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The Belgian Approach to Female Violent Extremist Offenders

Thomas Renard

Introduction

As of August 2023, there were about 100 women linked to the jihadi ideology in Belgium's Common Database, the database on (violent) extremists maintained by the national counter-terrorism fusion centre, the Coordination Unit for the Threat Analysis (CUTA). Women represent 20 percent of the jihadi extremists in the database. The vast majority of these women are categorised as so-called "foreign terrorist fighters" (FTFs) by CUTA, whereas only a few women are listed in other categories of the database ("hate preacher", "homegrown terrorist fighter", "potentially violent extremist" or "terrorist convict").

In total, over the past decade, 169 women were listed at some point in the Common Database in relation to the jihadi ideology, and therefore monitored by the Belgian security services. However, about 40 percent of them have been removed from the database – mostly due to an absence of incriminating evidence.

Women represented about 20 percent of the 430 Belgian citizens or residents who travelled to Syria and Iraq to join a jihadi group since 2012ⁱ – thus a bit less than one hundred. A number of women had returned from Syria very early, already in 2014, whereas others remained until the fall of the so-called caliphate. While some women died in Syria, notably in the last battles,ⁱⁱ about 35 Belgian female FTFs were captured and detained by the Kurdish forces. Among them, a number managed to escape and reach Turkey through their own means, whereas 16 women were repatriated from the detention camps in Northeast Syria by the Belgian authorities, during two operations in 2021 and 2022. A few more Belgian women are still in Syria, some in detention and others possibly still with a jihadi group around Idlib. As of August 2023, about 50 women have left the conflict zone, out of approximately 150 Belgian so-called "returnees".ⁱⁱⁱ

This country chapter is based on the analysis of all court decisions concerning women involved in jihadi violent extremism from 2012 until November 2022 obtained via the Federal

ⁱ When talking about "Belgian" VEOs and returnees, it is important to highlight that they do not all have the Belgian citizenship.

ⁱⁱ It is worth noting that several women in the Common Database are most likely dead but cannot be removed until death is proven.

ⁱⁱⁱ According to the Coordination Unit for the Threat Analysis (CUTA), which is managing the Common Database on extremists, "returnees" are individuals that have left the conflict zone, although they have not necessarily returned to Belgium. They can be in detention or live in a third country outside of Syria and Iraq.

Prosecutor's Office. This amounts to 120 court decisions for female violent extremist offenders (VEOs), comprising 118 individuals (as there were two cases of terrorism recidivism). This unique dataset allows us to investigate the profile and terrorist involvement of these women, as well as their prosecution. Notably, court decisions after 1 January 2020 were fully anonymised before sharing with the author, which restricted our ability to collect and code certain information for 36 female VEOs. In addition to court cases, this chapter is based on the existing literature as well as seven interviews with eight stakeholders^{iv} dealing with female VEOs throughout the criminal justice system across Belgium.

Female VEOs that have been prosecuted in Belgium since 2012 were generally relatively young, with an average age of 25.8 years at the beginning of the indictment period for terrorism.^v The majority of these women had Belgian nationality, with a limited number of dual nationals (citizenship was not available in 34 cases). Regarding their criminal antecedents, information was only available for 46 women, but only three of them had previous criminal records (6.5 percent). This is in stark contrast with male VEOs, who had criminal antecedents in 50 percent of the cases.¹

The vast majority of the women that have been prosecuted in Belgium in relation to jihadi terrorism since 2012 seemingly adhered to the jihadist ideology, and consciously supported or joined a terrorist organisation, aware that this group was committing atrocities. Although they might have drifted towards an extremist ideology for multiple reasons, their agency in this radicalisation process or in their decision to travel to Syria should not be denied. Some of these women consciously and proactively contributed to propagating a terrorist ideology and to recruiting new members (including sometimes within their family circle). A few women were also known to have worked for the administration of the so-called caliphate (e.g., in a hospital). Some women have likely received training for the use of weapons (in a self-defence context), and a very small number of Belgian women might have received more advanced military training.²

However, compared with men, no Belgian women are known to have participated to combat or terrorist attacks in Syria and Iraq, due to ISIS strict views on the role of women, and there are only very rare cases of explicit threats of attacks by Belgian women. Notably, Anissa C. was arrested in 2017 as she threatened of a mass attack and wanted to “die as a martyr”. In another case, Yousra B. incited her followers on her Facebook account to commit a terrorist attack on Brussels' Grand Place in 2018, when the Belgian football team was expected to meet their fans upon return from the football world cup. Figure 2.1 shows the different types of activities that female VEOs who were convicted for terrorist offences were involved in, according to court decisions. Often, these women carried out more than one activity in relation to their terrorist conduct. Figure 2.1 provides an overview of how many times certain activities were carried out by one of the 107 women convicted for terrorism. Most prominently, 80 women were providing logistical support to a terrorist organisation which makes this the most common activity (46 percent of all activities). Often in combination with that, 28 women made travel arrangements either for themselves or for others to join a terrorist organisation abroad

^{iv} One interview included two officers from the same organisation.

^v This information was available for 81 individuals. This age is very similar to the average age of all terrorist convicts in Belgium, including men, during a similar period (26.3 years old). See: Thomas Renard, “Overblown: Exploring the Gap Between the Fear of Terrorist Recidivism and the Evidence”, *CTC Sentinel* 13:4, April 2020, pp. 19-29. <https://ctc.westpoint.edu/overblown-exploring-the-gap-between-the-fear-of-terrorist-recidivism-and-the-evidence/>.

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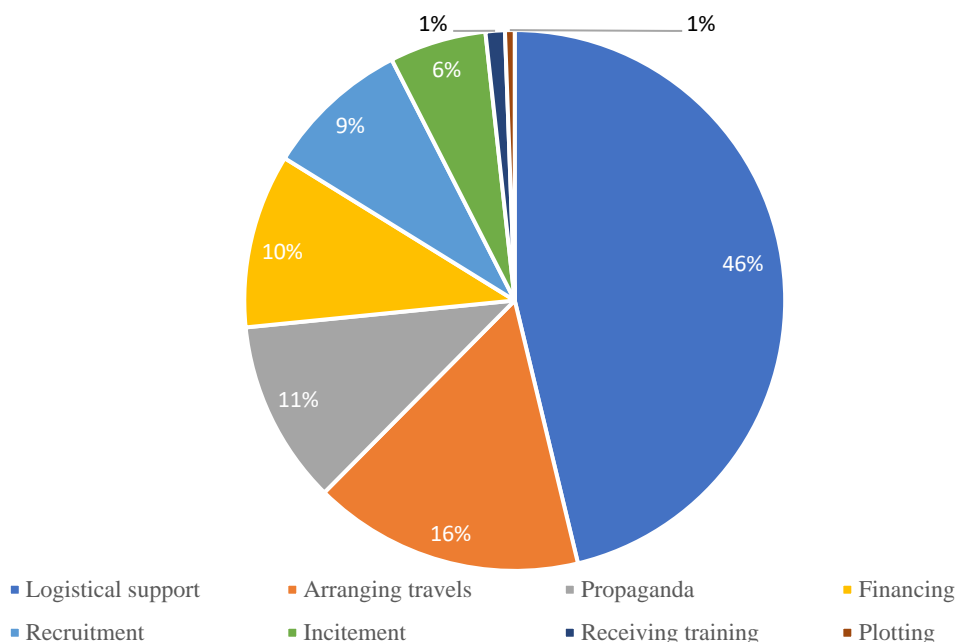


Figure 2.1: Type of activities carried out by all female VEOs convicted of different terrorist offences in Belgium since 2012 (n=173 activities; as of 15 July 2023)

(16 percent of all activities). Notably, only two women were reported to have received terrorist training which makes this one of the least relevant activities, similar to plotting.

Some gender-based distinction is also perceptible in the individual threat assessments. About 20 percent of the women in the Common Database are considered to present a “severe threat”, that is Level 3 on a scale of four levels (Level 4 is extremely rare). This includes a majority of women still in Syria – a number of which are probably deceased. This contrasts with the men, among which 40 percent are considered to present a “severe threat”.

The involvement of women in jihadi extremism does not seem to have ended with the fall of ISIS’s so-called caliphate. In May 2023, seven individuals of Chechen origin, including “some women” according to a press release from the Prosecutor’s Office, were arrested during several coordinated police raids in Belgium. They were all fervent sympathisers of ISIS and are suspected of having prepared a terrorist attack in Belgium.³

The unprecedented mobilisation of women and families for the jihad in Syria presented a new challenge for the Belgian authorities. With very few exceptions, Belgian counter-terrorism services had rarely been confronted with female terrorists. Notable precedents included:

- Pascale Vandegerde, the only female member of the Communist Combating Cells, a far-left group that claimed 21 explosive attacks in 1984-1985. She received a life sentence in 1988 and was released under conditions in 2000.⁴
- Muriel Degauque, a young Muslim convert from Charleroi radicalised and drove to Iraq with her husband in the early 2000s, to join a jihadi group. She became the first female suicide bomber in the Iraqi conflict in 2005, targeting a US convoy and killing five Iraqi officers.⁵
- Malika el-Aroud, the so-called “black widow”, was a prominent figure of the jihadi community in Belgium and in the broader French-speaking world, from the late 1990s. She was a very prolific writer, propagandist, and recruiter for al-Qaeda. She allegedly

met with Osama Bin Laden personally, during her stay in Afghanistan around 2001. After her return to Belgium, in 2001, she had been tried for the first time in 2003, with regard to her recruitment activities for al-Qaeda but was acquitted in spite of her vocal support for jihad – possibly illustrating a justice system that was not yet ready to prosecute women to the same standard as men. In that trial, 21 men and two women were accused, and only five acquittals were pronounced, including for the two women. Malika el-Aroud was nonetheless convicted in 2010 as “leader of a terrorist organisation” and sentenced to 8 years of prison for her recruitment and propaganda activities and was later stripped of her Belgian citizenship.

While it cannot be demonstrated that Belgian authorities were completely blind to the possible role of women in terrorism in the past, it is clear that they have had to adjust to a new reality over the past decade – an adjustment that took a few years, as this chapter shows.

Prosecution

118 women have been tried in Belgium for Islamist-inspired terrorism activities occurring between 2012 and 2022. Previously, only two women had been convicted in Belgium, in relation to jihadi terrorism. Malika el-Aroud, as discussed above, and Gisèle J. who received a suspended sentence in 2015 for forging documents for the terrorist Loris Doukaev,^{vi} although the terrorist charges against her were dropped.

The first women who travelled to Syria and Iraq were not prosecuted. In fact, Belgian authorities were initially more lenient towards foreign volunteers during the first wave of mobilisation for the jihad in Syria and Iraq regarding both men and women. This approach started to change progressively around 2013, and more fundamentally in the aftermath of the terrorist attack against the Jewish museum in Brussels’ city centre in May 2014 – the first attack committed by a returnee from Syria in Europe. From that moment, male FTFs became more systematically monitored and prosecuted.⁶ It took another couple of years and a serious internal reflexion within the Federal Prosecutor’s Office, before deciding that female returnees should also be prosecuted systematically.⁷ This does not mean that women were not investigated prior to 2016, however, but that they were not systematically or immediately prosecuted. Four women were already tried in 2014 (they were convicted for their financial and logistical support to their husbands who travelled to join al-Qaeda in Somalia), and 20 women in 2015 (some of which were convicted for supporting a terrorist organisation by travelling or attempting to travel to Syria, eight of which were convicted in absentia). Figure 2.2 shows the dispersion of first instance trials involving female VEOs (N=71), as well as the number of female VEOs sentenced per year (N=120). The growing number of trials involving women from 2015 onwards is clearly apparent.

The majority of the women involved in jihadi terrorism since 2012 have now been prosecuted. According to a CUTA internal note from 2021, out of the 142 adult women known to the Belgian security services in relation to jihadi terrorism, 98 had been prosecuted (69 percent).⁸ Considering that 26 out of the 44 women that had not been prosecuted were still in Syria in 2021, and were therefore either dead or could still be prosecuted upon return, this leaves only a very small number of women (18, or 12.6 percent of the total) that had not been tried, as of 2021, including nine returnees as well as some women that had failed to travel to Syria. Among

^{vi} Doukaev was a Belgian of Chechen origin who had prepared a letter bomb to be sent to a Danish newspaper in 2010 and was sentenced to 12 years in prison for it.

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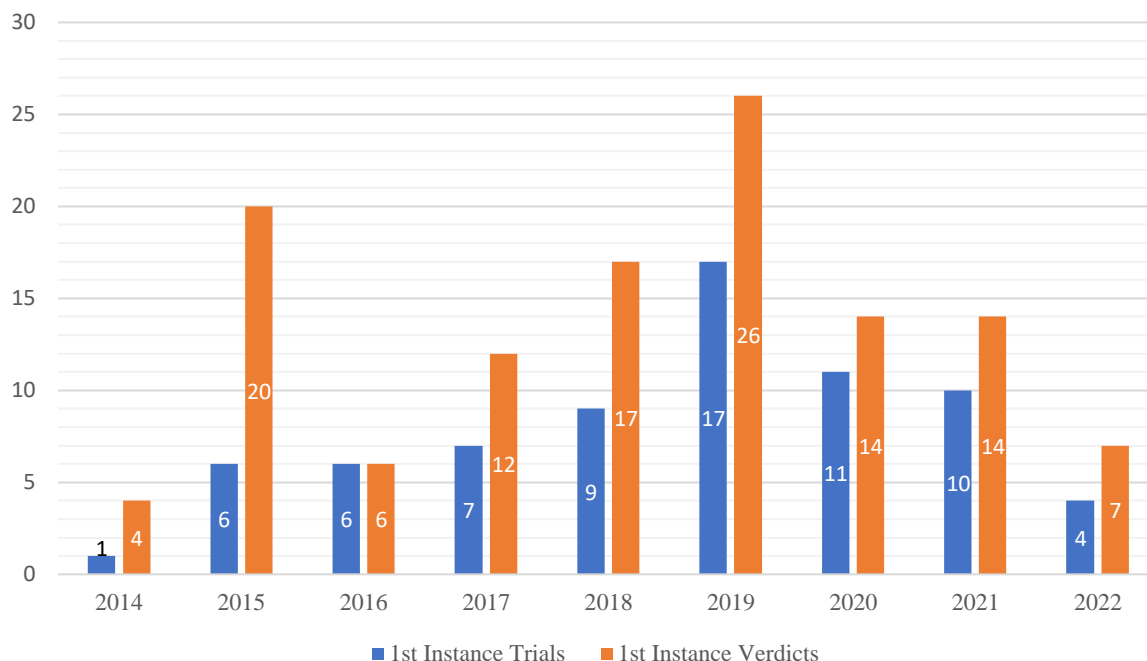


Figure 2.2: Development of first instance trials and first instance verdicts concerning female VEOs in Belgium between 2014 and 2022 (n(t)=71, n(v)=120; as of 15 July 2023)

them, to further explain the absence of prosecution, some were minors and others were not Belgian citizens (and likely to be prosecuted in their country of origin).⁹

The remarkably high rate of prosecution and conviction of female VEOs in Belgium does not preclude the existence of certain stereotypes and a tendency to “exceptionalise” the cases of female VEOs in court. According to a Magistrate from the Federal Prosecutor’s Office, stereotypical descriptions of these women as lovers or housewives have been quite common among defence lawyers, and sometimes echoed by judges.¹⁰ The very gendered vision of the jihadi society under ISIS’s caliphate, where women were largely confined to domestic tasks, consolidated such stereotypes. However, this vision was challenged and progressively deconstructed with the prosecution of the first returning women, showing a broad scope of criminal offences committed in support to a terrorist organisation (see Figure 2.1 on terrorist activities above and Figure 2.3 on terrorist offences below). Nonetheless, some magistrates consider that women remain treated more leniently than men.¹¹

All terrorist offenders in Belgium, irrespective of gender, are prosecuted on the basis of articles 137 to 141 of the Belgian criminal code, which defines the different terrorist offences and related sentences.¹² This section of the criminal code was introduced in 2003, transposing the EU’s Framework Decision on terrorism from 2002.¹³ Over time, more terrorist offences have been added, notably with regard to incitement (2013), travel for terrorism purposes (2015), recruitment (2016), or the preparation of terrorist acts (2017). Specifically, the terrorism crimes covered by the criminal code are:

- The terrorism crimes (murder, abduction, hijacking, etc.) or preparation for the perpetration of such crimes, with sentences that can range from 6 months to 30 years of imprisonment;
- participation in a terrorist organisation, with sentences from 5 to 10 years;

- participation in the decision-making process of a terrorist group, or leadership of a terrorist group, with sentences from 10 to 20 years;
- incitement to, or recruitment for, terrorism offences as defined in the criminal code, with sentences from 5 to 15 years;
- providing or receiving instructions or training to commit terrorism offences as defined in the criminal code, with sentences from 5 to 15 years;
- travelling from or to Belgium in order to commit terrorism offences as defined in the criminal code, with sentences from 5 to 10 years; and
- material support (including financing) to a person that has or will commit terrorism offences as defined in the criminal code, with sentences from 5 to 15 years.

In light of the wide spectrum of offences covered by the criminal code, but also due to a broad phrasing and interpretation of these articles, the prosecution of female VEOs is not particularly challenging in Belgium. Specifically, the threshold of evidence required to demonstrate the participation in a terrorist organisation is relatively low. “It suffices to demonstrate that the person has taken the plane, or that she sent a text message. Nothing really complicated”, explained a federal prosecutor.¹⁴ The types of activities that have been considered to demonstrate a participation in a terrorist organisation are very broad in scope. Since 2015, a succession of trials has consolidated the reasoning that any type of household activity under the caliphate contributed to the well-being of ISIS fighters and as a result to the functioning of the caliphate.¹⁵ This jurisprudence favouring a broad interpretation with regard to what constitutes support to a terrorist organisation was partly established during a series of trials in absentia, from 2015 onwards. It was facilitated by the absence of contradiction from defence lawyers, and was therefore developed unchallenged.¹⁶ Furthermore, the modification of article 140 of the criminal code in 2016 still further lowered the threshold for conviction. To be recognised guilty of participation in a terrorist organisation, defendants no longer need to be aware that their activities contributed to a terrorist crime, but it suffices that they “*could have been aware*” that their activities “*could contribute*” to a terrorist crime (emphasis added).

In addition to physical evidence collected in Belgium and electronic evidence (from smartphones or computers), Belgian prosecutors can also make use of so-called battlefield evidence to build their cases against female returnees – as they commonly do for male FTFs.¹⁷ This includes notably: birth certificates or other medical receipts from ISIS, authorisations to get married, documents related to a stay in a “house for women”, or documents proving property of a house in ISIS territory.

If the prosecution and conviction of female VEOs has not been particularly challenging in Belgium, it has proven more complicated to demonstrate the level of engagement and specific crimes committed by female VEOs in Syria and Iraq, and to charge them beyond the common offence of “participation in a terrorist organisation”. In this regard, testimonies from other female returnees have been considered a valuable source of information, although not always sufficient to have a full picture. Beyond terrorist offences, Belgium has only rarely prosecuted female VEOs for other domestic crimes or core international crimes possibly committed in Syria/Iraq, compared with some other European countries, notably Germany. One reason is certainly the low threshold of evidence discussed above, which might discourage further investigative efforts. But there’s also another reason: due to the so-called “exclusion clause” in art. 141bis of the criminal code, it is not possible to prosecute individuals for both terrorist crimes and for war crimes under international humanitarian law.¹⁸

The Belgian clause is quite unique in its scope, compared to other countries, in the sense that it covers all types of terrorist offences and any type of armed conflict. As a result, the Federal

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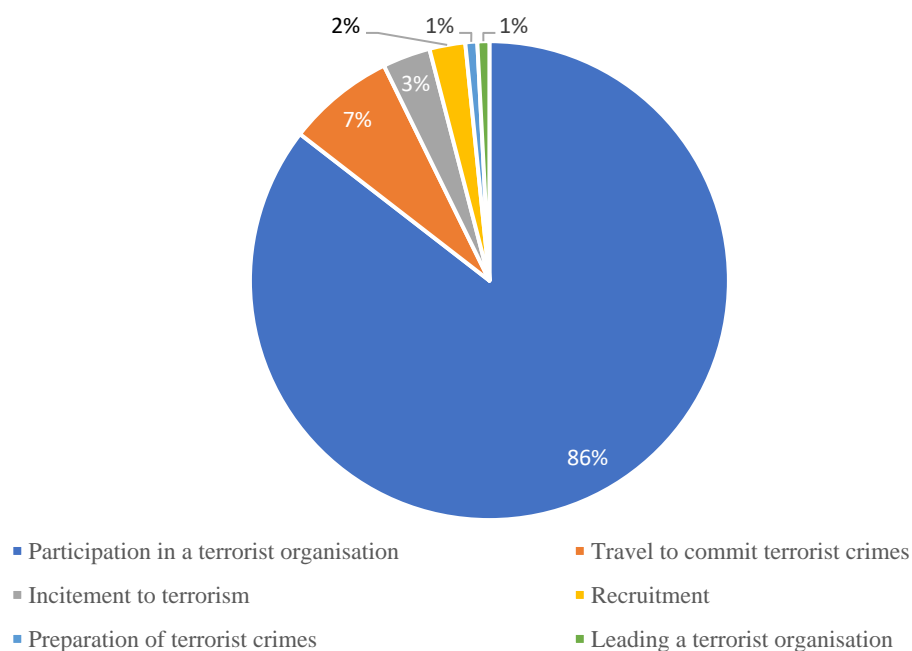


Figure 2.3: Terrorist offences in cases of convicted female VEOs in Belgium since 2012 (n=124; as of 15 July 2023)

Prosecutor’s office decided early on to prioritise terrorist crimes over other crimes.¹⁹ Figure 2.3 shows that 86 percent of the terrorism-related offences pronounced against female VEOs in a final verdict leading to conviction were participation in a terrorist organisation, as this verdict was reached in 106 cases. In other words, almost every woman convicted for terrorism in Belgium was convicted for membership in a terrorist organisation (97 percent), occasionally in combination with another terrorist offence. It also shows that the offence of “travelling for committing a terrorist crime”, which was specifically adopted in response to the phenomenon of terrorist travellers, was very rarely used and only led to a conviction in nine cases. In four cases, a woman was convicted for incitement to terrorism (three percent of all convictions) and in three cases judges found a woman guilty of recruitment for a terrorist organisation (two percent of all convictions). Only one woman was convicted as leader of a terrorist organisation since 2012, Fatima A. (see Figure 2.3).

Of the 120 cases of women in relation to Islamist-inspired terrorism in Belgium since 2012, 11 acquittals were pronounced, and 109 convictions in the final instance. The rate of acquittal for women is therefore relatively low (8 percent), and quite stable over time (three acquittals in 2015, one in 2016, one in 2017, one in 2018, three in 2019).

Among the convicted women, a majority of 58 percent (52 percent of all sentences) were sentenced to imprisonment, either in full or followed by a probationary period. With only one exception, all prison sentences ranged between six months and five years, inclusive the potential probationary period. Indeed, the most frequent charge is membership in a terrorist organisation, which can lead up to ten years of imprisonment by a *Cour d’Assise*. However, for practical reasons – that is, to strongly limit the number of trials by a popular jury, which are more complicated and costly to organise – almost all terrorism trials in Belgium are “correctionalised” – that is tried in a lower court – and as a result the sentence is halved to a maximum of five years.

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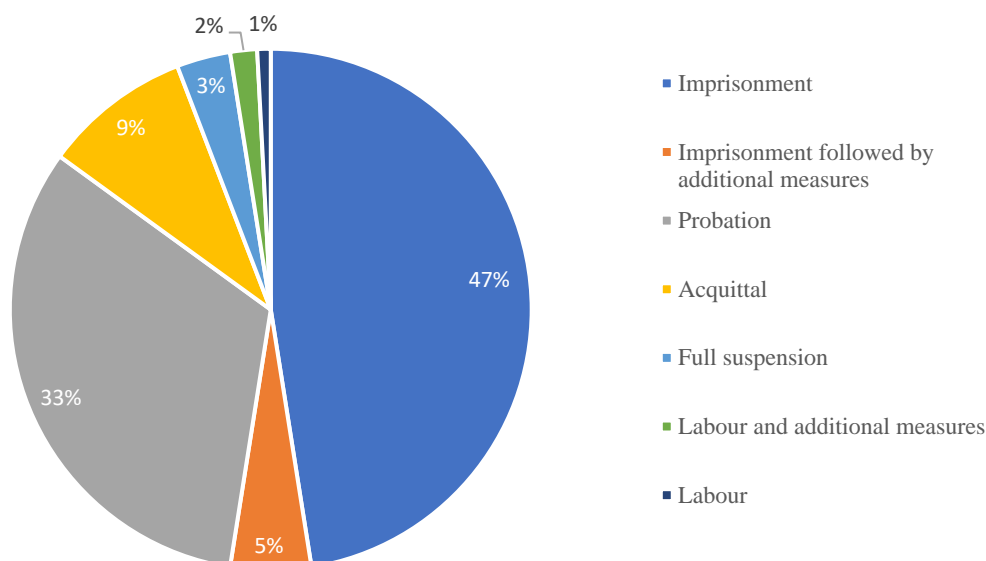


Figure 2.4: Type of sentences handed down in cases of female VEOs in Belgium since 2012 (n=120; as of 15 July 2023)

The Federal Prosecutor will always request (and obtain) the maximum sentence of five years during trials in absentia. Fifty women have been tried in absentia since 2012. In contrast, when the defendant is present or represented, the Federal Prosecutor will plead with more nuance in order to reflect more closely the actual crimes committed and the defendant's intentions. However, with a maximum possible sentence of five years imprisonment, there is "very little flexibility in the spectrum of possible sentences", in the words of a federal prosecutor, and as a result, little difference in the sentencing of individuals who have possibly committed very different crimes.²⁰ Figure 2.4 shows the distribution of sentences for female VEOs since 2012, in final instance.

There was one exception with regard to prison sentences: Fatima A., a long-time figure of the jihadi scene in Belgium, and friend of the other female jihadi veteran, Malika el-Aroud, as well as of Khalid Z., one of Belgium's main recruiters for the Syrian jihad.²¹ Fatima A. was convicted as "leader of a terrorist organisation" to eight years of prison in first instance in 2015, and to fifteen years in appeal, in 2016 – an exceptionally long sentence, particularly for a woman, pronounced just three weeks after the deadly Brussels attacks on 22 March 2016. When excluding women convicted in absentia (all sentenced to five years in prison), most women sentenced to imprisonment benefitted from a probationary reprieve and some even benefitted from a suspension of the sentence (ordinary or probationary), which according to a Federal Prosecutor is less often the case for male extremist offenders – although the author was not in a position to confirm this claim.²² The average length of the prison sentence pronounced in association with probationary reprieve is 31 months.

In addition to the sentence rendered by the courts, several female VEOs have been stripped of their Belgian citizenship in cases when they had acquired Belgian nationality, and they had another citizenship. Whereas such decisions were truly exceptional in the past, the Federal Prosecutor's Office has decided to request it systematically every time it pleads for the maximum penalty. As a result, eleven women were stripped of their citizenship between 2019 and 2022 in a criminal proceeding (eight of which in absentia), and an additional three women lost their citizenship as a result of civil procedure since 2017 (and three more still pending).²³

In either procedure, the vast majority of these women had Moroccan nationality. Following this decision, these women face an expulsion procedure at the end of their prison sentence.

Finally, it is worth mentioning here two kinds of mitigating and aggravating factors that have informed court decisions on female VEOs. First, some of the women that were most recently repatriated, in 2021 and 2022, have seen their sentence reduced as the judge followed the reasoning of defence lawyers, who almost systematically pleaded that their clients had already spent several years in detention in Syria. Second, several female VEOs (particularly among returnees) had children. This factor has sometimes been considered an aggravating factor, when the court considered that the mother put her child(ren) in danger by taking them to a war zone. Yet, it has also been considered as a mitigating factor, when the court concluded that the separation of the mother and her child(ren) was counter-productive to both the child's well-being and to the mother's perspective of reintegration.²⁴

Prison Management

Overview of Female VEOs in Prison

Until the mobilisation for the jihad in Syria/Iraq, the management of female VEOs had never been a concern for the Belgian penitentiary administration. Prior to 2012, only two women (Pascale Vandegeerde and Malika el-Aroud) had been convicted and jailed for terrorism, although not at the same time. However, the population of female VEOs in prison increased significantly over the past decade, as more women were arrested, detained, prosecuted, and eventually convicted, including a number of women returning to Belgium after the fall of ISIS's so-called caliphate. Figure 2.5 shows the rough evolution of the number of female VEOs detained in prison since 2015.^{vii}

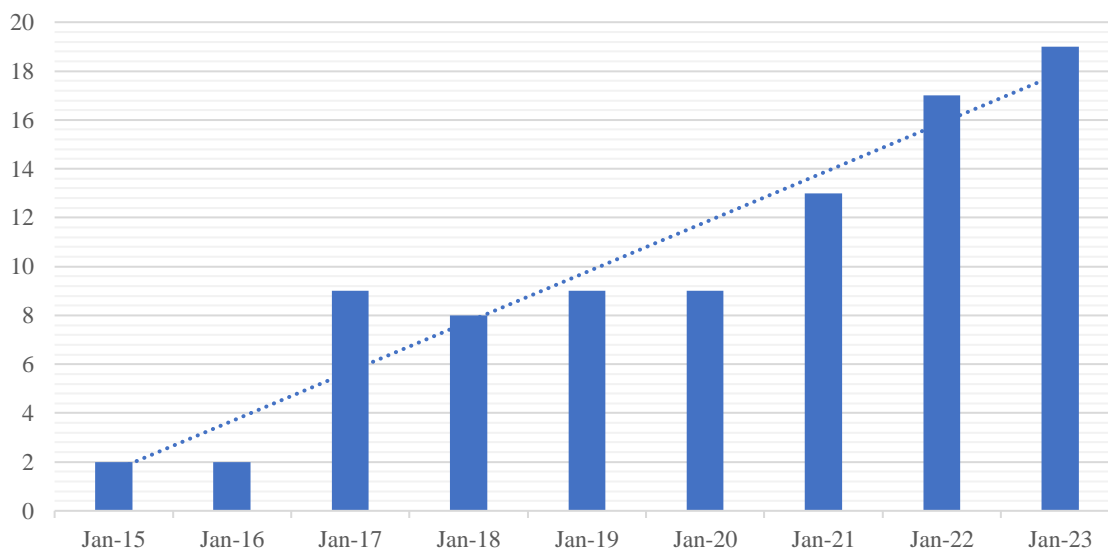


Figure 2.5 Number of female VEOs in Belgian prisons over time (data provided by the Belgian Penitentiary Administration; as of 22 May 2023)

^{vii} The numbers should be read carefully. They represent a “snapshot” of the population of female VEOs at a certain moment (31 January, year-on-year), while recognising that these numbers are extremely fluid, notably because they also include individuals in pre-trial detention. Although exact numbers might change rapidly, the overall trend seems to correspond to the reality, as experienced by the administration.

According to one prison director who managed more than ten female VEOs in her establishment over the past few years, the arrival of that “new” population was at first “stressful, with a lot of preconceived ideas.... They were perceived as terrorists, dangerous. There was a lot of suspicion. It took some time for my staff to start seeing the human beings behind the terrorist women, and to realise that they were inmates quite easy to manage overall.”²⁵ Indeed, prison staff managing female offenders had not received any specific training, as priority had been given to staff managing male terrorist offenders in certain prisons. “We were not prepared at all”, stated the director, while also considering “what time and resources should we have invested in staff and training, given the very small target population of female VEOs?”²⁶ In 2023, there are still no real trainings available for prison staff specific to female VEOs, with the exception of one “study day” organised in 2022, following the repatriation of six women and sixteen children in June 2022.²⁷

Despite their growing number, female VEOs remain a negligible quantity in the penitentiary system. As of May 2023, there were eighteen female VEOs in Belgian prisons. As such, they represent a small minority group, within two broader minority groups. They are a minority of the terrorist prisoner population (n=140), as well as a minority of the female prisoner population (n=500, about 4 percent of the total incarcerated population in Belgium). Furthermore, female VEOs are spread across several detention facilities, and therefore constitute a very negligible group within each prison. There are nine prisons with special sections for women in Belgium, from a total of 37 prisons. It is therefore unsurprising that they have received so little attention.

The vast majority of incarcerated female VEOs (twelve) were listed by the prison administration as FTFs – all returnees. There were also two “potentially violent extremists”, one “hate preacher”, one “homegrown terrorist fighter” – categories that reflect those from the Common Database. In addition, two women were also categorised by the penitentiary administration as “terrorist - EPI”^{viii} or “violent extremist prisoner - EPI”^{ix}. The majority of returnees in the contingent clearly reflects the two recent waves of repatriation conducted by the Belgian authorities since 2021. Most of these women (except for four) were convicted in pre-trial detention.²⁸

Overall, female VEOs are considered to pose a moderate risk level in prison. Compared with men, they have not (yet) presented a “physical risk”, such as aggression or evasion.²⁹ With regard to radicalisation or recruitment of other inmates, female VEOs do not seem to be considered a serious risk by key stakeholders. In contrast with what has been observed with men, female VEOs do not seem to attempt to radicalise others, nor do they benefit from a “special status” in the eyes of other inmates, and rarely speak about religion with other inmates.³⁰ Some women have a strong personality, but only a few are showing leadership, and therefore a risk of proselytising. Only one woman is categorised as a “hate preacher”, and thus constitutes a potential risk for others. Prison authorities monitor very closely the possible influence exerted by female VEOs over other vulnerable inmates, but no cases of radicalisation have been reported so far. It is not entirely clear why female VEOs behave differently from men in prison, but part of the explanation could be that many returnees had already (started to) disengage from violent extremism prior to their return.

^{viii} This category is for individuals previously in the Common Database but that were removed, after their threat level remained low for over two years.

^{ix} This category was created for individuals that are not included or not yet considered for inclusion in the Common Database but are monitored by the penitentiary administration in light of their extremist behaviour, attitude or discourse within the prison.

The Management of Female VEOs

When women enter prison, even under pre-trial detention, they are generally subject to individual security measures, notably isolation, during the first seven days. Although such measures are exceptional for non-extremist offenders, it is common with extremist offenders. It gives time to the prison staff to get to know the inmate, evaluate their level of risk, and receive all necessary information from partner services. Although security measures can be renewed over time, they seem to be limited in time, generally to a week, particularly for female VEOs, as prison staff have now become more familiar with their profiles.³¹ Generally speaking, the security tension surrounding female VEOs seems to have relaxed, as also confirmed by a rehabilitation officer who considers this evolution as more conducive to rehabilitation and reintegration.³²

Beyond these individual measures, there are specific “instructions” for prison staff regarding the monitoring of extremist offenders – it is noteworthy that these instructions make no difference on the basis of gender. According to these instructions, female VEOs are subject to daily observations regarding their behaviour, relations with other inmates or staff, as well as external contacts (visits, phone calls, mail, etc). These observations are shared weekly with the prison directors and psycho-social service and compiled every other month in a report shared with the Extremism Cell (Celex) and with the *Service Psycho-social Central Extrémisme* (SPSC(Ex), or Central Psycho-Social Service Extremism) unit of the central penitentiary administration, which are responsible for the general screening and monitoring of extremist offenders in prison. Celex and SPSC(Ex) can formulate advice on the management of radicalised inmates,³³ and Celex can also feed information into the Common Database on extremists – information that becomes then accessible to other services, also outside prison.³⁴

Weekly observations allow staff to identify potential problems regarding female VEOs, and to respond to them, eventually in concert with other stakeholders (psycho-social services [SPS], imams, social support services, etc). However, according to one prison director, these reports are mostly “uninteresting”, “empty”, as female VEOs are generally “quiet, [not] troublesome inmates”.³⁵ The gap between the perception of dangerous women and the reality of their behaviour in prison results in observations that tend to oscillate “between paranoia and banalisation”, according to a prison director.³⁶ One official from the prison administration wondered whether there is not a certain “loss of alertness” or a form of “complacency” among prison staff, fearing some women might be hiding their ideology and intentions, that we “might be missing something”, although another stakeholder disagreed with that view.³⁷

In addition to the observations by the prison staff, all extremist offenders (men and women) are potentially monitored by a dedicated unit of the Belgian intelligence State Security Service, otherwise known as the VSSE, including by deploying surveillance techniques in prison. There is a cooperation agreement regulating information exchange between the VSSE and the penitentiary administration.³⁸ Furthermore, the so-called “Group Prison”, under the national strategy against extremism and terrorism, gathers the VSSE, CUTA, Celex and the police, and meets once or twice a month to discuss specific extremist offenders in prison, contextualise information, and eventually decide on particular measures to be taken.

Female VEOs in prison are spread across all nine detention facilities, so that they are separated from one another and mixed with regular female inmates as much as possible. This corresponds to the so-called “diffusion regime”, also applied to men. The objective of this regime is to limit the risk of radicalisation and to facilitate the rehabilitation and reintegration of these women, through normalisation – as opposed to exceptionalism.

For male VEOs, prison authorities can still separate individuals that display a highly radicalising or proselytising attitude in special wings, called “Deradex units”. This option does not exist for women, but that does not seem to be a problem, according to the consensual assessment of the interlocutors interviewed for this project. Female VEOs are not perceived as trying to radicalise or recruit other inmates, and they generally “stand aside and behave well” during their detention, awaiting liberation.³⁹ “Deradex units” had been severely criticised by some watchdog organisations.⁴⁰ Even within the penitentiary and security services, not everyone was convinced of the added value of these units.⁴¹ And indeed, most Deradex cells are now occupied by regular inmates. In Summer 2022, there were only four male individuals still detained in one of the two Deradex units, and only one last individual in late 2023, despite a total of 40 available places.⁴²

The small size of the units for female prisoners makes surveillance much easier compared with men, and therefore radicalisation or recruitment more complicated. “It’s a real advantage. It’s hard for inmates to conceal anything from us, and we hear things very quickly. As a result, we can also intervene very quickly when needed.”⁴³ Yet, the small size of the units and their limited number overall also have downsides, not least in a situation of carceral overpopulation (in Belgian prisons in general, but also in units for women). The placement options for female VEOs are quite limited, which can create specific challenges (limited capacity to move people in case of trouble, limited capacity to ensure geographical proximity with family, etc.). Furthermore, the incarceration of a significant number of female VEOs at once (e.g., in case of a big repatriation operation, or theoretically as result of the arrest of an all-female network) could put the prison system under stress.

One specificity of female returnees is that several of them returned or were repatriated with their children. Detention or conviction does not automatically strip custody of the children, and it is generally considered important to maintain an ongoing relationship between mothers and children, particularly for children that grew up in the Syrian camps. If needed, children can stay with their mother in prison until the age of 3 years old. If children are placed with the family or in institution, they can visit their mother every day if she is in pre-trial detention, or three times a week when convicted. Visits can be mediated by an external assistant, or unmediated (with a family member), depending on the context.

Risk Assessment

Once the female VEO is convicted, a more formal and structured risk assessment will be conducted by the penitentiary psycho-social services (SPS), using the VERA-2R risk assessment tool.^x For these assessments, the evaluators have access to all judicial files (the investigation case), observations from prison staff, interviews with inmates, and a summary of the threat analysis done by CUTA. Since these risk assessments occur relatively late into the detention period, they are not meant to inform detention regimes (which is covered by the observations and bi-monthly reports), but formally designed to monitor the inmate’s detention trajectory and inform decisions about early release.⁴⁴ As of June 2023, “about 20” female VEOs had been evaluated through this process⁴⁵ – indicating the approximate number of women that remained in prison beyond pre-trial detention since 2015. For women that are subject to alternatives to detention after their conviction, the same risk assessment is conducted by so-called Houses of Justice (through justice assistants). It is interesting to note that VERA-2R is a gender-neutral risk assessment tool, as risk factors are the same for all persons evaluated,

^x This is in contrast with the practice in some other countries, notably the Netherlands, where risk assessment with access to judicial files can be conducted earlier in the process.

although gender-specific aspects can play out in contextual questions (e.g., about the role of partner, children, etc). The VERA-2R training that all Belgian SPS officers must attend has included some case studies about women for some years already.⁴⁶

Some stakeholders feared that the latest female returnees repatriated might be more “ideologically radicalised” than previous ones, although there is no consensus around that perception.⁴⁷ Some stakeholders also noted a distinction between female returnees “who experienced trauma and disillusion” and those who failed or did not attempt to travel and remain therefore “more committed to the ideology, and lack perspective”.⁴⁸ These concerns relate to a broader fear among some European policy-makers about so-called “false compliance” of terrorist offenders, suspected of concealing their radical ideology during detention. It is indeed not uncommon for female VEOs that their discourse shows some discrepancy with their narrative in prison. As there is only limited evidence of what they did in Iraq and Syria, there will always be some lingering suspicion about their state of mind.

False compliance is not impossible, but it is largely considered unlikely given all the mechanisms in place to detect it.⁴⁹ Female VEOs are closely observed in prison, and through the risk-assessment evaluation it is possible to confront these women with what is in their files or what other female VEOs reported. Rehabilitation officers concur that it would be difficult for these women to conceal their stories under the intensity and frequency of these programmes.⁵⁰ If women are found out to conceal or lie, it is not considered a risk factor as such, but will introduce suspicion and distrust about the rest of their narrative. One stakeholder pointed out that “false compliance” could also be considered the other way around. For example, several women repatriated from Syria had to dissimulate their disillusion and disengagement from other women in the camps for a long period of time and are now suspected of concealing their ideology.⁵¹

Exit Modalities

The release of female VEOs can be prepared in different ways, but notably through so-called “modalities of sentence’s execution”, that is, the possibility to allow an inmate to exit prison progressively, either through very temporarily releases (e.g., for a few hours or days) or more structurally (e.g., electronic surveillance regime, limited detention, or conditional release). The decision on the modalities varies based on the nature of the modalities and on the length of the conviction. In a nutshell, it is the prison director or the DGD (i.e. the Minister of Justice) who can decide on short-term leaves or provisional liberation, and it is a special judge or a Tribunal that is competent to decide on longer-term leaves.⁵² Over the years, the rules have been hardened for granting special leave modalities for terrorist convicts. Just after the November 2015 attacks in Paris, it was decided that the procedure for terrorist convicts would differ from other convicts, transferring the formal decision power from the prison director to the Minister. As a result, due to political sensitivity, temporary or conditional releases became less systematically granted. In 2019, a new law also imposed to the penitentiary administration and to the special judges to more systematically justify their decisions, notably on the basis of a report from the psycho-social services.⁵³ A number of stakeholders have clearly stated that this regime of exception, resulting in a harder process for terrorist convicts to benefit from special modalities, is counter-productive as it creates frustration and grievances among VEOs through its lack of clarity and arbitrariness.⁵⁴ In one specific case, for instance, in 2021 the Justice Minister blocked the release of a female returnee at the very last minute, undermining the reintegration process that had been in the making for some time. The female returnee had to wait much longer before being granted a release, resulting in some tensions.⁵⁵ However, more

recently, the granting of modalities to female VEOs seems to have softened again, at least according to one interviewee.⁵⁶

Rehabilitation and Reintegration

Rehabilitation in the Prison-exit Continuum

Reintegration of female VEOs should ideally be initiated already during detention. Temporary or conditional releases are a standard approach to facilitate reintegration of inmates in Belgium, although not always possible for terrorist offenders for the reasons mentioned above. On the Dutch-speaking side of the country, a specific multi-agency case review mechanism has been established in order to discuss terrorist offenders' detention trajectory and prepare their reintegration process before release. The so-called *Casus Overleg* gather the prison director, local SPS, the justice assistant designated for the probation, Celex, SPSC(EX) as well as CAW's Team Extremism (the rehabilitation service – discussed below). These meetings occur about four times per year in every prison, to discuss the case of each terrorist offender detained, notably focussing on what could be done with the inmate to facilitate their reintegration.⁵⁷ The presence of the probation officer is important to ensure continuity of support from prison to release (if release occurs under conditions or probation), as it allows them to start working on a reintegration plan before the actual release, as well as to have access to key information from prison services. At this moment, this case review mechanism is only available for terrorist offenders – and not to other inmates – and only in the Dutch-speaking part of the country. There is a law proposal under consideration to formalise the work of the *Casus Overleg*, and expand it to the entire territory, through so-called Penitentiary Cells of Integral Security. Two pilot projects are ongoing at this stage, but some stakeholders are reluctant, notably social actors (CAW and CAPREV, specifically), which fear that such platforms could put pressure on their confidentiality agreements or the trust relationship they seek to build with their beneficiaries, not least in the absence of a clear legal framework regulating participation and the exchange of information.⁵⁸

Rehabilitation programmes are another key part of the reintegration process. These programmes can take place in prison as well as outside prison or continue throughout the release process. The two main organisations responsible for rehabilitation programmes in Belgium are active inside and outside of prison. On the Dutch-speaking side of the country, the main service responsible for rehabilitation of terrorist offenders, including female VEOs, is the Team Extremism of the Centre for General Social Welfare (CAW), a small service of four individuals. On the French-speaking side, it is the Centre for the Support and Management of Radicalisms and Violent Extremisms (CAPREV), a larger service of nine members, established in 2017.

Although they are different organisations, CAW and CAPREV operate in a similar manner. They both develop tailored, multi-disciplinary support, under strict professional secrecy, with the view to encourage extremist offenders' critical self-introspection, and to prepare for their reintegration. They also seek to rebuild trust in the democratic system and its institutions, starting with trust in their own service, as this trait is considered essential to accepting cooperation with all services that seek to facilitate their reintegration. The programme's objectives are co-defined with the beneficiary, although they can also be partly determined by a judicial mandate under probation measures (when relevant). Based on the individuals' needs, these services can offer different types of expertise (psychological, ideological, social, etc) and can also mobilise a broader support network around inmates and reorient them towards other

support services when relevant. Such other services include therapists, social workers, as well as religious counsellors (including female Muslim counsellors).

In prison, CAW and CAPREV operate on a voluntary basis, and rehabilitation cannot therefore be imposed on inmates. Outside prison, rehabilitation programmes can be mandated under a judicial mandate (as part of probation, for example), or on a voluntary basis. Minor differences between both services include the fact that CAPREV always operate under “co-intervention” (with two CAPREV officers designated as referents),^{xi} whereas CAW favours one-to-one sessions. CAW seeks to proactively identify and reach out to extremist offenders, to offer their services, whereas CAPREV initially took a more passive approach – although in the case of female returnees repatriated, CAPREV proactively sought to make its offer known.⁵⁹ Finally, CAW’s rehabilitation work always starts in prison and can continue outside prison; in contrast, CAPREV programmes can equally start in prison or outside prison.

Rehabilitation meetings with beneficiaries occur quite regularly, particularly at the beginning of the programme (about every week for the CAW, “an intense start to build trust and relationship”;⁶⁰ about twice a month for CAPREV). The average duration of CAPREV’s support for female VEOs is two years.^{xii} From 2017 (when it was established) until 1 June 2023, CAPREV has worked with 40 women “concerned with extremism” comprising 25 percent of its total cases with extremists. As of 1 June 2023, CAPREV was still working with nineteen women (27 percent of its cases), including three in detention and thirteen under judicial mandate.⁶¹ From 2017, CAW’s Team Extremism has accompanied eighteen female VEOs (sixteen of which were after 2019) comprising 15 percent of its cases.^{xiii} As of 1 August 2023, CAW was still working with twelve women (25 percent of its cases), including eight in detention and four under conditions or electronic surveillance.⁶² As of August 2023, a total of 58 female extremists had therefore attended the two main rehabilitation programmes in Belgium, since 2016.^{xiv}

Gender-sensitive Considerations

Rehabilitation stakeholders in Belgium have not developed distinct programmes for female VEOs. They recognise that female VEOs might have radicalised with specific motivations or vulnerabilities, such as belonging to a particularly conservative environment (and as counter-intuitive as it might sound, for some women “travelling to Syria was a cry for freedom”⁶³), and returnees might have developed specific traumas. However, since rehabilitation programmes are tailored to individuals’ needs, and the specificities of each beneficiary are always accounted for – whether a man or a woman, returnee or not. Perhaps the only gendered consideration for CAW is that the service always offers beneficiaries to meet with either a male or female officer, as some VEOs might open up more easily or trust more certain profiles (one example was given of a former sex worker who was not comfortable to share their story with a male counsellor).⁶⁴ CAPREV officers interviewed for this project explained that an internal reflection was organised several years ago to question their own gender-based perceptions and bias vis-à-vis female VEOs, when confronted with a rising number of female returnees. While this reflection was considered interesting by our interviewees, it does not seem to have led to a different

^{xi} However, both referents do not always need to be present at the same time during the intervention.

^{xii} Average calculated on 21 closed cases since 2017.

^{xiii} Between 2017 and 2020, rehabilitation work was conducted by the same team under the authority of the Flemish ministry of social welfare, before a transfer of competence and staff to CAW, a non-government non-profit organisation.

^{xiv} It is noteworthy that this number may include women that were neither convicted nor prosecuted for terrorism.

approach by CAPREV, and there are no specific guidelines or checklist based on the gender of beneficiaries.⁶⁵

In the case of rehabilitation and reintegration of female VEOs, children are considered a potential factor of resilience as well as vulnerability. Children can be a motivation for women to behave well in order to be granted an earlier release. In contrast, women that lose contact with their children or who suffer when they hear the distress of their children can be negatively impacted, as it can lead to despair and frustration, which in turn can hamper their rehabilitation and reintegration perspectives.⁶⁶

Post-release Measures and the Risk of Recidivism

Once female VEOs are released from prison, they remain generally under the judicial control of a justice assistant, as part of probatory measures decided by the correctional court or as part of a conditional release decided by a special court unless they remained in prison until the very end of their sentence, which is extremely rare. Similar to the process for “ordinary” convicts, justice assistants support VEOs with basic administrative necessities (like finding accommodation, employment, or training) while ensuring compliance with the release conditions or probatory measures.⁶⁷ When mandated, CAW and CAPREV have clear procedures for cooperation with justice assistants, in order to share key necessary information (such as presence or repeated absence to the sessions) while respecting confidentiality. When a rehabilitation programme is mandated, CAPREV or CAW will usually be designated.^{xv} However, on the Dutch-speaking side, there is an additional organisation that is sometimes mandated under probatory measures to provide ideological guidance to released VEOs, called the Centre of Expertise and Advice for Prevention and Intervention of Radicalism and Extremism (CEAPIRE). Notably, all these services (CAPREV, CAW, and CEAPIRE) can prolong their support beyond the probatory period or even when it is not part of the measures, on a voluntary basis.

In terms of probationary measures, it is important to distinguish the general, mandatory measures (which apply in every case) from the specific measures (which can vary from one person to another). Mandatory measures are:

- not committing another criminal offense;
- have a fixed home address and communicate any change to the justice assistant; and
- respond to invitations from probation commissions and justice assistants.

Specific measures can include, notably:

- abstain from contact with known extremists or terrorist convicts (and warn authorities when approached by such individuals);
- not leaving the national territory without permission;
- not consulting internet pages linked to extremism or terrorism;
- not administering or feeding personal website or webpage (including social media);
- participate in a disengagement or deradicalisation programme;
- respect modalities regarding contact with children; and
- search for a job and/or attend professional training.

^{xv} Other services have sometimes been mandated or mobilised, particularly prior to the creation of these services, but CAPREV and CAW are now the main stakeholders in Belgium with regard to disengagement.

Independently from any probation period, female VEOs are systematically monitored by relevant services – similarly to male VEOs – through two distinct multi-agency platforms. Local Tasks Forces (LTF) are a security platform gathering intelligence services, CUTA, police, local prosecutors, and the immigration office, at the judiciary district level. They meet monthly to discuss individuals listed in the Common Database, and eventually decide on administrative or security measures. Local Integral Security Cells - concerning radicalism, extremism, and terrorism (LISC-R) are a socio-preventive platform gathering local authorities, socio-prevention services, local police as well as potentially other services (rehabilitation services, justice assistants, youth workers, etc), at the municipal level. The purpose of this platform is to identify and support individuals that are in an early process of radicalisation, or in an advanced stage of disengagement, by coordinating responses from local socio-prevention actors. The so-called “information officer” from the police attends both LISC-R and LTF and ensures coordination and information flow between the two platforms.⁶⁸

The main concern following the release of VEOs is the risk of recidivism. Cases of terrorist recidivism, defined as two separate convictions for distinct terrorist offences, are extremely rare in general, and therefore also for female VEOs. In Belgium, only two women have been convicted twice, for two distinct terrorist offences. Furthermore, as observed by a Federal Prosecutor, the risk of recidivism into *violent* extremism is quite unlikely: “as many of these women didn’t commit violent acts themselves while in Syria, why would they commit such acts here in Belgium?”⁶⁹

The first case of terrorist recidivism was Maria G. She was convicted in 2015 for having joined ISIS in Syria with her husband and daughters in 2013. Between her conviction in first instance (2015) and in appeal (2016), she attempted to travel back to Syria with her daughters and was convicted for it in 2017. The other case is that of Kaoutar B., first convicted in 2015 for incitement to terrorism (specifically for threatening a Belgian politician) from Syria, and then again convicted in 2018 for participation in a terrorist organisation. However, in the latter case, she was tried twice in absentia as she remained in Syria the entire time. Since there is a clear overlap in the indictment periods, and no clear separation between the two offences, this case might formally qualify as terrorism recidivism, but would not qualify as terrorism re-engagement (since there was no disengagement period between the two offences marked, for example, by an arrest or prison time).⁷⁰

Two additional cases appear particularly relevant to mention, in the context of recidivism. Yusra B. had travelled to Syria to join ISIS in 2015 and returned in 2016. She was arrested upon her return, but once released she allegedly attempted to travel back to Syria with her younger sister (a minor) and was arrested again in 2017. A few months later, after being released under conditions but not yet judged, she incited her followers on social media to commit a terrorist attack in Brussels in 2018. She was released again a year later under conditions, but re-arrested shortly afterwards in 2019, suspected of trying to leave for Syria again. In November 2020, she was convicted for this entire sequence to 55 months of prison, with a five-year reprieve period beyond pre-trial detention. However, in January 2023, she was once more arrested in Hungary, in breach of her conditions, suspected of seeking to rejoin ISIS in Turkey, or possibly Syria.⁷¹ Yusra B’s case is quite an exceptional case of multiple re-offending, likely reflecting an uninterrupted ideological commitment, as well as being impermeable to preventive and repressive measures, in a span of just seven years.

Habiba C., Maria G.’s daughter (see above), is also a particular case. She first travelled to Syria in 2013 as a minor (16 years old) and returned pregnant. She attempted to travel back with her mother, sisters, and young daughter in 2015, as an adult. She received a suspended sentence in 2017.

Finally, Anissa C. is a clear case of terrorist re-engagement, that is not counted as terrorist recidivism. Indeed, she was convicted in 2019, in a single decision, for two distinct cumulated offences. She was first arrested in 2017, after threatening to commit a terrorist attack, and then again in 2018 after attempting to travel to Syria, after her release under conditions.

Although cases of recidivism remain exceptional, several interlocutors referred to a broader fear that some of these women might remain stuck within an extremist ideology. Although not illegal per se, it can be perceived as a societal challenge (undermining social cohesion, or democratic foundations, for example), as well as a potential risk for the future. For instance, some of these women could be at a higher risk of rejoining a terrorist group in several years, or seek to raise their children with a violent extremist ideology.⁷² Some women also seem eager to remain within an extremist milieu, or unable to escape it, for instance returning to a radicalized husband.⁷³ A 2021 study by CUTA, which reviewed 67 female VEOs convicted in Belgium, found that 26 percent of them were evolving positively or showing signs of a positive evolution, whereas 15 percent were not showing signs of a positive evolution. For the remaining 59 percent, there was either not enough information or no certainty on the direction of the evolution.⁷⁴ These numbers suggest that rehabilitation and reintegration is certainly possible, but that it might be a long and uncertain process.

In spite of the uncertain outcomes of disengagement trajectories, some stakeholders remain optimistic. According to the CAW officer interviewed, all female VEOs that have thus far left prison after attending their rehabilitation programme “are doing well.”⁷⁵ Yet, our interlocutors recognised that “desistance is always fragile” and that they must “be cautious in defining success.”⁷⁶ Some success criteria that they identified include:

- women that understand and accept the consequences of their actions;
- women that can explain their trajectory into extremism, including to potential employers or to social or security services;
- women that have come to peace with their past, and can identify a new life trajectory;
- women that gained more self-confidence and positive identity construction;
- women that have again a sense of purpose, and something to do during the day;
- women that have (re)built positive relations and networks (direct social environment); and
- women that know how and where to ask for help and do it if needed (professional network).

Conclusion

The issue of female VEOs is relatively new to counter-terrorism stakeholders in Belgium. Despite some anecdotal precedents, the issue really gained prominence with the exodus of a significant number of Belgian nationals to join the so-called caliphate of ISIS after 2012 including about one hundred women. Since then, the approach to women has significantly evolved. Originally, it was characterised by a situation of certain neglect and ignorance, as women were not systematically investigated or prosecuted due to a gender bias, the prison system was not trained or equipped to manage female VEOs, and rehabilitation programmes did not exist. Following the growing number of women returning from Syria, a more systematic prosecution started from 2015 onwards, and a jurisprudence considering female VEOs as full members of a terrorist organisation started to take shape, rather than victims or mere auxiliaries. As a result, the penitentiary system, rehabilitation, as well as probation officers became increasingly confronted to this new population, and new approaches were progressively

implemented, essentially replicating the approach to male VEOs. Almost all stakeholders interviewed considered female VEOs to be different from male VEOs in many ways, and yet did not consider the need for a completely different approach, considering the tailored nature of the current ones.

The two repatriation operations conducted by the Belgian government in 2021 and 2022, which brought back sixteen women with their children, also contributed to the growing number of female VEOs in the penal system. Initially, the Belgian government had opposed the return of its citizens from Syria, including women, considering that it was not in the country's interest.⁷⁷ Under the advice of the federal prosecutor's office and of CUTA's director, expressing themselves publicly in favour of the repatriation of all Belgian citizens, the government started to repatriate children in 2019, and then women. Several Belgian nationals remain in detention in Syria, including some women, but they are currently not considered eligible for repatriation.

Overall, about 50 percent of the women who travelled to Syria have returned, and a few more could still return – a much higher rate than among men (whose rate of return is around 30 percent). Furthermore, women represent a third of adult returnees in Belgium. As such, female VEOs represent a significant contingent through which the caliphate's legacy could survive and, therefore, require particular attention. Despite low recidivism rates – among men and women – there is a need for long-term monitoring measures, including both rehabilitation and security measures.

Case Study: Julie B.

Julie B., a young woman from Belgium (born 1989), converted to Islam when she was 17-18. She radicalised in the summer of 2014, and travelled to Syria in January of 2015 with her five-year-old daughter, without informing the girl's father. Two days after her arrival in Syria, she married Yassine L. in a religious ceremony. Yassine L. was a prominent IS fighter known to the Belgian authorities, whom she had previously met and conversed with online. After only a couple of months in Syria, Julie B. decided to attempt to come back to Belgium, with unclear motives. On 1 April 2015 the Turkish authorities intercepted Julie B. and her daughter. They were deported to Belgium on the 30 April.

Upon her return to Belgium, she was arrested and charged with the participation in the activities of a terrorist group, ISIS, under article 140.1 of the Belgian Penal Code. As such, the case focused on proving her participation in the group's activities. Despite her denials, the court considered that all the evidence shows that she consciously sought to join ISIS.

First, she travelled directly to Raqqa, which was then notoriously the capital of ISIS, a fact she was clearly aware of, as shown by electronic messages she shared.

Second, she met Yassine L. on Facebook. On his profile, there were multiple photos and videos where he appeared in combat outfits and with other combatants, and several posts in which he announced to have joined ISIS and offering help to individuals wishing to travel to Syria to take part in the armed jihad.

Third, her intentions were proven by her activities on social media, where she liked and shared texts and images relating to ISIS. Furthermore, in online exchanges with her ex-husband and family members she stated that she was hoping for an Islamic state to be installed in Belgium and in the rest of Europe. As such, the court considered that there was no doubt as to the intentions of Julie's journey to Syria.

Nevertheless, for a conviction, the commission of material acts of contribution to the terrorist objectives of the group are necessary. The court considered that Julie B. fulfilled this requirement for the following reasons:

1. The court considered that by marrying and living with an Yassine L., she supported the activities of the group, by offering direct support to one of its combatants.
2. The court considered that she voluntarily financed the group by bringing €3,000 from the sale of her car, which inevitably served "the cause" as she offered the money to her new husband.
3. The court considered that Julie B. consciously and actively contributed to the propaganda of the group, by participating in its online activities, and in exchanges with her ex-husband and family members.
4. The court considered that she deliberately contributed to the indoctrination of her five-year-old daughter by bringing her to an IS administered region, placing her in a school affiliated with ISIS, and introducing her to a new family unit, where Yassine L. notably trained the young girl to use an automatic rifle.
5. Finally, she helped her husband sell several weapons to another ISIS fighter, allegedly to finance her travel back to Belgium.

The court also noted that certain elements suggested that she was possibly planning to commit violent actions upon her return. Notably, she had mentioned to a friend her intention to “die as a martyr”, and on Facebook she wrote “if I return, it’s to blow everything up, LOL”. However, due to limited evidence, there were no specific charges laid against her regarding the plotting of a terrorist attack.

In the court’s final verdict delivered in November 2015, Julie B. was convicted for her participation in the activities of ISIS, and sentenced her to three years of imprisonment, with a probationary reprieve for half of the sentence, and a fine of €1,800. The indoctrination of her daughter, her possible violent intentions, and the absence of signs of deradicalisation were considered as aggravating factors in the sentencing decision, although her lack of criminal history was considered a mitigating factor. Some of the probation measures included to participate in a rehabilitation programme and not to interact with any person convicted for terrorism or showing jihadi radical beliefs.

In a separate court case initiated by Julie B.’s ex-husband, she was summoned in 2017 for the kidnapping of her daughter. In first instance, the court considered that no additional sentence was needed, in accordance with the principle of sentence absorption, because she had already been recognised guilty for abduction. However, in January 2018, the court of appeal condemned Julie B. to an additional two years of imprisonment for the kidnapping of her daughter, although fully covered by probationary reprieve.

Source: Case FD35.98.97/15, Julie B., Tribunal de Première Instance Francophone de Bruxelles [Francophone Court of First Instance of Brussels, 6 November 2015, on file with the author; see also: rtbf.be, "*Rapt parental: deux ans de prison avec sursis pour avoir emmené sa fille en Syrie*," [Parental abduction: two-year suspended prison sentence for taking daughter to Syria] 12 January 2018, <https://www.rtb.be/article/rapt-parental-deux-ans-de-prison-avec-sursis-pour-avoir-emmene-sa-fille-en-syrie-9808623>.

¹ Thomas Renard, “Overblown: Exploring the Gap Between the Fear of Terrorist Recidivism and the Evidence”, *CTC Sentinel* 13:4, April 2020, pp. 19-29. <https://ctc.westpoint.edu/overblown-exploring-the-gap-between-the-fear-of-terrorist-recidivism-and-the-evidence/>.

² Interview with CUTA, online, 6 June 2023.

³ Le Monde, “*En Belgique, arrestation de sept « partisans de l’Etat islamique » soupçonnés de préparer un attentat*,” [In Belgium, arrest of seven “Islamic State supporters” suspected of preparing an attack] 4 May, 2023, https://www.lemonde.fr/international/article/2023/05/04/en-belgique-arrestation-de-sept-partisans-de-l-etat-islamique-soupconnes-de-preparer-un-attentat_6172104_3210.html.

⁴ Belga, “*Décès de Pascale Vandegeerde, la seule femme membre des Cellules communistes combattantes*,” [Death of Pascale Vandegeerde, the only female member of the Communist Fighting Cells] eds. Anne Poncelet, *rtbf.be*, 5 December 2022, available at: <https://www.rtf.be/article/deces-de-pascale-vandegeerde-la-seule-femme-membre-des-cellules-communistes-combattantes-11117425>.

⁵ Craig S. Smith, “Raised as Catholic in Belgium, She Died as a Muslim Bomber,” *The New York Times*, 6 December 2005, <https://www.nytimes.com/2005/12/06/world/europe/raised-as-catholic-in-belgium-she-died-as-a-muslim-bomber.html>; see also: Chris De Stoop, *La guerre sainte de Muriel: Le récit d’une kamikaze occidentale* (Brussels: Mols, 2013).

⁶ Thomas Renard, *The Evolution of Counter-Terrorism Since 9/11: Understanding the Paradigm Shift in Liberal Democracies* (London: Routledge, 2021).

⁷ Coline Remacle, Charlotte Vanneste and Sarah Van Praet, “*Approche ethnographique et jurisprudentielle des poursuites en matière de terrorisme en Belgique*,” [Ethnographic and jurisprudential approach to the prosecution of terrorism in Belgium] December 2022, National Institute of Criminalistics and Criminology, <https://www.belspo.be/belspo/brain-be/projects/FinalReports/AFFECT-RP51a-2022-INCC.pdf>; Thomas Renard and Rik Coolsaet, “From the Kingdom to the Caliphate and back: Returnees in Belgium,” in *Returnees: Who are they, why are they (not) coming back, and how should we deal with them?*, eds. Thomas Renard and Rik Coolsaet (Brussels: Egmont Institute), 19-40, https://www.egmontinstitute.be/app/uploads/2018/02/egmont.papers.101_online_v1-3.pdf.

⁸ CUTA Note, February 2021 [Restricted Diffusion].

⁹ Email exchange with a CUTA officer, 15 September 2023.

¹⁰ Interview with a Magistrate from the Federal Prosecutor’s Office, Brussels, 1 June 2023.

¹¹ Interview with a Magistrate from the Federal Prosecutor’s Office, Brussels, 1 June 2023.

¹² Articles 137, 138, 139, 140 and 141, Titre Iter, Belgian Criminal Code, available at: https://www.ejustice.just.fgov.be/cgi_loi/loi_a1.pl?DETAIL=1867060801%2FF&caller=list&row_id=1&numero=2&rech=4&cn=1867060801&table_name=LOI&nm=1867060850&la=F&dt=CODE+PENAL&language=fr&fi=f&choix1=ET&choix2=ET&fromtab=loi_all&trier=promulgation&chercher=t&sql=dt+contains++%27CODE%27%26+%27PENAL%27and+actif+%3D+%27Y%27&tri=dd+AS+RANK+&imgcn.x=41&imgcn.y=12#LNK0037;

For a thorough analysis of the legal framework on terrorism in Belgium see: Ward Yperman and Jogchum Vrieling, “Report: Legal Framework,” *Reguide Project*, 2022, available at: <https://reguide.be/report-legal-framework/>; as well as Ann Fransen and Jan Kerkhofs, “*Het materieel terrorismestrafrecht*,” [Substantive criminal law on terrorism] in *Contra-Terrorisme: De gerechtelijke aanpak van terrorisme in België*, [Counter-Terrorism: The Judicial Approach to Terrorism in Belgium,] eds. Jan Kerkhofs, Antoon Schotsaert and Philippe Van Linthout (Brussels, Belgium: Larcier, 2018), 1-98.

¹³ Council Framework Decision of 13 June 2002 on combating terrorism (2002/475/JHA), *Official Journal of the European Union* L 164, 22/06/2002, p. 3-7. <https://eur-lex.europa.eu/legal-content/en/ALL/?uri=celex%3A32002F0475>.

¹⁴ Interview with a Magistrate from the Federal Prosecutor’s Office, Brussels, 1 June 2023.

¹⁵ Fransen and Kerkhofs, *Het materieel terrorismestrafrecht* [Substantive criminal law on terrorism], pp. 90-97.

¹⁶ Interview with a Magistrate from the Federal Prosecutor’s Office, Brussels, 1 June 2023.

¹⁷ Interview with a Magistrate from the Federal Prosecutor’s Office, Brussels, 1 June 2023.

¹⁸ Thomas Van Poecke, Frank Verbruggen and Ward Yperman, “Terrorist offences and international humanitarian law: The armed conflict exclusion clause,” *International Review of the Red Cross* No. 916-917 (February 2022), <https://international-review.icrc.org/articles/terrorist-offences-and-ihl-the-armed-conflict-exclusion-clause-916>. It is worth noting that a revision of article 141bis is under consideration, but it cannot apply retroactively and therefore will have no significant impact on the prosecution of the current wave of female VEOs.

¹⁹ Interview with a Magistrate from the Federal Prosecutor’s Office, Brussels, 1 June 2023.

- ²⁰ Interview with a Magistrate from the Federal Prosecutor's Office, Brussels, 1 June 2023.
- ²¹ Tam Hussein, "From Afghanistan to Syria: The Deadly Legacy of Belgium's Jihadists," *New Lines Magazine*, 10 October, 2022, available at: <https://newlinesmag.com/essays/from-afghanistan-to-syria-the-deadly-legacy-of-belgiums-jihadists/>.
- ²² Interview with a Magistrate from the Federal Prosecutor's Office, Brussels, 1 June 2023.
- ²³ Figures as of 1 July 2023, provided by the Federal Prosecutor's Office.
- ²⁴ Interview with a Magistrate from the Federal Prosecutor's Office, Brussels, 1 June 2023.
- ²⁵ Interview with a prison director, 8 June 2023.
- ²⁶ Interview with a prison director, 8 June 2023.
- ²⁷ Information from the Training Centre of the Penitentiary Administration, email, 28 July 2023.
- ²⁸ Figures shared by email by Celex, 22 May 2023.
- ²⁹ Interview with a member of Celex, online, 22 May 2023.
- ³⁰ Interview with a prison director, 8 June 2023; Interview with a member of Celex, online, 22 May 2023; Interview with a member of SPSC (Ex), Brussels, 1 June 2023.
- ³¹ Interview with a prison director, 8 June 2023; Interview with a member of Celex, online, 22 May 2023.
- ³² Interview with CAW officer, online, 22 August 2023.
- ³³ Interview with a member of SPSC(Ex), Brussels, 1 June 2023.
- ³⁴ Réka Varga and Thomas Renard, "*Disengagement, rehabilitation, and reintegration of foreign terrorist fighters: Country report - Belgium*," DRIVE on the Right Path (EU project), March 2022, p. 11. <https://drive-ontherightpath.eu/wp-content/uploads/2022/05/drive-report-belgium-final-23-05-22.pdf>.
- ³⁵ Interview with a prison director, 8 June 2023.
- ³⁶ Interview with a prison director, 8 June 2023.
- ³⁷ Interview with a member of Celex, online, 22 May 2023; Interview with CUTA, online, 6 June 2023.
- ³⁸ *Comité permanent de contrôle des services de renseignement et de sécurité, "Enquête de contrôle sur le suivi par les services de renseignement et de sécurité belges des détenus condamnés pour terrorisme et/ou identifiés comme radicalisés pendant et après leur détention,"* [Standing Committee for the Control of the Intelligence and Security Services, "Supervisory Inquiry into the Monitoring by the Belgian Intelligence and Security Services of Detainees Convicted of Terrorism and/or identified as radicalized during and after detention] 31 May 2022, https://www.comiteri.be/images/pdf/enquetes/TERRO_PRISON_UNCLASS_FR.pdf.
- ³⁹ Interview with a prison director, 8 June 2023; Interview with a member of Celex, online, 22 May 2023; Interview with a member of SPSC(Ex), Brussels, 1 June 2023.
- ⁴⁰ *Comité de vigilance en matière de lutte contre le terrorisme (Comité T)* [Vigilance Committee on the Fight against Terrorism], "*Évaluation des mesures visant à lutter contre le terrorisme à la lumière des droits humains*," [Evaluation of measures to combat terrorism in the light of human rights] *Rapport*, 2023, <https://www.liguedh.be/wp-content/uploads/2023/07/Rapport-Comite-T-2023.pdf>.
- ⁴¹ Interview with CUTA officer, online, 6 June 2023; Interview with a member of SPSC(Ex), Brussels, 1 June 2023.
- ⁴² *Comité T, Évaluation des mesures visant à lutter contre le terrorisme à la lumière des droits humains*, [Committee T, Evaluation of Counter-Terrorism Measures in the Light of Human Rights,] p. 110.
- ⁴³ Interview with a prison director, 8 June 2023.
- ⁴⁴ Astrid Boelaert and Nico Braspenning, "*Risicotaxatie met de focus op gewelddadig extremisme in penitentiaire context*," [Risk assessment with a focus on violent extremism in a penitentiary context] in *Contra-Terrorisme: De gerechtelijke aanpak van terrorisme in België*, [Counter-Terrorism: The Judicial Approach to Terrorism in Belgium] eds. Jan Kerkhofs, Antoon Schotsaert and Philippe Van Linthout (Belgium, Brussels: Larcier, 2022) 313-34.
- ⁴⁵ Figures shared by SPSC(Ex), email, 2 June 2023.
- ⁴⁶ Interview with a member of SPSC(Ex), Brussels, 1 June 2023.
- ⁴⁷ Interview with CUTA, online, 6 June 2023; Interview with a member of Celex, online, 22 May 2023; Interview with a member of SPSC(Ex), Brussels, 1 June 2023.
- ⁴⁸ Interview with CUTA, online, 6 June 2023; Interview with a member of SPSC(Ex), Brussels, 1 June 2023.
- ⁴⁹ Interview with a member of SPSC(Ex), Brussels, 1 June 2023.
- ⁵⁰ Interview with CAW officer, online, 22 August 2023.
- ⁵¹ Interview with two CAPREV officers, online, 31 May 2023.
- ⁵² Juge d'Application des Peines, or Tribunal d'Application des Peines.
- ⁵³ Coline Remacle, Isabelle Detry, Benjamin Mine, and Patrick Jeuniaux, "*Les parcours socio-judiciaires des returnees en Belgique: état des lieux des acteurs impliqués et des procédures mises en place*," [The socio-judicial trajectories of returnees in Belgium: an overview of the actors involved and the procedures put in place],

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- May 2023, National Institute of Criminalistics and Criminology, https://nicc.fgov.be/upload/publicaties/rapport_55-reguide-202305.pdf.
- ⁵⁴ Remacle et al., “*Les parcours socio-judiciaires des returnees en Belgique*”.
- ⁵⁵ Interview with a prison director, 8 June 2023.
- ⁵⁶ Email exchange with SPSC(Ex), 11 September 2023.
- ⁵⁷ Varga and Renard, “Disengagement, rehabilitation, and reintegration of foreign terrorist fighters: Country report - Belgium,” pp. 14-15.
- ⁵⁸ Remacle et al., “*Les parcours socio-judiciaires des returnees en Belgique*”, pp. 32-33; email exchange with CAPREV officers, 12 September 2023.
- ⁵⁹ Interview with two CAPREV officers, online, 31 May 2023.
- ⁶⁰ Interview with CAW officer, online, 22 August 2023.
- ⁶¹ Figures shared by CAPREV, email, 12 June 2023.
- ⁶² Figures shared by CAW, email, 22 August 2023.
- ⁶³ Interview with CAW officer, online, 22 August 2023.
- ⁶⁴ Interview with CAW officer, online, 22 August 2023.
- ⁶⁵ Interview with two CAPREV officers, online, 31 May 2023; interview with CAW officer, online, 22 August 2023.
- ⁶⁶ Interview with two CAPREV officers, online, 31 May 2023; Interview with a prison director, 8 June 2023; Interview with CUTA, online, 6 June 2023.
- ⁶⁷ Varga and Renard, “Disengagement, rehabilitation, and reintegration of foreign terrorist fighters: Country report - Belgium,” pp. 18-19.
- ⁶⁸ See Renard, “The Evolution of Counter-Terrorism Since 9/11: Understanding the Paradigm Shift in Liberal Democracies”.
- ⁶⁹ Interview with a Magistrate from the Federal Prosecutor’s Office, Brussels, 1 June 2023.
- ⁷⁰ On the definitions and distinctions between terrorism recidivism and terrorism re-engagement, see Renard (2020).
- ⁷¹ Bruno Struys and Montasser Alde’emeh, “*Belgische vrouw aangehouden in Hongarije: Syrië-ganger was vrij onder voorwaarden*,” [Belgian woman arrested in Hungary: Syria fighter was released under conditions] *DeMorgen*, 11 January 2023, available at: <https://www.demorgen.be/snelnieuws/belgische-vrouw-aangehouden-in-hongarije-syrie-ganger-was-vrij-onder-voorwaarden~bf299d53/>.
- ⁷² Interview with a Magistrate from the Federal Prosecutor’s Office, Brussels, 1 June 2023; Interview with CUTA, online, 6 June 2023.
- ⁷³ Interview with CUTA, online, 6 June 2023.
- ⁷⁴ CUTA Note, February 2021 [Restricted Diffusion].
- ⁷⁵ Interview with CAW officer, online, 22 August 2023.
- ⁷⁶ Interview with two CAPREV officers, online, 31 May 2023.
- ⁷⁷ Rik Coolsaet and Thomas Renard, “The Homecoming of Foreign Fighters in the Netherlands, Germany and Belgium: Policies and Challenges,” *International Centre for Counter-Terrorism*, 11 April 2018, available at: <https://www.icct.nl/index.php/publication/homecoming-foreign-fighters-netherlands-germany-and-belgium-policies-and-challenges>.