult to compare the effectiveness of programs that focus on post-imprisonment social reintegration with those of treatments for non-imprisoned belligerents. Another challenge is that rewards programs for former violent offenders can be at least perceived to create perverse incentives for that behavior. Even if they do not, this perception can build resentment among others within at-risk communities, let alone the broader civil society. Finally, even insurgents are usually afforded a legal status and legitimacy that foreign fighters typically are not.[12] Since 2001, foreign fighters have been branded "unlawful enemy combatants" and subject to extrajudicial detention or, increasingly, targeted battlefield killings.

The model of DDR programs for local insurgents may not be an appropriate solution to the policy challenges posed by returnees who have traveled to conflicts elsewhere. For example, DDR is usually treated by local authorities as a gradual process of peacebuilding, and it is one that typically involves insurgent commanders helping to broker deals to take care of their fighters, a dynamic that would likely not exist for individual returnees from foreign fighter groups.[13] It is worth noting,

however, that in the case of one of the largest recorded instances of foreign fighters, the 1930s Spanish Civil War, the League of Nations did negotiate demobilization, amnesty, minor financial assistance, and a return home for foreign volunteers, so precedent does exist.[14]

Foreign fighter returnees

When returnees attack

While some foreign fighters stayed loyal to their organizations for decades, including Al Qaeda founding members and non-jihadis like the International Brigadesmen in Spain, there is no extant data on how long on average returnees remain engaged with the organizations that motivated them to become insurgents.[15] With no data available to measure the disengagement of cohorts of foreign fighters, what has received considerable attention is the risk that they pose for conducting terrorist activity.

Historical records indicate that blowback from foreign fighter returnees is observable as far back as the 18th century, when participants in the American Revolution returned to Europe and led uprisings or formed transnational networks that plotted attacks elsewhere.[16] In the modern jihadi movement, the first wave of foreign fighters produced blowback, with 1980s Afghanistan mujahidin returnees responsible for bombing attacks such as in New York in 1993 and Bali in 2002.

The ISIS era of mass jihadi foreign fighter mobilization for the Syrian Civil War coincided with the release of Thomas Hegghammer's 2013 study of jihadi returnees based on his Jihadi Plots in the West (JPIW) data set. Hegghammer found that, among returned jihadis between 1980 and 2010, 11 percent became involved in domestic terror plots, and that their attacks were both significantly more likely to be carried out successfully and significantly more likely to result in fatalities. Hegghammer cautioned in the article that his "one in nine" ratio of returnees becoming domestic terrorists was a maximum likelihood estimate based on recorded returnees and was based on overrepresentation of returnees who had garnered news reports. Because authorities were not prosecuting foreign fighting during much of this period, many who had been foreign fighters pre-9/11 were never identified and the actual ratio for any particular conflict was likely significantly lower. He also explicitly stated that most jihadis would prefer foreign fighting to domestic terrorism because the former was lauded among supporters as a more heroic pursuit. One facet of the JPIW data that did not receive comment, however, the finding that attacks involving returnees are twice as likely to be deadly, was based on a sample of 11 lethal attacks over thirty years across the entire Western world.[17]

Despite Hegghammer's measured findings of threat, the conventional wisdom spread rapidly that returnees would be skilled terrorists and that roughly ten percent of them would commit domestic attacks. This statistic was used by a number of governments as the basis for harsh penalties against individuals who became foreign fighters. For example, the UK Parliament Home Affairs Committee reported that an "average" of one in nine returnees become domestic terrorists in its 2014 report that served as a basis for stripping citizenship from Britons who traveled to Syria.[18]

Despite this widely cited figure, other researchers have contested both the severity and the scope of the threat posed by returnees. Byman questioned whether the attacks by

returnees have demonstrated any added skills or prowess with weaponry, and Byman and Shapiro noted that the battlefield training that insurgents receive is not necessarily conducive to domestic terror operations. Leduc found that, when mass casualty attack outliers are removed, other attacks by returnees are not significantly more deadly than non-foreign fighter attacks, and de Roy van Zuidewijn found that not only do few lethal attacks in the West involve returnees but that most returnees are arrested for offenses such as possessing offensive materials rather than deadly plots. Braithwaite and Chu found that only foreign fighters from victorious insurgencies are more likely than average to produce blowback, and Hegghammer and Nesser found that the rate of attacks by Western returnees in the ISIS era appears to be just 1 in 360, and that domestic-based inspired attacks are a greater threat.[19]

We do not attempt in this article to adjudicate the degree of threat posed by returnees, but to observe instead the time between returning and either attempting a domestic attack or being arrested for credible evidence of planning an attack. Clearly the threat posed by returnees is greater than zero because some do plot domestic attacks even if they are a miniscule fraction of returning foreign fighters. Questions about how many of them will do so and whether the attacks are likely to be more effective are relevant to policies on returnees, but are distinct from the question of the expected duration of any threat that we examine in our findings.

The Syrian Civil War and the long wait

With tens of thousands of volunteers traveling to Syria and Iraq beginning in 2011, there has been ample opportunity for returnees to make their presence felt. By late 2017, the United Nations reported that 33 countries had received more than 5,600 returnees.[20] There are several different potential types of returnees among them—some who returned disgruntled soon after they arrived, others who may have trained extensively, and so on.[21] A 2017 report by the Dutch General Intelligence and Security Service argues that it is worth observing the duration of a traveler's stay in Syria to make inferences about how much training they might have received, and some subsequent studies have cited this research recommendation to indicate that there is evidence that longer sojourns as foreign fighters produce greater degrees of indoctrination and ideological extremism.[22] However, there is no data currently available that demonstrates that any factors of the experience as a jihadi pertain to the length of time before attacks by returnees or propensity to recidivism.

Some of the early returnees have already been back for years. For example, early in the Syrian conflict, Australia was initially a major source of foreign fighters among Western countries, with approximately 200 Australian traveler cases. By 2015, more than 30 of them had already returned, none of whom had been reported to be involved in domestic terror plots.[23]

At the same time, returnees who have engaged in high-profile domestic terror plots have had very short lags in time between their returns and attacks. For example, half of the perpetrators of the 2015 Paris attacks and half of the conspirators in the 2016 attacks in Brussels attack were returnees who had arrived back in Europe between one and six months earlier.[24] Abdelhamid Abaaoud had international warrants for his arrest for war crimes in Syria in 2013 before returning to facilitate attacks in Europe including the 2014

Brussels Jewish Museum attack by Mehdi Nemmouche, the first by a Western ISIS returnee, and four of six plots in France in 2015, including the Paris attacks and the attempt on the Thalys train. Abaaoud evidently had assistance planning these plots from Syria, raising the question of whether they were directed attacks rather than plots by returnees.[25] Our data in the next section addresses whether this lag time is typical.

At the same time, it is necessary to recognize that blowback from the Syrian Civil War has not been as straightforward as simply returning to home countries and launching attacks. First, most attacks in Western countries in the 2010s were attacks by individuals who sympathized with jihadi groups but never actually traveled to Syria. Even in Belgium, a country that has experienced significant blowback from Syria, there have still been three times as many "ISIS-inspired" attacks as incidents perpetrated by returnees.[26]

This distinction is significant because Holman provides evidence that, unlike networks that engage in crime to fund domestic terror operations, networks that facilitate foreign fighting avoid domestic plots and illicit activity to finance their operations so as not to compromise their transnational connections and goals.[27] So it is possible that returnees who work to facilitate the travel of other foreign fighters may actually be less inclined to perpetrate other illicit activities because their objectives are transnational rather than local operations.

Second, there have been fewer attacks than might have been imagined had ten percent of returnees become domestic terrorists, but there have also been fewer returnees overall than initially expected by many countries. It is worth noting that interviewed returnees have not demonstrated significant further radicalization as a result of their time in Syria, although these may not be a representative sample of all travelers.[28]

The low rate of return could be another indication that few jihadis ever seek to go home.[29] Some returnees, such as American Moner Abu Salha, leave and return again to other countries to engage in militant activities, and this pattern is more common than domestic plots, providing evidence to support Hegghammer's argument that for most jihadis it is preferable to be a transnational insurgent rather than a domestic terrorist.[30]

Finally, there is also evidence that a number of foreign fighters who went to Syria have gone into hiding in other countries.[31] It is possible that some of them may attempt to return at a later date and, if any of them attempt terror attacks, this cause of their delay would need to be taken into consideration. In other words, attacks could be delayed because returns are delayed, because perpetrators are being held in prison while still radicalized, or because they have failed to reintegrate upon their returns. Each of these sources of lag time carries different policy implications.

Returnee policy laboratory

Returnees are perceived to be threats for various reasons, including presumptions of higher levels of battlefield experience, terror network connections, desensitization toward violence, and ideological indoctrination.[32] Policy responses toward returnees have fallen into three main approaches of imprisonment, elimination, or reintegration. Different countries, depending on their legal and political traditions, have returnee policies that either emphasize the preservation of individual rights or of collective national security.[33] They range from Australia, which has instituted penalties of loss of citizenship and life imprisonment for being physically present in areas proscribed by its foreign minister, to

Denmark, which offers the equivalent of DDR to returnees for whom there is no evidence of personal commission of violent crimes abroad. Within countries with strong federal systems, such as Germany, law enforcement and social services approaches may vary tremendously between states.[34] This tremendous variation in policy responses offers a natural experiment in observation of the outcomes of different approaches.

Public sentiment tends to favor incarceration of returnees, although it is often difficult to produce sufficient evidence of foreign fighting to obtain convictions and prosecutors opt to pursue lesser charges simply to ensure that they remain in custody.[35] While it is undoubtedly necessary to jail dangerous terrorists, the research on prisons indicates a limited utility in addressing the long-term problem of extremism. Lister argues that rehabilitation programs and opportunities to work as state assets are likelier to yield more useful beneficial results from returnees than time in prisons, which have come to be seen as incubators of radicalization.[36]

Not only is there the risk of further radicalization occurring while low-level sympathizers are incarcerated with movement recruiters and propagandists, but some studies indicate that only 30 percent of those who completed their sentences were deradicalized at the time of their release.[37] Indeed, the threat of prison could push returnees to engage in additional violence: Some foreign fighters claim in interviews that they would rather perform a suicide mission than be imprisoned. Others interviewed in prison have said that their status makes them nostalgic for ISIS and wanting to rejoin it despite having defected.[38]

At the same time, as with conventional criminals who emerge from prison, returnees—whether they are jailed or not—are at risk for recidivism because they are returning to the milieu that enabled radicalization in the first place.[39] A 30 percent deradicalization rate after prison sentences may be the best outcome that can be hoped for, and it would be commensurate with the proportion of conventional criminals who do not become recidivists.

Most returnees spend a limited amount of time in prison, less than five years in both the United States and Western Europe, because they tend to be convicted of material support for terrorism rather than more serious war crimes or foreign fighting charges. Western countries should not have long to wait, for better or worse, to be able to observe recidivism rates and lag times among Syrian returnees who have had prison sentences.[40]

The potential costs of monitoring high-risk returnees indefinitely makes letting them back in an undesirable prospect, and a practical case for the expense and infeasibility of doing so is a chief argument of advocates of stripping the citizenship of travelers.[41] Commonwealth countries, notably the United Kingdom and Australia, have passed legislation to do so, while Canada did before a subsequent government reversed course. While barring returnees from re-entry may remove immediate potential domestic threats, the approach carries the risk of creating greater transnational threats when stateless individuals turn to extremist networks and failed states for refuge. Osama bin Laden, stripped of his Saudi passport, is Exhibit A of the potential risk of assuming that problematic citizens barred from return will remain someone else's problem.

Some governments have tried to reduce the risk of foreign fighter bleedout and blowback by attempting to ensure that they never leave their battlefields. Officials ranging from Dutch Prime Minister Mark Rutte to American Secretary of Defense James Mattis have declared that the most effective solution to the returnee challenge is to ensure that no

travelers survive to return home.[42] This "kill them all and let God sort them out" approach may well have some deterrent value against dilettante foreign fighters, but not against those who already accept the framing of jihadist propaganda that the umma faces an existential threat from the West. It would likely also dissuade disaffected foreign fighters from attempting to return and serve as assets.

Finally, some countries, notably Denmark and Sweden, have adopted DDR approaches, offering employment and psychological assistance on a voluntary basis to returnees.[43] The reported results have been encouraging, as have those of DDR programs for foreign fighters in sub-Saharan Africa that reported demobilizing 78 percent of 350,000 targeted insurgents, including foreign fighters. However, these programs do not enjoy consensus domestic political support, often being criticized for being too soft on terrorists, and are seen to be vulnerable to the risk of any high-profile failures. Many of these programs also do not make independently verifiable records available.[44]

Lags in attack times of extremist returnees (LATER) data

With uncertainty over the degree of threat posed, and substantially different policies enacted by different countries in the ISIS era, we attempt to measure the duration of threat posed by foreign fighter returnees. It appears that only an extremely small percentage ever attempt domestic terror attacks, a far lower recidivism rate than conventional criminals. The rate appears to also be lower than the recidivism rate among domestic terrorists and local insurgents. And yet, as the Paris and Brussels attacks demonstrated, some returnees do instigate terrorism.

We attempt to identify the duration of this threat because it has significant implications for strategies and distribution of resources for counterterrorism, counterinsurgency, CVE, and post-conflict development. Attacks by returnees long after returning indicate an indefinite threat and identify challenges of reintegration and disengagement. Attacks by returnees after release from prison would indicate that prison sentences are ineffective in promoting deradicalization and may only delay plots and extend the threat. Conversely, if there is a short lag time in attacks by returnees, this could suggest that prevention and surveillance should be concentrated in finite periods after return and that long-term approaches such as removing citizenship are being employed for short-term security challenges.

Findings

To examine lag time in attacks by returnees, we constructed a data set of 230 jihadi foreign fighters between 1980 and 2016 who a) successfully traveled to join militant groups and, at a minimum, attended training camps, b) returned to Western countries, and c) subsequent to their returns either conducted terrorist operations in their Western countries of residence or were arrested while preparing to do so. Of these, we were able to determine the year of return from foreign fighting for 134 individuals, and both the month and year for 90 individuals and record the lag time until attack or arrest. In instances where individuals had traveled multiple times, we counted from the most recent return before the domestic plot.

We found that 87 of 90 of the returnees (97 percent) whose lag time we could calculate in months had a lag of less than three years, meaning that only three percent were recorded being engaged in terrorist activity more than 36 months after they returned. Of these, the average lag time (between return and attack or arrest) was 9 months, the median was 5 months, and the most frequent lag time (the mode) was 4 months. If the three returnees whose lag times were greater than three years are excluded as outliers, the average time drops to 7 months, but the median and mode remain unchanged at 5 months and 4 months respectively. In examining all 134 individuals for which we had lag time data in years, we found an average lag time of 0.86 years (10 months), and both a median and mode of 0, so even with the expanded data we still find that most attacks occur within one year of return.

We also examined the success rates of attacks by returnees, with success defined as conducting some attack and failure as being arrested while still in the plotting stage. Of 134 returnees whose lag time we could measure by year, 43 were successful in conducting attacks. Among the 90 whose lag times we could calculate by month, 40 returnees were successful in perpetrating terror attacks, and only 1 of them did so in a period longer than three years from his date of return. It is worth reiterating that the data reflect only returnees who engaged in terrorist activity, and not all returnees. In other words, the results do not indicate that one-third to half of all returnees are successful in launching attacks.

Finally, we sought to examine whether imprisonment affects lag times. To do this, we counted only imprisonment between the final return from foreign fighting and the attack or arrest. Some returnees had previously been imprisoned for other domestic plots or for foreign fighting or attempted travel. For example, Cherif Kouachi, one of the shooters in the 2015 *Charlie Hebdo* attack, had been detained when he attempted to travel to Iraq in 2005 and was imprisoned for three years for his involvement in the recruitment network. However, he was subsequently successful in traveling to Yemen and we count his lag time from the date of return in 2011 in that instance. By this reckoning, because he did not go to prison between returning and attacking, there was no prison time extending the lag.

Because most attacks or arrests occur within a few months of return, prison plays no role in extending lag time. Importantly, it also indicates that returnees who are released from prison do not tend to attempt subsequent domestic attacks. In fact, with the exception of one individual, Kamel Bourgass, who spent a single night in jail for shoplifting, none of the returnees with long lag times were incarcerated between returning and attacking or being arrested. This would indicate that incarceration does not merely delay the threat of domestic attacks or increase it because of prison radicalization.

Analysis of the data

Our data set of 230 returnees is based on several sources, beginning with Hegghammer's JPIW with 109 foreign fighter returnees. To this we added open-source data from media, government, and scholarly reports for information on domestic attacks by returnees or arrests of returnees for terrorist activity undertaken since their returns to Western countries, particularly for cases in the 2010s beyond the JPIW data. In combining various sources with different standards for inclusion of extremists, we include among foreign fighters individuals who were successful in traveling to join an extremist group and not those who were arrested in the attempt to travel, a population that merits study because

some thwarted foreign fighters also turn to domestic terrorism, but one that is different from successful travelers who are expected to be influenced by their experience abroad. Also, due to considerable overlap between frontline fighters and terrorist trainees, and the difficulty in ascertaining exactly which roles individuals performed, for the purposes of LATER data, we count all individuals who participated with an extremist group in another country as foreign fighters.

Scatter plotting allowed us to display the lag time for every foreign fighter as a point on a graph.[45] Trend lines that were either linear, logarithmic, or polynomial up to the 6th degree indicate that the maximum R^2 value for this data is around 0.23, which implies practically no overarching pattern in the data from which one could make predictions. The overall layout of the points on all of our scatterplots, clustered along the horizontal axis, suggests that shorter lag times are more frequent than longer ones. To better understand the overall distribution of the data, we also employed histograms, which count the frequency for a specific lag time. Looking at these results, shorter lag times clearly appear more frequently than longer ones in our dataset.

The majority of lag times are less than 10 months (Figure 1). Cases are plotted by the date of their attack or arrest, with the older foreign fighter returnees displaying closer to the vertical axis than the newer ones. The data do not indicate any clear historical patterns in increasing or decreasing lags over time.

To focus more closely on the evident clustering at the low end of the time axis, for the purpose of visual representation we eliminated the three outlier cases of individuals who had lag times longer than three years. Examining a narrower band of results still clearly indicates a clustering in early arrests and attacks (Figure 2).

Scatter plots, however, are only one method useful for visually representing data or making observations about possible trends. As we were interested in the overall

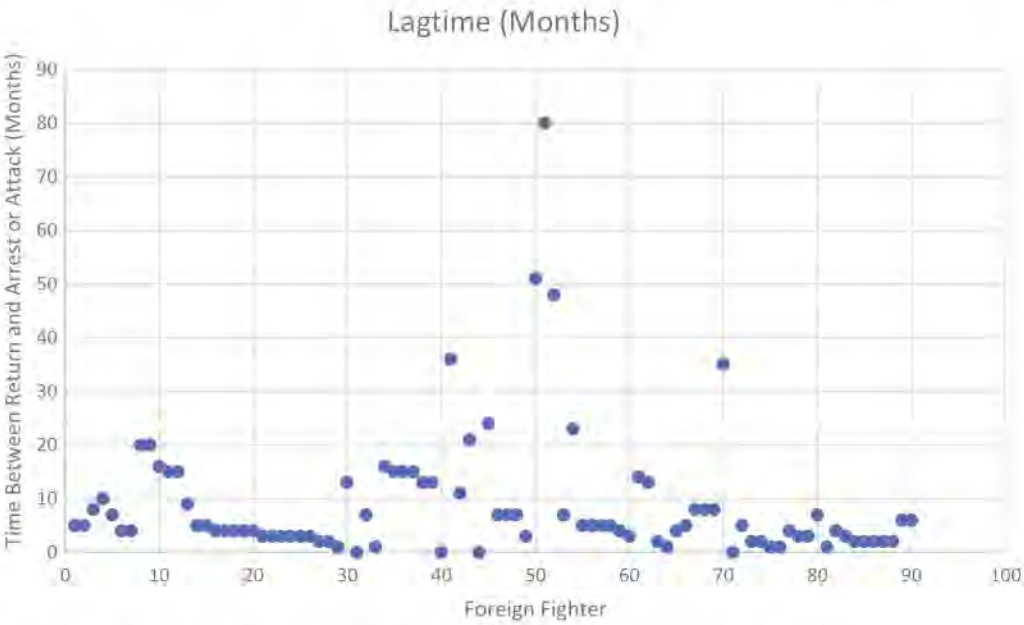

Figure 1. Scatter plot, lag time in months for all cases with known month of return.

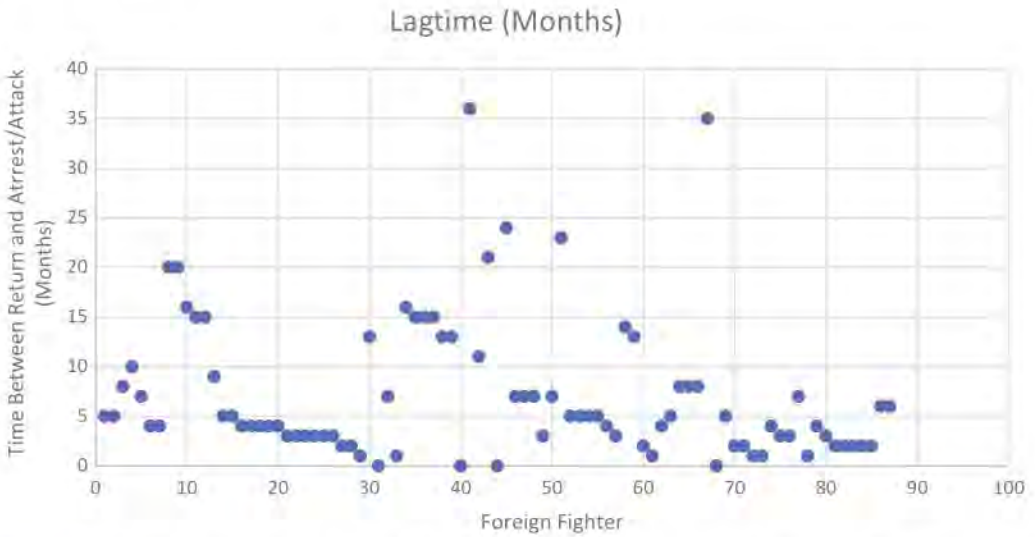

Figure 2. Scatter plot, lag time in months for all cases with known month of return less than 36 months to disruption.

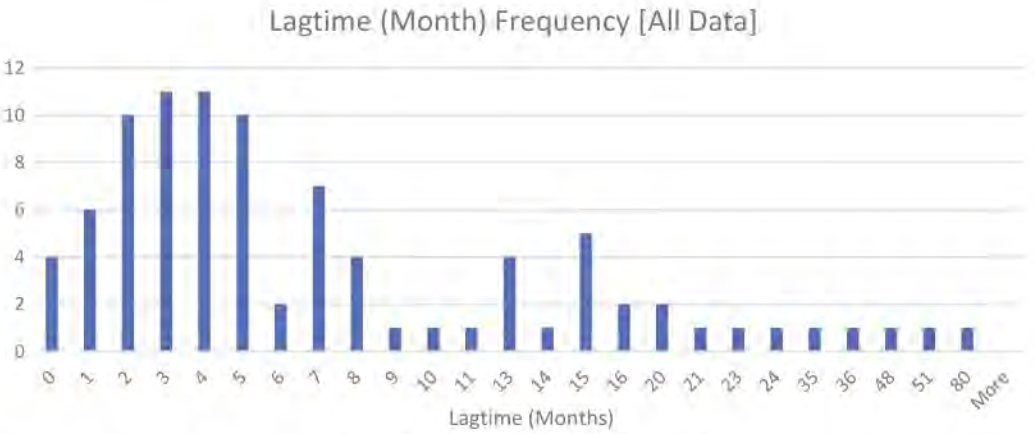

Figure 3. Histogram, frequency of specific lag time (in months) for all data.

distribution of the data, we decided to analyze it using histograms as well, which depict the frequency for which specific results occur. Figure 3 displays the number of occurrences of specific lag times measured in months.[46] The LATER data indicates the most frequent number of months between lag time and attack or arrest is three months.

We analyzed the data related to the 134 returnees for whom we identified the year of return using the same methods. Figure 4 represents the distribution of the 134 cases in which only the year of return was known.[47] Given that we have only the years for these attacks, lag time was calculated by subtracting the year of the foreign fighter's last return from the year of the attack. This yielded whole numbers rather than the more distributed lag times yielded with the months of both return and attack.

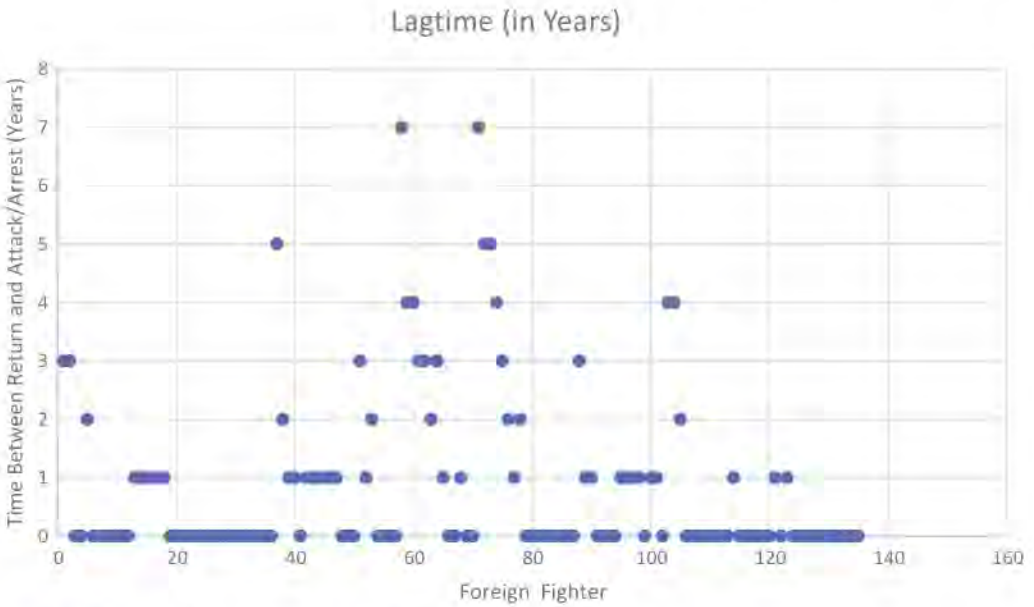

Figure 4. Scatterplot, lag time in years for all known years of return.

However, a histogram of the data by year (Figure 5) reveals a striking pattern. The majority of foreign fighters either attack or are arrested within the first year after their return. This may be the case because they are observed by law enforcement and apprehended quickly. But the pressure to avoid arrest could also be compelling returnees to launch attacks as quickly as they can.

Interpreting the data

We recognize that several factors could be influencing the data. First, it is possible that average lag times are short because half of the plotters were arrested, whereas they may have taken longer to engage in successful attacks. However, it is also possible that had some plotters never been arrested they may never have carried out their plots anyway. However, the longest lag time for any returnee who succeeded in carrying out an attack was still less than two years, so it does not appear that there would normally be lag times beyond 36 months even if no plotters were caught before they could launch attacks.

Another issue is the measurement of lag time. In our data set, lag time is the time between the date that foreign fighters returned from a known training camp location to a Western country for the final time and when they were arrested or successfully orchestrated an attack. This, however, risks oversimplifying the phenomenon. We have no information about whether these people were under surveillance or if they had been detected travelling back from their training camps. In cases of arrest, we also do not know how far into the plot the foreign fighters were before it was disrupted. This uncertainty impacts the uniformity of our data, as cases may have been thwarted at different points in the life cycle of the threat and under different circumstances.

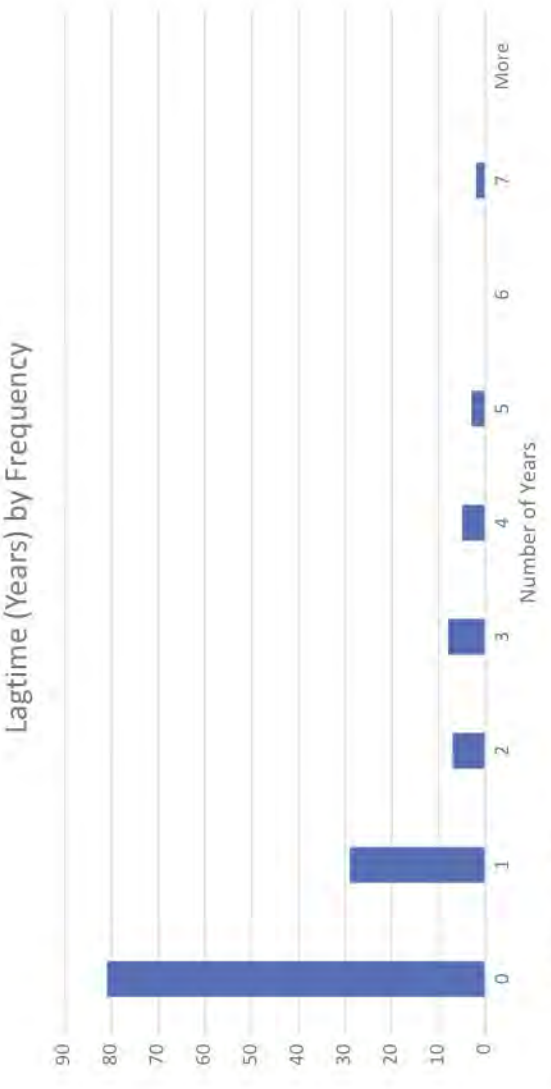

Figure 5. Histogram, frequency of lag time (in years).

Information about the investigations into these foreign fighters is not readily available, so the dates of arrest or attack dates are as precise information as we were able to obtain. We also recognize the imprecisions of counting by month in that our coding does not distinguish between the first and last days of the month. A lag time between January 1 and March 31 would count as 3 months, but a lag time between January 31 and March 1 would as well. More granular data might reveal more exact lag times, but the sample sizes would likely decrease based on data availability leading to less reliable findings.

Finally, the data only capture individuals who attempted attacks in Western countries after returning. In some instances, returnees depart the West again after finding themselves receiving attention from security services and engage in militant activities in the Middle East, and these are not counted in the recidivism rates because they only include domestic terrorism. A return to foreign fighting elsewhere is a different type of re-engagement and we did not have the data available to analyze it systematically.

Another type of action that was not captured in the data was individuals who directed attacks against the West from abroad, either without returning or because they left the Western country without becoming involved in terrorism while there. For example, Belgian Oussama Attar was repatriated from Iraq as a prisoner in 2012, but was released to ISIS territory. He was wanted for a suspected role in the Paris and Brussels attacks, but any involvement would have been in the form of directing attacks from abroad and not as a returnee. Directed attacks pose a challenge for classification.

Conclusion: short-term risks and front-loaded solutions

Our data indicate that among foreign fighter returnees who do become or attempt to become domestic terrorists, the median lag time between return and plot or arrest is less than six months for most returnees, the majority of attacks occur within one year, and nearly all attempts occur within three years. Only three individuals whose lag time could be measured in months were involved in domestic terror plots more than three years after the month of their return. The long lag times for these outliers is not attributable to prison delaying their plots because none of them was imprisoned between the date of their final travels to be foreign fighters and their arrests or attacks.

While the threat of prison may discourage individuals from returning, prison sentences have apparently had no impact on returnees historically because attacks happen in such a short time frame that intervening jail time is not a factor. New foreign fighter laws, border security, and more aggressive anti-terrorism arrests may have prevented some returnees from Syria from becoming domestic terrorists, but this cannot be demonstrated. But because very few outliers with long lag times went to prison either, our data provide no evidence that prison delays returnee plots, or that radicalization while in prison makes returnees more likely to attempt terror attacks later. Given how many Westerners have been jailed for travel or attempted travel in the 2010s, it is possible that this could change in the future after they complete their prison sentences. Very few early returnees from Syria engaged in domestic terrorism, so if a greater number does after being released from prison, this could serve as an indicator that jailing returnees is not an effective policy response. Returnees and attempted travelers who have been jailed will bear observation in future years to settle this question.

Paramedics face a "golden hour" in which they have the best opportunity to save the lives of traumatic injury victims. Conversely, it seems there is a "dark window" of approximately five months after their returns in which foreign fighters are most at risk for becoming domestic terrorists and then the threat declines sharply. While this window could be short because individuals are returning with the intention of committing terrorist acts as quickly as possible, it appears that directed attacks, in which individuals return on a specific terrorism mission, are extremely rare. Therefore this window of time is one during which interventions such as reintegration and disengagement programs are most likely to make a difference in outcome. This initial period is also apparently when intensive surveillance of returnees is warranted. But after a period of two years of inactivity, resources can be shifted elsewhere because the propensity for recidivism after this point appears to be slight. We acknowledge that conditions could change in the future because so many returnees, family members, and attempted travelers have been arrested, and this is a new dynamic.

It is also possible that our data are not fully representative of all returnees and are skewed by selection issues, small sample size, or the fact that all members of the population are from Western countries. However, we believe that our findings are consistent with historical results, among tens of thousands of jihadis in recent decades, and hundreds of thousands of foreign fighters throughout modern history. We therefore propose a "common sense" test for lag time in attacks: If our findings are inaccurate and returnees have longer lag times, we ask where they might be found. Clearly nothing like ten percent of returnees from Syria have engaged in domestic terror plots, but one rejoinder might be "not yet." However, if lag times are years rather than a few months, then we should be experiencing numerous attacks by the early returnees from Syria. If lag times are longer—say five, ten, or twenty years—we should have experienced waves of attacks by sleepers who fought years ago in Yemen, Somalia, Iraq, and Afghanistan. Fortunately none of this is occurring. Instead, it appears that most returnees who have not had enough will attempt to travel again to rejoin the jihad elsewhere.

Foreign fighters who return to plot domestic terror attacks are few and far between, and when they do engage in terrorism at home it is nearly always within a couple of years of return. As with conventional criminals, the risk of recidivism drops steeply after this point. Security and social service resources should be targeted within the critical first few months after return to have an impact. There is some danger of terrorism from returning foreign fighters, but returnees do not appear to pose an indefinite threat.

Acknowledgments

We wish to thank Timothy Holman for providing data on French returnees and Joseph K. Young for providing the opportunity to write an article on returnees for *Political Violence at a Glance* in 2016 which inspired this research.

Disclosure statement

No potential conflict of interest was reported by the authors.

Notes on contributors

David Malet is an Assistant Professor in the Department of Justice, Law and Criminology of the School of Public Affairs at American University. He previously taught at George Washington University, the University of Melbourne and Colorado State University. He is the author of Foreign Fighters: Transnational Identity in Civil Conflicts (Oxford University Press).
Rachel Hayes is an employee of the United States Department of the Treasury. She earned her Master degree in Security Policy Studies from the George Washington University Elliott School of International Affairs.

Notes

1. Patrick A. Langin and David J. Levin, "Bureau of Justice Statistics Special Report" (NCJ, 193427, United States Government Publishing Office, Washington, DC, June, 2002), 1.
2. Seena Fazel and Achim Wolf, "A Systematic Review of Criminal Recidivism Rates Worldwide: Current Difficulties and Recommendations for Best Practice," *PLoS One* (PLOS, June 28, 2015): 1–8.
3. Megan C. Kurlychek, Robert Brame, and Shawn D. Bushway, "Scarlet Letters and Recidivism: Does an Old Criminal Record Predict Future Offending?," *Criminology & Public Policy* 5, no. 3 (2006): 483–504.
4. Deb Riechmann, "Recidivism Rate for Terror Suspects in Dispute," *Associated Press*, January 14, 2015. Domestic critics of the Obama Administration who advocated for maintaining detention facilities at Guantanamo Bay argued that the reengagement rate was 30 percent, including suspected cases.
5. Noor Huda Ismail and Susan Sim, "From Prison to Carnage in Jakarta: Predicting Terrorist Recidivism in Indonesia's Prisons," Brookings Op-Ed, January 28, 2016.
6. Jesssica Stern, *Deradicalization or Disengagement of Terrorists: Is It Possible?* (Hoover Institution Taskforce on Security and Law, Stanford University, 2010); *Christopher Boucek, Saudi Arabia's "Soft" Counter-terrorism Strategy*, Carnegie Papers 97, 2008.
7. John Horgan and Kurt Braddock, "Rehabilitating the Terrorists?: Challenges in Assessing the Effectiveness of De-radicalization Programs," *Terrorism and Political Violence* 22, no. 2 (2010): 285; Bart Schuurman and Liesbeth van der Heide, "Foreign Fighter Returnees & the Reintegration Challenge" (RAN Issue Paper, November 2016), 4–6.
8. Audrey Kurth Cronin, *How Terrorism Ends: Understanding the Decline and Demise of Terrorist Campaigns* (Princeton, NJ: Princeton University Press, 2009), 11, 141–42; Raffaelo Pantucci, "UK Prisons: Incubators for Terrorism?," *The Guardian*, February 4, 2009; John Horgan, "Individual Disengagement: A Psychological Analysis," in *Leaving Terrorism Behind: Individual and Collective Disengagement*, eds. Tore Bjørgo and John Horgan (New York: Routledge, 2009), 28.
9. David Malet, "Foreign Fighter Mobilization and Persistence in a Global Context," *Terrorism and Political Violence* 27, no. 3 (2015): 454–73.
10. Oliver Kaplan and Enzo Nussio, "Explaining Recidivism of Ex-combatants in Colombia," *Journal of Conflict Resolution* 62, no. 1 (May 10, 2016): 1–2.
11. Georgia Holmer and Adrian Shtuni, "Returning Foreign Fighters and the Reintegration Imperative" (Special Report 402, United States Institute of Peace, Washington, DC, March 2017), 1–3, 8.
12. Ibid., 6–7.
13. Jairo Muive and Finn Stepputat, "DDR: Transforming Armed Non-state Actors" (DIIS Policy Brief, Danish Institute of International Studies, Copenhagen, 2014), 1, 4.
14. David Malet, *Foreign Fighters: Transnational Identities in Civil Conflicts* (New York: Oxford University Press, 2017), 123.
15. David Malet, "Sleeper Agents or Big Yawn?: Waiting for Returned Foreign Fighters," *Political Violence at a Glance*, January 18, 2016.

16. David Malet, "The European Experience with Foreign Fighters and Returnees," in *Returnees: Who They Are, Why They Are (not) Coming Back, and How Should We Deal with Them?*, eds. Rik Coolsaet and Thomas Renard, Egmont Papers 101 (Brussels: Egmont Institute, Feburary 8, 2018), 7.
17. Thomas Hegghammer, "Should I Stay or Should I Go? Explaining Variation in Western Jihadists' Choice between Domestic and Foreign Fighting," *American Political Science Review* 107, no. 1 (February 2013): 1–15.
18. Home Affairs Committee, "Foreign Fighters," Item 39, *Seventeenth Report—Counter-terrorism*, House of Commons, April 30, 2014.
19. Daniel Byman, "The Jihadist Returnee Threat: Just How Dangerous?," *Political Science Quarterly* 131, no. 1 (2016): 80–83; Daniel Byman and Jeremy Shapiro, "Be Afraid. Be a Little Afraid: The Threat of Terrorism from Western Foreign Fighters in Syria and Iraq" (Brookings Policy Paper 34, Brookings Institution, Washington DC, November 2014), 20; Raphael Leduc, "Are Returning Foreign Fighters Dangerous?," *Journal of Military and Strategic Studies* 17, no. 1 (2016): 98; Jeanine de Roy van Zuijdewijn and Edwin Bakker, *Returning Western Foreign Fighters: The Case of Afghanistan, Bosnia and Somalia.* ICCT Background Note, The Hague, 2014: 44–47; Alex Braithwaite and Tiffany S. Chu, "Civil Conflicts Abroad, Foreign Fighters, and Terrorism at Home," *Journal of Conflict Resolution* (May 22, 2017): 19; Thomas Hegghammer and Peter Nesser, "Assessing the Islamic State's Commitment to Attacking the West," *Perspectives on Terrorism* 9, no. 4 (2015): 30.
20. "Returning Foreign Fighters Pose 'Enormous Challenge with No Easy Solution,' Security Council Told," *UN News*, November 29, 2017.
21. Richard Barrett, *Beyond the Caliphate: Foreign Fighters and the Threat of Returnees* (New York, NY: The Soufan Center, October 2017), 18–21.
22. AIVD, "Focus on Returnees," General Intelligence and Security Service, February 15, 2017, p. 4; Alessandro Boncio, "The Islamic State's Crisis and Returning Foreign Fighters: The Case of Italy," Working Paper (Italian Institute for International Political Studies, November 3, 2017).
23. Annika Smethurst, "Thirty Jihadis Return Home to Australia after Being Foreign Fighters," *The Herald Sun*, February 23, 2015. ME—Three years later none reported to have engaged in attacks despite the government's insistence of the one in nine ratio—should have been 3 by now.
24. R. Kim Cragin, "The November 2015 Paris Attacks: The Impact of Foreign Fighter Returnees," *Orbis* 62, no. 1 (February 2017): 221–2.
25. Patrick J. McDonnell and Alexandra Zavis, "Slain Paris Plotter's Europe Ties Facilitated Travel from Syria," *Los Angeles Times*, November 19, 2015.
26. Guy van Vlierden, Jon Lewis, and Don Rassler, *Beyond the Caliphate: Belgium* (West Point, NY: Combating Terrorism Center, 2018): 10.
27. Timothy Holman, "Belgian and French Foreign Fighters in Iraq 2003–2005: A Comparative Case Study," *Studies in Conflict & Terrorism* 38, no. 8 (2015): 616.
28. Hamed El-Said and Richard Barett, *Enhancing the Understanding of the Foreign Fighters Phenomenon in Syria* (United Nations Office of Counter-Terrorism Paper, July 2017), 4, 11.
29. Christopher Vincent, "Numbers of Returnees Have Been Lower than Anticipated—and Feared: Only Five Belgian Fighters in Iraq and Syria Returned to Belgium in 2017," *The Brussels Times*, January 11, 2018.
30. Alexander Meleagrou-Hitchens, Seamus Hughes, and Bennett Clifford, *The Travelers: American Jihadists in Syria and Iraq* (Washington, DC: George Washington University Program on Extremism, February 2018), 71–7.
31. Julian Robinson, "At Least 300 British ISIS Fighters 'Hiding in Turkey,'" *Daily Mail Online*, December 27, 2017.
32. Joana Pohl and Alistair Reed, *Tackling the Surge of Returning Foreign Fighters* (The Hague: ICCT, July 14, 2017).
33. Yan St-Pierre, *Should They Stay or Should They Go? What to Do with Detained Foreign Fighters* (MOSECON GmbH, Berlin, January 16, 2018).

34. Daniel H. Heinke and Jan Raudszus, "Germany's Returning Foreign Fighters and What to Do About Them," in Coolsaet and Renard (see note 16), 47–48.
35. Schuurman and van der Heide (see note 7), 3.
36. Charles Lister, *Returning Foreign Fighters: Criminalization or Reintegration?* (Doha, Qatar: Brookings Institution Doha Center, 2015): 11–12.
37. Rik Coolsaet and Thomas Renard, "From the Kingdom to the Caliphate and Back: Returnees in Belgium," in Coolsaet and Renard (see note 16), 34.
38. Anne Speckhard, Ardian Shajkovci, and Ahmet S. Yayla, "Defected from ISIS or Simply Returned, and for How Long?—Challenges for the West in Dealing with Returning Foreign Fighters," *Homeland Security Affairs* 14, Article 1 (January 2018).
39. Anne Speckhard, Ardian Shajkovci, and Ahmet S. Yayla, "What to Expect Following a Military Defeat of ISIS in Syria and Iraq?," *Journal of Terrorism Research* 18, no. 1 (February 2017): 84.
40. Coolsaet and Renard (see note 16), 33; Meleagrou-Hitchens, Hughes, and Clifford (see note 30), 80.
41. Daniel Byman, "The Jihadist Returnee Threat: Just How Dangerous?," *Political Science Quarterly* 131, no. 1 (2016): 96–7.
42. Bibi van Ginkel and Simon Minks, "Addressing the Challenge of Returnees: Threat Perceptions, Policies and Practices in the Netherlands," in Coolsaet and Renard (see note 16), 58.
43. Schuurman and van der Heide (see note 7), 9–10, note that whether rehabilitation programs for any type of offender are voluntary or not appears to have no bearing on their rates of success.
44. The International Bank for Reconstruction and Development/The World Bank, "MDRP Final Report: Overview of Achievements" (Washington DC: World Bank, 2010), 23.
45. Each name was assigned a number, which became its x-coordinate. Lag time is the y-coordinate.
46. The horizontal (x) axis represents the lag time between return and attack/arrest. The vertical axis (y-axis) represents how often foreign fighters waited for this long between returning and attacking and/or being arrested. If we included every value from 0 to 80 on the x-axis (which are the minimum and maximum lag times), the chart wouldn't fit on a single page, so on this histogram, we only display positive values, so if there was no reported case of a foreign fighter waiting, for example 19 months before his attack or arrest, it is not shown on this graph.
47. The layout of this chart once again mirrors the layout of the preceding charts, with the difference being that the vertical is now measured in years rather than months. The distribution of the data points looks odd as a result of the calculation of lag time in the dataset. Given that we only know the years for these attacks, lag time was calculated by subtracting the year of the foreign fighter's last return from the year of the attack. This automatically will give us a whole number rather than the more accurate lag time we would get if we knew the exact dates of both return and attack.