# **Joint Crisis Cabinet**

## Situation in the Middle East - Combating the threat of ISIS

## **Timeline of the Conflict**

#### 2004-2012

**2004:** Following the 2003 US-led invasion of Iraq, the Jordanian Salafi Jihadist Abu Musab al-Zarqawi and his militant group Jama'at al-Tawhidwal-Jihad, founded in 1999, achieved notoriety in the early stages of the Iraq insurgency, by not only carrying out attacks on coalition forces but conducting suicide attacks on civilian targets and beheading hostages. Al-Zargawi's group grew in strength and attracted more fighters, and in October 2004 it officially pledged allegiance to Osama bin Laden's al-Qaeda network, changing its name to Tanzim Qaidat al-Jihad fi Bilad al-Rafidayn ("Organization of Jihad's Base in Mesopotamia"), also known as Al-Qaeda in Iraq (AQI).

- http://www.nbcnews.com/id/6268680/#.VC1QjWeSzTo
- http://web.archive.org/web/20071229020549/http://www.dawn.com/2004/10/18/top 7.htm
- "The War between ISIS and al-Qaeda for Supremacy of the Global Jihadist Movement". Washington Institute for Near East Policy

2006: Under al-Zargawi, AQI tried to ignite a sectarian war against the majority Shia community. In January, AQI merged with several smaller Iraqi insurgent groups under an umbrella organization called the *Mujahideen Shura Council* (MSC) or a "Mujaheddin Consultative Council". On 7 June 2006, al-Zargawi was killed in an American airstrike and was succeeded as AQI's leader by the Egyptian militant Abu Ayyub al-Masri. On 12 October 2006, the Mujahideen Shura Council joined four more insurgent factions and the representatives of a number of Iraqi Arab tribes, and together they allegedly swore the traditional Arab oath of allegiance known as Ḥilf al-Muṭayyabīn ("Oath of the Scented Ones"). During the ceremony, the participants further swore to free Irag's Sunnis from what they described as Shia and foreign oppression, and to further the name of Allah and restore Islam to glory. On 13 October

2006, the Mujahideen Shura Council declared the establishment of the Islamic State of Iraq (ISI), comprising Iraq's six mostly Sunni Arab governorates, with Abu Omar al-Baghdadi being announced as the self-proclaimed state's Emir.

- http://abcnews.go.com/International/story?id=1557349
- http://news.bbc.co.uk/2/hi/middle\_east/5073092.stm
- http://www.memri.org/report/en/0/0/0/0/0/1910.htm
- http://www.longwarjournal.org/archives/2006/10/the\_rump\_islamic\_emi.php#

2010: Abu Bakr al-Baghdadi becomes leader of ISI after Abu Omar al-Baghdadi and another ISI leader *Abu Ayyub al-Masri* is killed in a joint U.S.-Iraqi operation.

- http://www.nytimes.com/2010/04/20/world/middleeast/20baghdad.html? r=0
- http://atwar.blogs.nytimes.com/2010/05/16/iraqi-insurgent-group-names-new-<u>leaders/? php=true& type=blogs& r=0</u>
- http://www.bbc.com/news/world-middle-east-28560449

**2012:** In July 2012, al-Baghdadi released an audio statement online announcing that the group was returning to the former strongholds from which US troops and their Sunni allies had driven them prior to the withdrawal of US troops (in December 2011). He also declared the start of a new offensive in Iraq called *Breaking the Walls*, which was aimed at freeing members of the group held in Iraqi prisons.

The period 2009-2012 also saw an outbreak of violence across Iraq orchestrated by the ISI, killing hundreds of people. Further ISI began to overpower Iraqi security forces just as the U.S. started handing over more authority, and finally full authority, to the Iraqi security forces.

> https://news.yahoo.com/al-qaida-were-returning-old-iraq-strongholds-131645698.html

#### 2013

April,2013: After expanding its operation in the Syrian Civil War, in April 2013, al-Baghdadi released an audio statement in which he announced that Jabhatal-Nusra Front in Syria (another extremist group backed by al-Qaedafighting against President Assad's regime in

Syria) had been financed and supported by the Islamic State of Iraq and that the two groups were merging under the name "Islamic State of Iraq and the Levant" (ISIL), also known as "Islamic State of Iraq and al-Sham" (ISIS). Later in April, Al-Nusra Front leader Abu Mohammed al-Jawlani rejects ISIS's attempt to merge with the group.

Within the same month, ISIS made rapid military gains in controlling large parts of Northern Syria, where according to the Syrian Observatory for Human Rights they were the "the strongest group".

- http://english.alarabiya.net/en/News/middle-east/2013/04/09/Al-Qaeda-in-Iraqconfirms-Syria-s-Nusra-Front-is-part-of-its-network.html
- http://www.aljazeera.com/news/middleeast/2013/04/201349194856244589.html
- http://www.naharnet.com/stories/en/78961-al-nusra-commits-to-al-gaida-deny-iragbranch-merger/
- http://edition.cnn.com/2013/11/05/world/europe/syria-turkey-al-gaeda/

June, 2013: Al Jazeera reported that it had obtained a letter written by al-Qaeda's leader Ayman al-Zawahiri, addressed to both leaders of ISIS and Jabhatal-Nusra Front, in which he ruled against the merger, and appointed an emissary to oversee relations between them to put an end to tensions. In the same month, al-Baghdadi released an audio message rejecting al-Zawahiri's ruling and declaring that the merger was going ahead.

- http://www.aljazeera.com/news/middleeast/2013/06/2013699425657882.html
- http://www.aljazeera.com/news/middleeast/2013/06/2013615172217827810.html

July, 2013: Free Syrian Army's (A rebel group fighting in Syrian Civil War against President Assad's regime. Backed by US and allies) battalion chief Kamal Hamami—better known by his nom de querre Abu Bassir Al-Jeblawi—was killed by the ISIS's Coast region emir after his convoy was stopped at an ISIS checkpoint in Latakia's rural northern highlands. Al-Jeblawi was traveling to visit the Al-Izz Bin Abdulsalam Brigade operating in the region when ISIS members refused his passage, resulting in an exchange of fire in which Al-Jeblawi received a fatal gunshot wound.

Further in July, ISIS organized a mass break-out of its members being held in Iraq's Abu Ghraib prison (Used by both US led forces and Iraqi Government before the US troop withdrawal).

British newspaper The Guardian reported that over 500 prisoners escaped, including senior commanders of the group. ISIS issued an online statement claiming responsibility for the prison break, describing the operation as involving 12 car bombs, numerous suicide bombers and mortar and rocket fire. It was described as the culmination of a one-year campaign -Breaking the Walls.

- http://www.washingtonpost.com/world/middle\_east/al-gaeda-gunmen-kill-syrianrebel-leader/2013/07/12/09c28710-eb04-11e2-818e-aa29e855f3ab story.html
- http://www.theguardian.com/world/2013/jul/22/iraq-prison-attacks-kill-dozens#
- http://www.huffingtonpost.com/2013/07/23/abu-ghraib-prison-break-al-gaedairaq n 3639101.html

August, 2013: After many failed advances, ISIS seizes Minigh air base north of Aleppo in Syria which gives the group strategic advantages.

http://online.wsj.com/news/articles/SB10001424127887323420604578652250872942 058

September, 2013: ISIS overran the Syrian town of Azaz in Syria, taking it from a Free Syrian Army-affiliated rebel brigade.

http://www.reuters.com/article/2013/09/19/us-syria-crisis-turkeyidUSBRE98I0C120130919

**December, 2013:** There were reports of active fighting between ISIS and another Islamic rebel group near Lebanon.

http://news.yahoo.com/syrian-army-pounds-rebels-near-lebanon-border-134546489.html

#### 2014

January, 2014: After prolonged tensions, the newly formed Army of Mujahedeen, the Free Syrian Army and the Islamic Front launched an offensive against ISIS-held territory in the Syrian provinces of Aleppo and Idlib. A spokesman for the rebels said that rebels had attacked ISIS in up to 80% of all ISIS-held villages in Idlib and 65% of those in Aleppo in Syria.

On 4 January ISIS claimed responsibility for the car-bomb attack on 2 January that killed four people and wounded dozens in the southern Beirut suburb of HaretHreik in Lebonon. ISIS also takes control of Fallujah and Ramadi, two major cities in Irag.

On 6 January Syrian rebels had managed to expel ISIS forces from the city of Ar-Raggah, ISIS's largest stronghold and capital of Ar-Raggah province in Syria.

On 8 January Syrian rebels expelled most ISIS forces from the city of Aleppo. However, ISIS reinforcements from Deirez-Zor province managed to retake several neighborhoods of the city of Ar-Raqqah. By mid-January ISIS fighters had retaken the entire city of Ar-Raqqah in Syria.

On **25January** ISIS announced the creation of its new Lebanese arm, pledging to fight the Shia militant group Hezbollah and its supporters in Lebanon.

On 29 January Turkish armed forces near the border fired on an ISIS convoy inside Aleppo province in Syria.

- http://www.latimes.com/world/worldnow/la-fg-wn-syrian-rebel-infighting-20140105story.html#axzz2pX5mNcca
- http://edition.cnn.com/2014/01/04/world/meast/lebanon-unrest/
- http://www.dailystar.com.lb/News/Lebanon-News/2014/Jan-04/243122-isis-claimsresponsibility-for-car-bomb-in-beirut-southern-suburbs.ashx#axzz3F3biYdWW
- http://www.theguardian.com/world/2014/jan/06/syrian-rebeal-oust-a-gaidi-jihadistsraqqa?CMP=twt fd
- http://english.alarabiya.net/en/News/middle-east/2014/01/08/Syria-jihadist-HQ-in-Aleppo-falls-to-rebels.html
- http://www.aljazeera.com/news/middleeast/2014/01/al-gaeda-group-says-lebaneseshia-are-targets-201412643312606443.html
- http://english.alarabiya.net/en/News/2014/01/30/Turkish-army-strikes-ISIS-convoy-in-Syria.html

February, 2014: On 3 February: al-Qaeda's general command broke off its links with ISIS, reportedly to concentrate the Islamist effort on unseating President Bashar al-Assad.

By mid-February, the al-Nusra Front had joined the battle in support of rebel forces, and expelled ISIS forces from Deirez-Zor province in Syria.

- http://www.reuters.com/article/2014/02/03/us-syria-crisis-gaedaidUSBREA120NS20140203
- http://english.alarabiya.net/en/News/middle-east/2014/02/10/Islamist-rebels-oust-ISIS-from-Syria-s-Deir-Ezzor.html

March, 2014: On 4 March ISIS retreated from the Aleppo province—Turkey border town of Azaz and nearby villages, choosing instead to consolidate around Ar-Raqqah, in anticipation of an escalation of fighting with al-Nusra.

On 8 March during an interview with French television channel France 24, Iraqi Prime Minister Nouri al-Maliki accused Saudi Arabia and Qatar of openly funding ISIS.

- http://www.theguardian.com/world/2014/mar/04/isis-al-qaida-rebels-syria-azaz
- http://www.reuters.com/article/2014/03/09/us-iraq-saudi-gataridUSBREA2806S20140309

April, 2014: Iraqi military helicopters reportedly attacked and destroyed an ISIS convoy of eight vehicles inside Syria. This may be the first time that Iraqi forces have struck outside their country since the Gulf War.

http://www.bbc.com/news/world-middle-east-27179916#

June, 2014: In early June, following its large-scale offensives in Iraq, ISIS was reported to have seized control of most of Mosul, the second most populous city in Iraq, a large part of the surrounding Nineveh province, and the city of Fallujah. ISIS also took control of Tikrit, the administrative center of the Salah ad Din Governorate, with the ultimate goal of capturing Baghdad, the Iraqi capital.

The Kurds—who are mostly Sunnis—in the northeast of Iraq (residing in the Kurdish autonomous region of Iraq), were unwilling to be drawn into the conflict, and there were clashes in the area between ISIS and the Kurdish Peshmerga (Armed Kurdish fighters dedicating themselves to the Kurdish Independence Movement).

On **5 June** ISIS militants stormed the city of Samarra, Iraq, before being ousted from the city by airstrikes mounted by the Iragi military.

On 6 June ISIS militants carried out multiple attacks in the city of Mosul, Iraq.

On 9 June most of Mosul fell to ISIS control. The militants seized control of government offices, the airport, and police stations. Militants also looted the Central Bank in Mosul, allegedly absconding with US\$429 million. Estimated 500,000 people fled Mosul to escape ISIS. Mosul is a strategic city as it is at a crossroad between Syria and Iraq, and poses the threat of ISIS seizing control of oil production.

On **11 June** ISIS seized the Turkish consulate in the Iraqi city of Mosul, and kidnapped the head of the diplomatic mission and several staff members. ISIS seized the Iragi city of Tikrit

On 13 June NaviPillay, UN High Commissioner for Human Rights, expressed alarm at reports that ISIS fighters "have been actively seeking out—and in some cases killing—soldiers, police and others, including civilians, whom they perceive as being associated with the government."

On 15 June ISIS militants captured the Iraqi city of Tal Afar, in the province of Nineveh. ISIS claimed that 1,700 Iraqi soldiers who had surrendered in the fighting had been killed, and released many images of mass executions via its Twitter feed and various websites.

On 22 June ISIS militants captured two key crossings in Anbar Province in Iraq, a day after seizing the border crossing at Al-Qaim, a town in a province which borders Syria. According to analysts, capturing these crossings could aid ISIS in transporting weapons and equipment to different battlefields.

On 24 Junethe Syrian Air Force bombed ISIS positions in Iraq. Iraqi Prime Minister Nouri al-Maliki stated: "There was no coordination involved, but we welcome this action. We welcome any Syrian strike against Isis because this group targets both Iraq and Syria."

On 25 June in an interview with the BBC Arabic service, Prime Minister Nouri al-Maliki said that Iraq had purchased used Sukhoi fighter jets from Russia and Belarus to battle ISIS militants, after delays in the delivery of F-16 fighters purchased from the US. "[If] we had air cover, we would have averted what happened", he said.

On **26 June** Iraq launched its first counterattack against ISIS's advance with an airborne assault designed to seize back control of Tikrit University.

On **29 June** ISIS announced the establishment of a new caliphate in vast swathes of territories under its control in Syria and Iraq. Abu Bakr al-Baghdadi was appointed its caliph, and the group formally changed its name to the *Islamic State (IS)*.

- http://www.nytimes.com/2014/06/11/world/middleeast/militants-in-mosul.html? r=1
- http://www.aljazeera.com/news/middleeast/2014/06/iragi-city-tikrit-falls-isil-fighters-2014611135333576799.html
- http://time.com/2905812/iraq-kurds-isis/
- http://www.nbcnews.com/storyline/iraq-turmoil/sunnis-shiites-battle-are-iraqs-kurdspreparing-declare-independence-n136236
- http://www.reuters.com/article/2014/06/05/us-irag-securityidUSKBN0EG1RG20140605
- http://www.aljazeera.com/news/middleeast/2014/06/deadly-car-bomb-attacks-rocksirag-north-20146682623969252.html
- http://www.bbc.com/news/world-middle-east-27778112
- http://www.ibtimes.com/mosul-bank-robbery-isnt-only-thing-funding-isis-1601124
- http://www.bbc.com/news/world-middle-east-27789229
- http://www.hurriyetdailynews.com/isil-kidnaps-turkish-consul-special-forces-severalothers-in-iraq.aspx?pageID=238&nID=67660&NewsCatID=352
- http://english.alarabiya.net/en/News/middle-east/2014/06/11/ISIS-fighters-seize-partsof-Iraq-s-Kirkuk.html
- http://www.nytimes.com/2014/06/14/world/middleeast/un-warns-of-human-rightsabuses-and-civilian-deaths-in-iraq-fighting.html
- http://www.reuters.com/article/2014/06/15/us-iraq-security-idUSKBN0EP0KJ20140615
- http://www.nytimes.com/2014/06/16/world/middleeast/irag.html? r=0
- http://www.bbc.com/news/world-middle-east-27966774
- http://www.theguardian.com/world/2014/jun/26/nouri-maliki-admits-syria-air-raidsisis-iraq
- http://www.bbc.com/news/world-middle-east-28042302
- http://www.telegraph.co.uk/news/worldnews/europe/vaticancityandholysee/1092929 2/Hague-urges-unity-as-Iraq-launches-first-counter-attack.html
- http://www.aljazeera.com/news/middleeast/2014/06/isil-declares-new-islamiccaliphate-201462917326669749.html
- http://www.bbc.com/news/world-middle-east-28082962

July, 2014: On 2 July Abu Bakr al-Baghdadi, the self-proclaimed caliph of the new Islamic State (IS), called on Muslims the world over to unite behind him as their leader.

On 3 July IS captured Syria's largest oilfield from rival Islamist fighters, al-Nusra Front, who put up no resistance to the attack. Taking control of the al-Omar oilfield gave IS access to potentially useful crude oil reserves.

On 17 July Syria's Shaer gas field in the Homs Governorate was seized by the Islamic State. According to the Syrian Observatory for Human Rights (SOHR), at least 90 Syrian National Defence Force guards defending the field were killed, as were 21 Islamic State fighters. The SOHR later put the death toll from the fighting and executions at 270 soldiers, militiamen and staff, and at least 40 IS fighters.

On 19 July IS claimed responsibility for a suicide bombing which killed 33 people and left more than 50 wounded. The explosion occurred in Baghdad's Kadhimiya district in Iraq, which is the site of a major Shia shrine.

On 24 July IS blew up the Mosque and tomb of the Prophet Yunus (Jonah) in Mosul, with no reported casualties. Residents in the area said that ISIS had erased a piece of Iraqi heritage. Johah's tomb was also considered as an important holy site in the Jewish heritage as well.

On **26 July** IS blew up the Nabi Shiyt (Prophet Seth) shrine in Mosul. Sami al-Massoudi, deputy head of the Shia endowment agency which oversees holy sites, confirmed the destruction and added that ISIS had taken artifacts from the shrine to an unknown location.

The UN reported that of the 1,737 fatal casualties of the Iraq conflict during July, 1,186 were civilians.

- http://www.middleeaststar.com/index.php/sid/223540031/scat/940f2bfd509e743b/ht/ ISIS-leader-calls-for-global-Muslim-obedience
- http://www.telegraph.co.uk/news/worldnews/middleeast/syria/10939235/Rome-willbe-conquered-next-says-leader-of-Islamic-State.html
- http://www.reuters.com/article/2014/07/03/us-syria-crisis-islamicstateidUSKBN0F80SO20140703
- http://www.aljazeera.com/news/middleeast/2014/07/islamic-state-fighters-seize-syriagas-field-2014717134148345789.html

- http://www.reuters.com/article/2014/07/19/us-syria-crisis-attackidUSKBN0FO05O20140719
- http://www.reuters.com/article/2014/07/23/us-iraq-security-idUSKBN0FS0QZ20140723
- http://www.telegraph.co.uk/news/worldnews/middleeast/iraq/10989959/Iraqjihadists-blow-up-Jonahs-tomb-in-Mosul.html
- http://online.wsj.com/articles/jihadists-in-iraq-erase-cultural-heritage-1406313661
- http://english.alarabiya.net/en/News/middle-east/2014/07/26/ISIS-destroy-Prophet-Sheth-shrine-in-Mosul-.html
- http://english.alarabiya.net/en/News/middle-east/2014/08/02/Army-Jihadists-kill-30in-fighting-south-of-Baghdad-.html

August, 2014: On 3 August IS fighters occupied the city of Zumarand an oilfield in the north of Iraq, after a battle against Kurdish Peshmerga forces.

On 5 August Al Jazeera reported that an IS offensive in the Sinjar area of northern Iraq had forced 30,000–50,000 Yazidis to flee into the mountains, fearing they would be killed by the IS. They had been threatened with death if they refused conversion to Islam. A UN representative said that "a humanitarian tragedy is unfolding in Sinjar."

On 7 August IS fighters took control of the town of Qaragosh in the province of Nineveh in northern Iraq, which forced its large Christian population to flee. The same day US President Obama authorized targeted airstrikes in Iraq against IS, along with airdrops of aid, especially to protect the Yazidi community stranded on the Mount Sinjar. The UK offered the US assistance with surveillance and refueling, and planned humanitarian airdrops to Iraqi refugees.

On 8 August the US military launched indefinite airstrikes targeting Islamic State fighters, equipment and installations, with humanitarian aid support from the UK and France, in northern Iraq. The Islamic State had advanced to within 30 km of Erbil in northern Iraq. The UK is also considers joining the US in airstrikes.

On 10 August Reuters reported that Islamic State militants buried an unknown number of Yazidi women and children alive, in an attack that killed 500 people in northern Irag.

On 11 August the Arab League accused the Islamic State of committing crimes against humanity. The UK decided not to join the US in airstrikes and instead stepped up its humanitarian aid to refugees.

On **13 August** the Syrian Observatory for Human Rights reported that Islamic State jihadists had seized control of six villages near the Turkish border in the northern province of Aleppo in Syria.

On **15** August the United Nations Security Council issued a resolution which "deplores and condemns in the strongest terms the terrorist acts of ISIL (Islamic State) and its violent extremist ideology, and its continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law."

On **16 August** the European Union agreed to supply Kurdish forces with arms, and US military forces continued to attack Islamic State fighters in the area around Iraq's crucial Mosul Dam.

On **17 August** the Syrian Observatory for Human Rights reported that the Islamic State had killed 700 members of the Syrian *al-Sheitaat*tribe, mostly civilians, after two weeks of clashes over the control of two oilfields in the region.

Kurdish Peshmerga troops, aided by the US air campaign, began an offensive to take back the strategic Mosul Dam from the Islamic State, amid fears that the destruction of the dam might unleash a 65-foot wave of water that would engulf the northern city of Mosul, and even flood Baghdad.

On **19 August** Syrian Observatory for Human Rights reported that the Islamic State now has an army of more than 50,000 fighters in Syria. American journalist James Foley was beheaded by the Islamic State on video tape.

On **22 August** the US considers airstrikes on IS in Syria, which would draw US military forces directly into the Syrian Civil War.

On **28 August** it was reported that the Islamic State beheaded a Lebanese Army soldier whom they had kidnapped. The group also beheaded a Kurdish Peshmerga fighter in response to Kurdistan's alliance with the United States, and executed around 250 Syrian soldiers captured after the fall of Tabqa Air Base in Ar-Raqqah province. The Syrian soldiers had earlier been marched to their place of execution wearing just their underwear.

On **31 August** Iraqi military forces supported by Shia militias and American airstrikes broke the two-month siege of the northern Iraqi town of Amerli by Islamic State militants. German

Federal Minister of Defence Ursula von der Leyen announced that Germany will send enough weapons to arm 4,000 Peshmerga fighters in northern Iraq fighting Islamic State insurgents.

- http://www.aljazeera.com/news/middleeast/2014/08/fighters-capture-oilfieldnorthern-irag-2014838218162585.html
- http://www.aljazeera.com/news/middleeast/2014/08/iraqi-yazidis-if-move-they-willkill-us-20148513656188206.html
- http://www.bbc.com/news/world-middle-east-28686998
- http://www.bbc.com/news/uk-28701642
- http://www.washingtonpost.com/blogs/worldviews/wp/2014/08/08/when-obamatalks-about-iraq-his-use-of-the-word-genocide-is-vital/
- http://www.nytimes.com/2014/08/10/world/middleeast/us-airstrikes-on-militants-iniraq.html? r=0
- http://www.reuters.com/article/2014/08/10/us-iraq-security-yazidis-killingsidUSKBN0GA0FF20140810
- http://www.bloomberg.com/news/2014-08-11/u-k-rules-out-irag-air-strikes-asincreased-aid-planned.html
- http://english.alarabiya.net/en/News/middle-east/2014/08/11/U-S-weighs-options-toevacuate-trapped-Yazidis-.html
- http://www.afp.com/en/node/2722462
- http://www.un.org/apps/news/story.asp?NewsID=48363#.VC5PBpSSy2B
- http://www.theguardian.com/world/2014/aug/15/eu-backs-arms-kurdish-fighters-iraq
- http://www.theguardian.com/world/2014/aug/16/iraq-air-strikes-target-islamic-statefighters-near-key-dam
- http://www.reuters.com/article/2014/08/16/us-syria-crisis-executionidUSKBN0GG0H120140816
- http://online.wsj.com/articles/mosul-dams-takeover-by-isis-raises-risk-of-flooding-1407799954
- http://edition.cnn.com/2014/08/19/world/meast/isis-james-foley/
- http://www.reuters.com/article/2014/08/30/us-syria-crisis-beheadingidUSKBN0GU0J020140830
- http://www.bbc.com/news/world-middle-east-28965959

- http://www.reuters.com/article/2014/09/01/us-iraq-securityidUSKBN0GV0BW20140901
- http://www.reuters.com/article/2014/08/31/us-iraq-security-germanyidUSKBN0GV0TY20140831

September, 2014: On 2 Septemberthe IS released a video showing the beheading of a man whom they identified as American journalist Steven Sotloff.

On 8 September the Islamic State carried out a double suicide attack in a town north of Baghdad, killing nine people and wounding 70 others.

On 10 September President Obama decided on a new objective for a rollback policy in the Middle East.

On 13 September UK humanitarian aid worker David Cawthorne Haines, whose life had been threatened by Jihadi John in the Steven Sotloff video, was purportedly beheaded in a video titled "A Message to the Allies of America".

On **21 September** the Islamic State forces overran an Iraqi military base in Al Anbar province.

On 23 September Aerial operations began over Syria. Cruise missiles and precision-guided bombs struck IS targets in Syria, and military aircraft from US, Bahrain, Jordan, Saudi Arabia, Qatar, and the United Arab Emirates participated in the airstrikes against IS.

- http://www.telegraph.co.uk/news/worldnews/middleeast/iraq/11071159/Steven-Sotloff-beheaded-by-Islamic-State-live.html
- http://edition.cnn.com/2014/09/08/world/meast/irag-town-suicide-bomb-attacks/
- http://edition.cnn.com/2014/09/10/politics/isis-obama-speech/index.html
- http://www.reuters.com/article/2014/09/14/us-irag-crisis-executionidUSKBN0H80SE20140914
- http://www.longwarjournal.org/archives/2014/09/islamic state overru 3.php
- http://www.navy.mil/submit/display.asp?story\_id=83476

On **02 October 2014:** The Turkish Parliament voted 298:98 to authorize anti-ISIL operations, following concerns over ISIL advances close to Turkey's borders. Turkey will allow foreign anti-ISIL military operations to be launched from within its borders and gave authorization for Turkey's military to be sent into Syria.

On **03 October**, **2014**: After a meeting of the Australian National Security Committee, Australian Prime Minister Tony Abbott announced that Australia would contribute six F/a-18 Super Hornets to aid the war effort against Islamic extremists in Iraq.

On **04 October**, **2014**: ISIL captured the Iraqi city of Kabisa. An Iraqi officer and seven soldiers were killed in two ambushes in Diyala province in Iraq.

On **05 October, 2014:** A joint ISIL—al-Nusra invasion of Lebanon was beaten back by Hezbollah.

On **07 October, 2014:** The House of Commons of the Parliament of Canada voted 157:134 to authorize the Royal Canadian Air Force to conduct airstrikes against ISIL in Iraq.

On 10 October, 2014: Spanish Defence Minister Pedro Morenés announces that Spain will send 300 troops to Iraq in non-combat roles.

On 11 October, 2014: Car bombings killed at least 38 people in Baghdad. Additionally, ISIL dispatched 10,000 fighters from Syria and Mosul to take over Baghdad. Also, Iraqi Army forces and Anbar tribesmen threatened to abandon their weapons if the US does not send in ground troops to halt ISIL's advance.

On 13 October, 2014: US airplanes launched 21 strikes against ISIL forces, near the besieged town of Kobanî in northern Syria, near the border with Turkey. Also, ISIL fighters made it within 25 kilometers (15.5 miles) of the Baghdad Airport.

On **14 October**, **2014**: ISIL forces captured the Iraqi city of Hīt, after the 300-strong Iraqi Army garrison abandoned its local base, and about 180,000 civilians fled the area. Five Tehriki-Taliban Pakistan leaders in Pakistan swore loyalty to ISIL, after fundamentalists in Egypt and Libya had done the same several days earlier.

On 15 October, 2014: The US anti-ISIL operation was named "Operation Inherent Resolve". The US launched 18 airstrikes against ISIL in Kobani. Forty-six captives were killed by ISIL in Mosul.

On 16 October, 2014: By this date, ISIL had been driven out of most of Kobani. Four car bombings killed 36 people and wounded 98 in Baghdad Italian Defence Minister Roberta Pinotti announced that Italy would send 280 soldiers to train Kurdish fighters, along with two Predator drones and a KC-767 refuelling plane.

On **17 October, 2014:** Iraqi Army troops and police stormed an ISIL camp in Jaberiya, killing 60 ISIL militants; other senior ISIL figures were killed in another attack near Ramadi. Three MiG-21 or MiG-23 fighters were being flown by ISIL militants who were undergoing training by former Iraqi Ba'ath officers at Al Jarrah air base. Yemen leaders of Al-Qaeda in the Arabian Peninsula urged all jihadists to join ISIL in the fight against Western "crusaders".

Between 17 to 18 October, 2014: The US launched 25 airstrikes against ISIL in Syria and Iraq.

On **20 October, 2014**: Airstrikes killed 60 ISIL militants in the Anbar province in Iraq. After preventing Kurdish reinforcements from reaching Kobani for weeks, Turkey finally agreed to let Peshmerga reinforcements pass through Turkish territory. The US Air Force started dropping weapons and supplies to the Kurds comprising the resistance in the town.

On **21 October, 2014**: It was reported that the US had accidentally airdropped weapons to ISIL.

On **22 October, 2014:** An American volunteering with the YPG claimed that ISIL have used chemical weapons during the siege of Kobani, providing photos.

On **23 October, 2014:** ISIL militants recapture a hill to the west of Kobani. Also, ISIL fighters made it within 25 kilometers (15.5 miles) of the Baghdad Airport.

On **24 October, 2014:** ISIL fighters take control of air-drop zone outside Kobani. Iraqi officials confirm that ISIL militants have targeted Iraqi troops with chemical weapons. Evidence from Kobani suggests ISIL used chemical weapons against defenders.

On **26 October**, **2014**: during the Siege of Kobani, ISIL failed for the fourth time to capture the border gate with Turkey in the northern al-Jomrok neighborhood. The Iraqi army retook four villages in the Himreen Mountains.

On **27 October, 2014:** The Lebanese Army took the last positions held by ISIL militants in Tripoli, after 11 Lebanese soldiers, eight civilians and 22 militants were killed in three days of battle; 162 militants were captured. ISIL released another video with British hostage John Cantlie, in which he claimed that the city of Kobani was mostly under ISIL control, with only a few pockets of Kurdish resistance remaining. He also claimed that the Battle of Kobani was

"largely over", and that ISIL forces were mostly mopping up in the city. The captions in the video, displaying the Turkish flags at the border, claimed that it was filmed by one of the four ISIL drones. However, the video has been deemed to be ISIL propaganda, especially since analysts claim that it was filmed about a week earlier. Additionally, 200 Iraqi Kurdish forces will soon arrive in Kobani as reinforcements, via the Syrian-Turkish border.

On **29 October**, **2014**: Fifty Free Syrian Army and 150 Kurdish Peshmerga reinforcements reached Kobani. The US launched 14 air strikes in Iraq and Syria between 28 and 29 October. Two-hundred and twenty members of the Albu Nimr tribe were killed while captive by ISIL, 70 in Hīt and 150 in Ramadi. ISIL forces captured three gas wells east of Palmyra in Homs province, and killed 30 Syrian Army soldiers in an attack on the Shaer gas field. ISIL released the last 25 of a group of 150 Kurdish children previously kidnapped from Kobani. The Iraqi Army retook six villages near Baiji.

On 30 October, 2014: ISIL captured the Shaer gas field near Homs, Syria. Norway announced that it would send 120 soldiers to Iraq to help train the Iraqi Army to fight ISIL.

On **31 October, 2014:** The UN stated that overall 15,000 foreign fighters had joined ISIL in Iraq and Syria. While battle raged in Baiji between ISIL and the Iraqi Army and Shia militia, bombings killed 15 people and wounded 34 in and near Baghdad. Abu Bakr al-Baghdadi was proclaimed caliph of the "Islamic Caliphate of Derna" established by jihadists in Derna, Libya.

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On 2 November, 2014: in response to the US-led airstrikes, representatives from Ahrar ash-Sham attended a meeting with the al-Nusra Front, the Khorasan Group, the Islamic State of Iraq and the Levant, and Jund al-Aqsa, which sought to unite several hard-line groups against the US-led Coalition and other moderate Syrian Rebel groups.

On 3 November, 2014: ISIL claimed to have captured the Jahar gas field in Homs province, Syria. Canadian planes launched their first airstrikes against ISIL near Fallujah. US planes launched 14 airstrikes on 2–3 November. ISIL killed 36 more members of the Albu Nimr tribe in Ras al-Maa.

On 5 November, 2014: US allies conducted 23 airstrikes between 3 and 5 November in Iraq and Syria. The Syrian Army and militia recaptured the Jhar and Mahr gas fields near Homs from ISIL.

On **7 November**, **2014**: The US decided to send 1,500 more troops to Iraq, increasing the number of US troops stationed there to 3,000. Also, a US airstrike killed 50 ISIL militants near Mosul, including Abu Muslim al-Turkmani, the top ISIL Iraqi commander. Rumors spread that Abu Bakr al-Baghdadi may have been killed or seriously wounded in the attack.

On 9 November, 2014: The Syrian Air Force bombed the ISIL-held town of Al-Bab in Aleppo province, killing 21 and wounding over 100.

On 12 November, 2014: The Kurdish forces managed to cut off the supply route from Ar-Raggah after capturing parts of the strategic Mistanour Hill. [451] Idris Nassan, a local official in Kobanî, claimed that ISIL's control over the town had been reduced to less than 20 percent.

On **14 November**, **2014**: The Iraqi Army retook the city of Baiji from ISIL.

On 16 November, 2014: ISIL released a video showing a beheaded American hostage, Peter Kassig, and the beheading of 15 Syrian Army prisoners. Kurdish fighters captured six buildings from Islamic State militants besieging the Syrian town of Kobani, and seized a large haul of their weapons and ammunition.

On 25 November, 2014: The Syrian Arab Air Force launched a series of airstrikes on Ar-Raggah, killing at least 60 people.

On 29 November, 2014: ISIL launched a counterattack in Kobanî, by detonating four suicide cars and explosive belts, following clashes between the two conflicting parties in the town. According to the SOHR, eight YPG fighters and 17 ISIL fighters were killed in the clashes. According to the German news outlet 'Der Spiegel', ISIL fighters also attacked YPG positions near the border gate from Turkish soil. According to the SOHR, YPG fighters crossed the Turkish border and attacked ISIL positions on Turkish soil, before pulling back to Syria. Soon afterwards, the Turkish Army regained control of the border crossing and silos area.

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On 2 December, 2014: According to reports, Saja al-Dulaimi, one of al-Bagdadi's wives—or a former wife—and his daughter were arrested in Lebanon and held for questioning.

On 6 December, 2014: The Libyan Army begins a ground assault of the ISIL-occupied city of Derna, Libya, and army units moved within a few kilometers of Derna, retaking control of villages and roads leading to the city.

On 12 December, 2014: F-16 jets from Morocco join the Counter-DAESH Coalition effort, hitting ISIL targets near Baghdad and other unidentified areas.

On 13 December, 2014: ISIL advanced within 32 km of the city of Ramadi in the Al Anbar Governorate, west of Baghdad. The city of Hīt is currently confirmed to be under ISIL control.

On **14 December, 2014:** During the early morning hours of December 14, U.S. ground forces allegedly clashed with ISIL alongside the Iraqi Army and Tribal Forces near Ein al-Asad base, west of Anbar, in an attempt to repel them from the base where about 100 U.S. advisers are stationed, when ISIL attempted to overrun the base. This is said to be the first encounter between the United States and ISIL, in four years. However, this claim has been called "false" by The Pentagon.

On **15–16 December, 2014:** The 2014 Sydney hostage crisis occurs. A café near Martin Place was terrorized by Man Haron Monis, who both converted to Sunni Islam and pledged his allegiance to ISIL earlier in December.

On 17 December, 2014: Peshmerga forces launched the Sinjar offensive from Zumar and managed to break the Siege of Mount Sinjar, recapture more than 700 square kilometers of territory, close in on Tal Afar, clear areas north of Mount Sinjar, and pushed into the city of Sinjar.

On 18 December, 2014: Three rebel groups near the Golan Heights region, which had previously been aided by the United States, switched sides and pledged loyalty to ISIL.

On 21 December, 2014: The Sinjar offensive ends in a decisive Kurdish victory, and the city of Sinjar is momentarily liberated, as ISIL forces retreated to Tell Afar and Mosul.

On **22 December, 2014:** Kurdish forces claim that ISIL control of Kobanî was reduced to 30%.

On 23 December, 2014: U.S. conducts 10 air strikes in Syria and Iraq. The air strikes destroy oil combining equipment and kill some unknown number of fighters.

On 24 December, 2014: SOHR reported that ISIL shot down an Anti-ISIL Coalition warplane near Ar-Raggah, and ISIL supporters claimed on social media, with photos, to have captured the Jordanian pilot. The US said the plane crashed, but was not shot down. Also, an ISIL suicide bombing in Madin killed 15 pro-government Sunni fighters and 7 Iraqi soldiers, and wounded 55.

On 25 December, 2014: Iraqi police reported that the newly appointed ISIL governor of Mosul was killed in a Counter-ISIL Coalition airstrike. Hassan Saeed Al-Jabouri, also known as Abu Taluut, had been in office less than 25 days, replacing another man killed earlier in December 2014. It was also revealed that US planned to retake Mosul in January 2015.

On 27 December, 2014: U.S. and allies conducts 23 air strikes against ISIL. The air strikes destroy ISIS vehicles, buildings and fighting positions and hit a large ISIS unit.

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## 2015

On 4 January, 2015: ISIL troops attacked Saudi Arabia again, near the border city of Arar, Saudi Arabia, killing four Saudi border guards. Four ISIL troops were killed.

On 5 January, 2015: In Kobanî, Kurdish YPG units captured the governmental and security district and the al-Refia, al-Sena'a, al-Tharura, and al-Banat schools. YPG also advanced in the Mishtanour neighborhood south of the town. According to SOHR, the YPG now controls at least 80% of Kobanî. At least 14 ISIL militants were killed in the clashes.

On 12 January, 2015: ISIL battles for the town of Gwer, which was re-taken by Iraqi forces in August 2014. ISIL kills 30 Kurds in the conflict, despite US-led Coalition airstrikes. ISIL kidnaped 21 Christians in Tripoli, Libya.

On 17 January, 2015: Fighting broke out in the Syrian town of Al-Hasakah between Syrian government forces and Kurdish militia, namely the People's Protection Units (YPG). The two sides, having previously coexisted and having focused on other enemies, clashed when government forces took control of buildings understood to be demilitarized, according to SOHR.

On 19 January, 2015: In Kobanî, YPG fighters fully recaptured the Mistanour Hill south of Kobanî, killing 11 ISIL militants. By recapturing this hill, the YPG controlled the ISIL supply routes to Aleppo and Ar-Raggah. By that time, ISIL control of Kobani was reduced to 15%. Additionally, Syrian government loyalists and Kurdish fighters in Al-Hasakah reached a ceasefire, although sporadic clashes continued.

On **20 January**, **2015**: ISIL threatens to kill two Japanese hostages, Kenji Goto Jogo, a journalist, and Haruna Yukawa, a military company operator, unless a ransom of 200 million USD is paid. Also, the SOHR reported that al-Baghdadi, the leader of ISIL, had been wounded in an airstrike in Al-Qa'im, an Iragi border town held by ISIL, and as a result, withdrew to Syria.

On 21 January, 2015: Kurdish Peshmerga fighters began a planned operation to liberate Mosul, liberating multiple villages neighboring Mosul, and disrupting essential ISIL supply routes between Mosul, Tel Afar, and Syria. U.S. air strikes were conducted to assist the Kurdish Peshmerga fighters prior and during the liberation operation. An estimated 200 ISIL fighters were killed. The Peshmerga also positioned themselves on three fronts near Mosul. U.S. air strikes in Iragi towns of Sinjar, Kirkuk and Ramadi destroyed ISIL heavy weaponry and killed some unknown number of fighters.

On 23 January, 2015: Kurdish forces reported firing 20 Grad missiles into Mosul, upon intelligence that ISIL militants were gathering to meet near the city's Zuhour neighborhood. Firing from about 12 miles north of Mosul, Captain Shivan Ahmed said the rockets hit their targets. ISIL claimed that the rockets hit civilians.

On 25 January, 2015: ISIL published a video declaring the execution of Haruna Yukawa, and have revised their demands. They no longer seek the \$200 million USD ransom; instead, they demand the release of Sajida Mubarak Atrous al-Rishawi in exchange for Kenji Goto. Also, the village of Mamid was recaptured by YPG and FSA fighters. ISIL lost 12 militants and a vehicle in the clashes. On the same day, YPG fighters cut the ISIL supply route to Kobanî, forcing ISIL into retreat. By that time, ISIL control of Kobanî was reduced to 10%. However, ISIL dispatched an additional 140 fighters, most of them under the age of 18, to help retake the city of Kobanî.

On **26 January**, **2015:** The YPG with some assistance from US airstrikes, forced remaining ISIL forces in the city of Kobanî to retreat, and the YPG managed to enter the eastern outlying areas, thus fully recapturing the city of Kobanî. However, ISIL resistance persists in the eastern outskirts of Kobanî, and the surrounding Kobanî region remains under ISIL occupation.

On 27 January, 2015: Suspected ISIL terrorists in Libya killed eight people, after storming the Corinthia Hotel in Tripoli and detonating a car bomb. Also, YPG fighters recaptured the Helnej village southeast of Kobanî, and they also besieged ISIL forces in the southern countryside of the city. The next day, YPG and FSA fighters recaptured Kolama village, Seran mall and Noroz hall. Later on 27 January, YPG fighters drove out the remaining ISIL forces in the southeastern corner of the City of Kobanî, thus securing 100% control of the city.

On **31 January**, **2015:** ISIL claims to have beheaded Japanese Hostage journalist Kenji Goto, the second execution of a Japanese person.

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## **International Legal Framework:**

Mutual legal assistance in criminal matters is a process by which States seek and provide assistance in gathering evidence for use in criminal cases. Extradition is the formal process whereby a State requests the enforced return of a person accused or convicted of a crime to stand trial or serve a sentence in the requesting State. Both are based on the principle of reciprocity. The principle of reciprocity has long been an established principle in the relations of States with respect to matters of international law and diplomacy. It is basically a promise that the requesting State will provide the requested State the same type of assistance in the future, should the requested State ever be asked to do so. This principle is usually incorporated into treaties, memorandums of understanding and domestic law.

Over the centuries, a number of different legal traditions have evolved; these traditions are now the basis for the law in every country. Owing to historical factors, some countries have blended legal traditions, creating unique procedural and legal requirements that may vary among different regions of the same country and/or for different areas of law. Ongoing communication with the central authority of a country can avoid any challenges that may arise as a result of this interweaving of legal traditions. Given the global scope of transnational organized crime, however, it is useful to at least be cognizant of all of the major traditions of the world, given that mutual legal assistance and extradition requests may truly be global in scope.

The three major legal traditions are the following:

- 1. The civil law tradition is premised on the system of codification of laws, thus giving clear direction to a State's citizenry as to what the law is. It is the most commonly found legal tradition in the world.
- 2. The common law tradition is premised on the law being developed through jurisprudence, essentially meaning that the courts make the law. Common law originated in England and is the legal tradition typically followed in the Commonwealth

- countries of the former British Empire. It is the second most commonly found legal tradition in the world.
- 3. The Islamic legal tradition is premised on the fact that there is no distinction between a legal system and other controls on a person's behaviour. The tradition operates under the premise that Islam, as a religion, provides all the answers to questions about appropriate behaviour and acceptable conduct. It is important to note that not all Muslim societies are bound solely by Islamic law and that some have a blended approach to their laws that incorporates other legal traditions.

In a dualist system, international and domestic law are viewed as separate entities and, for the most part, they function independently of one another. As a general rule, States that follow the common law tradition are dualist in nature, although there are exceptions. A State can ratify an international treaty or convention without it automatically having the force of law in that particular State until the State enacts new or amends existing domestic legislation to reflect the provisions of the treaty or convention. In dualist systems, once the State ratifies the treaty or convention, it is compelled to ensure that its domestic legislation reflects the requirements of that particular treaty or convention. The time period between ratification and enactment in domestic law can be lengthy, as legislative drafters must draft the new domestic legislation and it must go through whatever government process exists for it to become law.

In a monist system, international and national law are of a unified nature. Thus, when a State ratifies a treaty, the treaty automatically has the same authority as domestic law and there is no need to go through the additional step of including it in domestic legislation. Many civil law States have a monist system, although, as with dualist States and the common law tradition, there are exceptions. There are two points to consider with monist systems: a State may consider only certain treaties as applicable to domestic law, and the treaty may be viewed as inferior to any constitutional provisions that exist in the State. Finally, monist States may need to amend their domestic law to create penalties or provide for other measures that are not clearly set forth in the treaty, if the treaty requires them to do so.

With respect to extradition, the differences between the two major legal traditions are even more pronounced. In some legal systems arising from the civil law tradition, the judiciary has the final say in deciding whether to extradite an individual. In legal systems based on the common law tradition, the extradition is a bifurcated process, usually involving an initial

hearing by a court. If the court grants the extradition request, the case is forwarded to the executive branch of the Government, where the ultimate decision to surrender the fugitive is made. Depending on the State, the decisions of either the court or the executive may be reviewed by a higher court before the issue of surrender is finally decided. In some civil law jurisdictions, the decision to extradite may be within the sole purview of the judiciary, with no executive involvement; however, this is changing in some States.

International cooperation with respect to criminal matters has grown considerably in recent years. The ability to perpetrate crime via the Internet, the ease of international travel and the globalization of international markets have all created an increase in requests for international assistance. To combat the growing threat of international crime, many countries have begun relying heavily on existing agreements or are busy creating new bilateral, multilateral, regional or subject-matter agreements to combat the moving targets that today's criminals have become. In many instances, the groups and individuals perpetrating international crime are well funded and show considerable intelligence and sophistication when it comes to the perpetration of their crimes, the lengths to which they will go to hide the evidence of their acts and the wealth accumulated as a result. There are many people in many parts of the world using many different international treaties to bring these people to justice, but the criminals are flexible and resourceful and will capitalize on any opening that disarray or disagreement between States can offer them.

Organizing the efforts of a State to combat transnational organized crime is a complex task. Keeping track of all of the agreements, treaties, memorandums of understanding, police liaison services, legal regimes, developments in domestic and international law and various enforcement and investigative services that are the source of the requests, along with all of the incoming and outgoing requests themselves, requires legal and administrative expertise and authority in order to be effective. This area of law is growing increasingly complex, with many different instruments utilized among many different nations. A designated central authority is being considered as the tool that is needed to maintain the necessary control and supervision over these matters.

Proponents of the Central Authority argue the following:

The central authority should be the home of all information pertaining to the conduct of any sort of international criminal legal cooperation with a State. The benefit of having a central

authority is that a State has more control over incoming and outgoing requests and begins to create a centre of expertise with respect to international cooperation. With the plethora of international instruments to which each State may be a party and therefore be tasked with dealing with, the concept of a central authority to provide a uniform response to incoming and outgoing requests makes perfect sense. It also avoids duplication of effort and inconsistency resulting from a lack of control. Ongoing and consistent responses from central authorities help not only in advising on domestic requirements but also in developing a knowledge base of other legal systems and the requirements of those systems, either as a result of dealing with these foreign requirements on a daily operational basis or through outreach and liaison functions that can be performed by these authorities.

It is useful to be aware of the considerable assets that INTERPOL can bring to States seeking effective communication in matters of international assistance. In that realm, the police, judiciary and counsel are tasked with finding methods of complementing one another in investigations that span different countries and legal traditions. The contribution of INTERPOL to the realm of central authorities is the parallel network of national central bureaux. These bureaux are created pursuant to article 32 of the Constitution of INTERPOL and are mandated to be the focal points of each Member State for the purpose of liaising internally with other departments of that Member State, with national central bureaux in other States and with the General Secretariat of INTERPOL.

Each national central bureau is connected to the I-24/7 network, which enables the transmission of requests for cooperation in a timely and secure manner. Through this system, requests related to mutual legal assistance and extradition may be forwarded in the following ways (which are not mutually exclusive):

- (a) From the relevant national authority (e.g. national court) or from the central authority to the national central bureau in the country. The national central bureau will then forward the request to the national central bureau of the requested country, which in turn will forward it to the relevant authorities. This scenario is implemented in the current practice of INTERPOL on a regular basis;
- (b) Extending, in accordance with national legislation and the legal framework of INTERPOL, the I-24/7 system beyond the national central bureau to relevant national authorities which are authorized to fulfil the role of a public institution in enforcing criminal law.

Accordingly, the possibility of connecting the central authorities directly to the I-24/7 system for the purposes of circulating mutual legal assistance requests merits consideration and discussion at the national level.

The I-24/7 system also enables investigators to check relevant information against INTERPOL databases (e.g. on criminal background, DNA, fingerprints and stolen or lost travel documents). Requests for cooperation circulated via INTERPOL channels can be made in a number of ways:

- (a) Through the publication of INTERPOL notices by the General Secretariat upon the request of a member country. Among the various notices that can be published by INTERPOL, the following may be of particular relevance to extradition and mutual legal assistance requests: (i) red notices, which are requests to seek the location and arrest of a person with a view to his or her extradition and which in many INTERPOL member countries are considered valid requests for provisional arrest pending extradition; and (ii) blue notices, which are requests to obtain information (e.g. location, identification) about a person of interest in a criminal investigation;
- (b) Through a message called a "diffusion", sent directly by a requesting country to all or some INTERPOL member countries and recorded in INTERPOL databases;
- (c) Through an exchange of messages on a bilateral level between the requesting and requested States.

Police liaison officer programmes, found in many police forces around the world, can also be highly beneficial to those who are involved in international cooperation. Many police forces throughout the world have officers posted overseas to liaise with police forces in specific countries or geographical areas. As a result, they possess knowledge in their area of operations, such as the command structure of local police forces; the structure of local administrations, including the courts; and local geographical or political challenges that may exist, all of which may have a bearing on matters pertaining to international cooperation. The liaison officers can also perform a useful reporting function, being the "eyes and ears" of a central authority and keeping other participants informed of potential challenges that may arise in the course of a mutual legal assistance or extradition request. Many of these liaison officers are members of police forces that are also members of INTERPOL, and thus have access to the powerful investigative tools that this agency makes available to its members. For

these reasons, the liaison officers should be viewed as a group that complements the efforts of the central authority and agencies such as INTERPOL.

How extradition is governed is as varied as the States that entertain such an action, as it is usually within a State's domestic laws or its treaties that the rules of procedure and evidence are articulated. The following issues are usually addressed in domestic law, and as such it is instructive to review the legislation of the State from which extradition is being sought, in order to set the tone for the communications that will later be made with the requested State's central authority:

- Procedures for arrest, search and seizure and surrender
- How an extradition request will be acted upon
- What refusal grounds apply and whether refusal is mandatory or discretionary
- Which decisions, if any, are taken by the executive and which, if any, by the judiciary
- What evidentiary requirements govern that decision-making and to what extent, if any,
- evidentiary rules exclude relevant material from consideration
- Whether persons sought remain in custody pending those decisions and, if not, what
- conditions are set to ensure that the person does not flee
- Which review and appeal mechanisms apply to which decisions and at what stage(s) of
- > the extradition process
- ➤ How much time elapses between receipt of an extradition request and the final decision on whether or not to return the person.

Depending upon the domestic legislation of the State, a number of factors may be considered by a requested State when dealing with an extradition matter. The decision to surrender a person to another State is usually the result of a bifurcated system involving the judiciary at the outset of the process and the executive branch during the latter part of the process. Depending on the jurisdiction, the courts may consider a number of different factors in deciding to extradite, among them dual criminality, identity, sufficiency of the supporting evidence and the existence of an extradition treaty. Once the case is turned over to the executive, the Government representative responsible for extradition matters may, before ordering surrender, consider other issues, such as human rights concerns, that are separate from those considered by the court. In some jurisdictions, the decisions of either the court or the executive can be appealed or reviewed, with further litigation arising as a result. The

process is subject to strict timelines for filing documents, perfecting appeals, bringing the suspect before court and surrendering the suspect if ordered to do so. The process can seem quite complex to those unfamiliar with a particular legal system, and there is a high degree of risk that attempting to navigate a foreign process without constant consultation with the central authority will lead to failure.

## **Extraditable offence:**

The first precondition that must be looked at by both the requested and requesting State is whether the offence alleged in the extradition request is an offence for which the law allows extradition.

The issue of what is an extraditable offence is found in two ways in a treaty: either by the listing method or the penalty method. The listing method means that the treaty lists the offences for which extradition may be allowed. This method is usually found in older treaties and can be problematic, as it requires a degree of accuracy that is difficult for the requesting State to attain. In the penalty method, the extraditable offence is determined by the seriousness of the penalty that may be imposed. In this case, the definition can be more general because the potential length of punishment will be the deciding factor in whether it is an extraditable offence.

There are three major evidentiary tests that are used in extradition:

- > The "no evidence" test requires no actual evidence of the offence that is alleged; instead, a statement of the offence, the applicable penalty, the warrant of arrest for the person and a statement setting out the alleged criminal conduct are required to found a request for extradition in jurisdictions using this test.
- > The "probable cause" evidence test requires sufficient evidence to create reasonable grounds to suspect that the person sought has committed the alleged offence.
- > The "prima facie" evidence test requires actual evidence that must be presented to the authorities that would allow them to form the opinion that the person sought would have been required to stand trial had the alleged conduct of the criminal offence occurred in the requested State.

Dual, or double, criminality is a concept prevalent in the law of extradition, although efforts have been made to limit the difficulties that it had previously posed. When looking at the question of dual criminality with respect to extradition, it is good to keep the following factors in mind:

- The focus of dual criminality should be the substantive underlying conduct and not the technical terms or definitions of the crime. Article 43, paragraph 2, of the United Nations Convention against Corruption defines the conduct-based test as follows: In matters of international cooperation, whenever dual criminality is considered a requirement, it shall be deemed fulfilled irrespective of whether the laws of the requested State Party place the offence within the same category of offence or denominate the offence by the same terminology as the requesting State Party, if the conduct underlying the offence for which assistance is sought is a criminal offence under the laws of both States Parties.
- The laws of the requesting and requested States generally need only be substantially similar as to the harm they seek to prevent and the activity they intend to punish
- If the law of one State is broader than that of the other in scope, so long as the conduct for which extradition is sought could be included in both laws, then it is an extraditable offence
- Purely jurisdictional elements of statutes need not be replicated under both systems in order for the conduct to be an extraditable offence

The rule of speciality or use limitation is designed to ensure that the offence or offences for which the requesting State seeks the return of the suspect to answer pursuant to the extradition request are the only offences for which the suspect will have to answer in the requesting State. This ensures that the requested State is aware of what it consented to when it ordered the extradition of a person in its jurisdiction to the requested State and that the suspect was aware, both during his extradition hearing and afterwards, what the allegations against him are. As with many investigations and trials, new facts may arise that, in turn, give rise to new allegations and perhaps new charges. If new charges are considered after surrender in the requesting State, they must be laid only with the consent of and in consultation with the requested State. Ongoing communication between the requesting and requested State allows for those eventualities to be dealt with should they arise. The rule of speciality becomes critical when drafting an extradition request. Time must be taken to consider exactly what offences are alleged against the suspect.

The challenge of retroactivity in dual criminality is also important to consider. One State reported that an extradition request had been refused on the grounds of a lack of dual criminality, as the conduct was not unlawful in the requested State at the time the offence was committed, although the conduct had subsequently been criminalized in the requested State and was a criminal offence at the time the request was made.

Traditionally, there have been a number of principles or factors that can prove to be either an impediment or an outright bar to extradition. These principles or factors, discussed in further detail below, are:

- Non-extradition of nationals
- Concerns over the severity of punishment of the fugitive in the requesting State
- Human rights issues, with respect to either punishment or the fairness of the trial in the requesting State
- Non-extradition for fiscal offences
- The political offence exception to extradition

The political offences exception is founded on three basic premises:

- > The recognition of political dissent
- The guarantee of the rights of the accused
- The protection of both the requesting and requested States.

Based upon the above, it can be seen that the premise behind the exception is the balancing of two main competing interests: the recognition of political dissent as a form of protest and the rights inherent in the pursuit of that ideal; and the rights of States to protect themselves from influences that may be bent on harming or destroying them. Thus, terrorist acts, such as bombing or the financing of terrorism, do not benefit from this protection. The political offences exception is sometimes used as a reason for refusing extradition. It sometimes proves to be problematic, as what constitutes a political offence is poorly defined. This can lead to accusations, recriminations and defences being fielded under this exception, which could lead to suspicion and confusion becoming the norm in this field. Efforts should be made to look behind what is being alleged in the request to see if it is indeed a political offence in and of itself or if the criminal charges shield what is essentially a request that is political in nature.

The universal counter-terrorism instruments prohibit States parties from rejecting another State party's extradition request (concerning any offence based on those instruments) on the grounds that it concerns a political offence, an offence connected with a political offence or an offence with political motives. The International Convention for the Suppression of Terrorist Bombings explicitly rejects the political offence exception for the offences defined in the Convention. All subsequent conventions and protocols against terrorism contain the same provision:

None of the offences set forth in article 2 shall be regarded, for the purposes of extradition or mutual legal assistance, as a political offence or as an offence connected with a political offence or as an offence inspired by political motives. Accordingly, a request for extradition or for mutual legal assistance based on such an offence may not be refused on the sole ground that it concerns a political offence or an offence connected with a political offence or an offence inspired by political motives.

Security Council resolution 1373 (2001) validated this approach by extending the exclusion of the political offence exception to acts of terrorism in general. In paragraph 3 (g) of that resolution, the Council called upon States to "ensure ... that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists".

Another factor that must be taken into account with respect to extradition is the protection afforded to refugees under international treaties and the limits of this protection should the asylumseeker be accused of a serious crime or terrorist act that is the subject of an extradition request.

As can be seen below, there is an analysis to be conducted that is designed to reconcile the two competing interests of refugee protection and the protection of the country in which the asylumseeker finds himself or herself if convicted by final judgement of a "particularly serious crime".

The principle of non-refoulement is found in article 33, paragraph 1, of the Convention relating to the Status of Refugees, which states that:

No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

It should be noted, however, that there are limits to the protections granted by the Convention relating to the Status of Refugees. In its resolution 1373 (2001), the Security Council called upon States to "take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts".

Article 33, paragraph 2, of the Convention relating to the Status of Refugees shows that the mere claim of refugee status does not amount to automatic protection under article 33, paragraph 1, of that Convention:

The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.

### **Extradition Process:**

In order to ask a State to extradite a person from its territory, the requesting State first has to prove that the person is in the requested State. The more information that can be provided to the requested State the better, as locating an individual in a country can potentially be a timeand asset-consuming process:

- Mutual legal assistance or INTERPOL requests (blue or red notices) made early in the investigation may help in locating the suspect.
- When seeking the suspect, the requesting State should send a physical description and other modes of identification, if available, e.g. DNA, fingerprints, nationality, passport number and identity card.
- > In some jurisdictions, the names of other family members, particularly the father, can help establish identity.

As much information as possible should be provided and every effort made, using available methods, to verify that the suspect is actually in the territory of the requested State prior to requesting the authorities of the requested State to locate him. The requested State should make every effort, once in receipt of the information provided by the requesting State, to quickly locate the fugitive so that extradition proceedings can be commenced and the possibility avoided of the fugitive absconding to another jurisdiction, requiring another extradition request.

It is important for requested States to attempt to locate the suspect as quickly as possible. This allows for either the formal extradition process to be commenced or, if the suspect is no longer within the jurisdiction, for the requesting State to continue its investigation and possibly initiate the extradition process in another State. Once a fugitive is located, the requesting State must ensure that he or she is the person sought.

A provisional arrest allows a suspect to be detained prior to extradition proceedings being commenced against him or her. This is particularly useful in cases of the type anticipated by the Organized Crime Convention, as international criminals could have contacts and networks that would allow them to evade the authorities should they be at large. A requesting State should speak with the central authority of the requested State to confirm what is needed in order to affect a provisional arrest in the requested State. Article 16, paragraph 9, of the Organized Crime Convention speaks to the possibility of a provisional arrest warrant being issued:

Subject to the provisions of its domestic law and its extradition treaties, the requested State Party may, upon being satisfied that the circumstances so warrant and are urgent and at the request of the requesting State Party, take a person whose extradition is sought and who is present in its territory into custody or take other appropriate measures to ensure his or her presence at extradition proceedings.

Currently, the issue of ISIS is cropping up debate over exceptions to extradition. We would want you to find out loopholes within this framework to initiate effective policy-making at an international level.