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# The French Approach to Female Violent Extremist Offenders

Marc Hecker

### Introduction

France holds a specific position in Western countries with regards to violent extremist offenders (VEOs). On the one hand, it represents the largest contingent in absolute terms of individuals who travelled to Syria and Iraq. The often-mentioned figure of 1,910<sup>1</sup> men and women probably includes *les velléitaires*, that is to say, those who wanted to travel to Syria and Iraq but were prevented from doing so, either at home or abroad. A more accurate assessment oscillates between 1,400 and 1,500.<sup>2</sup> One official said, under the condition of anonymity, that the intelligence community considers that 1,482 French citizens or residents effectively managed to reach Syria and Iraq, including more than 500 women.<sup>3</sup>

On the other hand, France is the first (and so far only) country where a women-only cell of ISIS-related women attempted (and failed) to perpetrate a major terrorist attack. This was the September 2016 Notre-Dame plot, where a group of women tried to detonate a car in front of a café close to the Paris cathedral. Several other plots were foiled by the police.<sup>i</sup>

In January 2017, an internal publication from the Ministry of Interior highlighted that the proportion of women among the French contingent in Syria and Iraq had significantly increased. At the time, 288 of the 685 French people were women (42 percent).<sup>4</sup> This growing trend was explained by two factors: the “massive arrival” of women in 2014/2015, and the high level of attrition among male fighters. In 2017, the number of new arrivals from France in Syria and Iraq dropped, mainly for two reasons. First, since the Islamic State in Iraq and Syria (ISIS) was at battle and losing territory, moving to the so-called caliphate became less attractive. Second, the countermeasures adopted by the French and Turkish authorities made it much more complicated to reach ISIS’s territories.

In February 2018, the Inter-Agency Committee for the Prevention of Delinquency and Radicalisation (Comité interministériel pour la prévention de la délinquance et de la radicalisation) published the French strategy to prevent radicalisation<sup>5</sup>, the appendix of which contained statistics of note. At the time, 323 French nationals or residents had returned: 56.7 percent (183) of them were men, 22.3 percent (72) women, and 21 percent (68) minors. The

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<sup>i</sup> A sample of 94 cases of women sentenced on terrorism charges was used for this report. Among them, 20 were related to terrorist plots.

returnees had come back through two different channels: some had managed to return on their own, sometimes undetected by the authorities; others had been expelled from Turkey.

After the collapse of the caliphate, hundreds of French women and children had to live in camps managed by the Kurds in Northeast Syria. With regards to repatriation, France opted for a case-by-case approach, but never made the selection criteria public, a move criticised by the lawyers of families of French jihadists.<sup>6</sup> In September 2022, after a lengthy legal proceeding, the country was even condemned by the European Court of Human Rights (ECtHR) for not having justified its refusal to repatriate two women and their children.<sup>7</sup> However, the ECtHR did not explicitly request that France repatriate its citizens.

In practice, France only repatriated 35 particularly vulnerable children between March 2019 and January 2021,<sup>8</sup> followed by an eighteen month-period without any repatriations at all. This situation was denounced by human rights advocates<sup>9</sup> and France was blamed by international bodies, notably the United Nations' Child Rights Committee.<sup>10</sup> More and more politicians<sup>11</sup> – including former Prime Minister Bernard Cazeneuve<sup>12</sup> – and well-known anti-terrorism figures like prosecutor François Molins,<sup>13</sup> publicly asked for the repatriation of all children.

The arguments raised by proponents of the repatriation of children and women were usually legal, moral, and linked to security considerations, given the risks of further radicalisation in Syria or the possibility of escaping. The latter was nonetheless nuanced by officials in the security field.<sup>14</sup> Part of the security apparatus indeed considered that it would have been safer to keep adults in Syria or Iraq rather than to repatriate them. Three arguments were often cited: the number of French nationals involved in jihadi activities – much higher than that in other European countries; the level of radicalisation of certain French nationals (including women) who were still in Syria and Iraq; and the overcrowding of prisons in France, where jihadi inmates were already numerous.

France's position finally changed after Emmanuel Macron's re-election in April 2022. The case-by-case approach was progressively abandoned and replaced by successive waves of repatriation. In July 2022, sixteen women and 35 minors were repatriated. In October 2022, fifteen women and 40 children. In January 2023, fifteen women and 32 children. In July 2023, ten women and 25 children. After this fourth wave of repatriation, the total number of returnees in France amounted to around 670: roughly 360 adults (approximately 200 men and 160 women) and more than 310 minors.<sup>15</sup> The exact number of French nationals still present in Syria and Iraq is unknown. After the third wave of repatriation, one lawyer estimated that there were still approximately 50 women and 100 children remaining.<sup>16</sup> After the fourth wave, an anti-terrorism expert evaluated that 67 men, 35 to 40 women, and 55 to 75 minors were still being held by Kurdish forces.<sup>17</sup> However, an official speaking under the condition of anonymity had higher assessments on the number of French jihadists in Syria: up to 300. This source specified that two categories should not be excluded: men – who are often left out of the public debate on returnees – and French nationals outside of the Kurdish zones, for instance, in the region of Idlib with a group called *Firqatul Ghuraba* headed by Omar Omsen. A note written by two French intelligence agencies and quoted by *Le Monde* mentions that 115 French adults and 105 minors were still present in the Idlib pocket in October 2023.<sup>18</sup>

This chapter follows the same structure as the other country chapters: it focuses on the judicial process, the prison system, and rehabilitation programmes. In addition to secondary sources, four primary sources were used in this paper: 1) the prosecutor's office specialised in terrorism (PNAT) provided the court decisions for all the women sentenced on terrorism charges who

were serving their sentences in January 2023. At the time, it represented a total of 94 cases<sup>ii</sup>, including 20 female VEOs sentenced by juvenile courts.<sup>iii</sup> In this sample, 24 cases involved women who travelled to a conflict zone and in 22 cases a woman tried to join a jihadist group abroad but failed (among these 22, eight were prevented from leaving France and fourteen were arrested abroad, mostly in Turkey); 2) 30 interviews were conducted, including with six female returnees; 3) some of the interviewees provided internal documents; 4) a visit was made at the Rennes jail, where a specific programme for female terrorist inmates is held.

### The Prosecution of French Female VEOs

In July 1996, after a wave of attacks linked to the spillover of the Algerian civil war, French lawmakers adopted a new legislation, aimed at reinforcing the legal means to anticipate and pre-empt terrorist attacks. With the new incrimination of association with terrorist wrongdoers, (AMT) “conspiracy to commit to terrorism” became an offence itself.<sup>19</sup>

Former anti-terrorism judge David Bénichou explains that the objective of the AMT is to “preventively neutralise the candidates-perpetrators of terrorist attacks.” He adds: “What would be the point in having legislation that only punish the perpetrators of an effective terrorist attack? To count the fatalities? To provide a lawyer and a platform to terrorists? It is also the main challenge: to act before the actual attack, meaning that the proof will be weaker, less obvious, and you must remain within the framework of the rule of law.”<sup>20</sup>

The AMT regime has been reinforced over the years. In March 2004, lawmakers added the possibility to criminalise the leadership of a terrorist group. In other words, leading a terrorist group became a distinct and more serious offence (*un crime*) than simply being a participant, considered as a less serious offence (*un délit*). In January 2006, the possibility to “criminalise” was extended to the participation in a terrorist organisation. Therefore, two kinds of AMT exist: AMT Correctional (AMT correctionnelle) for the less serious cases and AMT Criminal (AMT criminelle) for the more serious ones. The trials on AMT Correctional charges take place at the sixteenth Chamber of the Paris Court. Those on AMT Criminal charges are examined by a specialised jurisdiction called the Specially composed Assize Court (Cour d’assises spécialement composée). Contrary to a classic Assize Court (*Cour d’assises*), the decision is not made by a jury but by professional judges. Until January 2017, the number of judges was seven per trial convening together in the first instance and nine in appeal.<sup>21</sup> Given the large number of cases, lawmakers decided to reduce these numbers to five and seven.

In December 2012, after the Mohamed Merah attacks, lawmakers included in the penal code the ability to prosecute French citizens involved in an AMT abroad. This legal tool was added to the legislation because at the time, Mohamed Merah was presented as someone who had acted alone on French soil (thus without the association of terrorist wrongdoers), but who had received training in Afghanistan. In June and July 2016, new laws increased the maximum sentence on AMT charges: up to 30 years imprisonment (instead of 20) for participation in

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<sup>ii</sup> The dataset is composed of 94 cases involving 91 individuals. For personal data, such as citizenship, the sample referred to the number of individuals. For case-related aspects such as types and length of sentences, types of charges in the indictment and convictions, the sample referred to the number of cases.

<sup>iii</sup> The average age in the sample is 24 years old at the beginning of the offence or crime. The youngest was 13, while the oldest was 58.

AMT Criminal and up to lifetime imprisonment (instead of 30) for the leadership of a terrorist organisation.

Hence, when the Syrian conflict began, France already had a strong legal framework to confront the situation. The first returnee convicted by a French court had spent ten days in Syria in 2012. Two years later, he received a 7-year prison sentence on AMT Correctional charges. Since then, the AMT has been the legal tool used in almost all cases related to FTFs. There are, however, several nuances or exceptions that will be explained later.

The penal policy has evolved over time. After the 2015 wave of terrorist attacks, the criminal and terrorist nature of jihadist groups – especially ISIS – became evident. In 2016, prosecutor François Molins explained:

Until now, the criminal qualification was used in cases of exactions. For instance, it was applied to individuals seen on video executing someone or holding a severed head. For the others – the fighters, the candidates [for jihad], women and those providing logistical support –, it was AMT Correctional. The maximum sentence was 10 years. [...] Given the radical evolution fostered by repeated calls for murder and terrorist attacks since January 2015, we needed to think differently. We now consider all the cases of those who left for Syria or Iraq after January 2015 and who participated in combats, patrols, Islamic police with ISIS or the al-Nusra Front as AMT Criminal.<sup>22</sup>

This criminalisation policy actually means that the initial incrimination, at the beginning of the judicial investigation, is AMT Criminal.<sup>23</sup> However, at the end, the judges can decide to use the AMT Correctional if they think that the infraction is not serious enough or that the proof is not compelling enough to justify keeping the criminal incrimination. Pragmatically, if they believe that the case will not lead to a sentence of more than ten years, they can switch from AMT Criminal to AMT Correctional, in order to avoid a trial in front of a Specially composed Assize Court that would require more resources.

With regards to women who travelled to Syria, David Bénichou explained in 2015 that anti-terrorism magistrates had two different interpretations of the first waves of female returnees:<sup>24</sup> some of them had a “restrictive viewpoint” of AMT and only considered the fighters as those who had to be convicted. From this view, it would be illegitimate to prosecute women. What’s more, “jihadi wives”<sup>iv</sup> are deemed as “a kind of attribute” to their husbands and cannot be held responsible for the terrorist intent of their male guardians. Other magistrates had an “extensive viewpoint” of AMT and viewed women as part of the logistics of the terrorist organisation. According to that interpretation, the simple act of cooking for a jihadi husband becomes a form of logistical support: a fighter cannot fight if he is not properly fed.

The September 2016 Notre-Dame plot contributed to a change in the public perception of the role of women in jihadism.<sup>25</sup> However, the judicial perception had already started to evolve before this event. Right before the Notre-Dame plot, there were already 59 female jihadists indicted in France on terrorism charges, eighteen of whom were in prison. At that time,

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<sup>iv</sup> Interestingly, the vocabulary has evolved in France over the past years. In 2015, the expression “femmes de djihadistes” (jihadi wives) was more common than “femmes djihadistes” (female jihadists). This evolution can even be seen in book titles. See for instance: Matthieu Suc, *Femmes de djihadistes*, (Paris: Fayard, 2016); Fethi Benslama and Farhad Khosrokhavar, *Le jihadisme des femmes. Pourquoi ont-elles choisi Daech?* (Paris: Seuil, 2017); Edith Bouvier and Céline Martelet, *Un parfum de djihad. Qui sont ces françaises qui ont rejoint une organisation terroriste?* (Paris: Plon, 2018).

prosecutor François Molins publicly said: “More and more women are detained. At the beginning, we had perhaps too many scruples: we thought that women simply followed their husbands and were only doing domestic chores in Syria. Now, they are systematically arrested and put into custody when they return.”<sup>26</sup>

What is more the jurisprudence had validated the extensive viewpoint of AMT before the Notre-Dame plot. In July 2016, the Court of Cassation issued a ruling asserting that the simple act of joining a terrorist organisation constituted an AMT offence. This Court underlined that the association of wrongdoers is considered as an independent infraction from the crimes perpetrated by its members.<sup>27</sup> In other words, men and women can be considered terrorists even if they are not directly involved in violent acts. In practice, in cases related to Syrian networks, there are not many legal challenges to sentencing someone on AMT: proving that this person intended to travel to Syria to join a jihadist group is sufficient. Usually, the women who went to Syria do not deny that they did so. However, they often state that they had no intention of perpetrating a terrorist attack and therefore do not understand why they are prosecuted as terrorists. After the ruling of the Court of Cassation, this line of defence became irrelevant.

From the sample of 94 cases mentioned previously, seventeen were convicted on AMT Criminal charges and 65 on AMT Correctional. The more serious a case is (in terms of the level of involvement in violence), the higher the chances are that a woman will be prosecuted on AMT Criminal charges and will receive a lofty sentence. For instance, there was no doubt that the Notre-Dame plot would be considered AMT Criminal and examined by a Specially composed Assize Court. During the trial, it was proven that the accused wanted to kill as many people as possible. In the appeal, the four women received imprisonment sentences that varied between 20 and 30 years.

Not all the terrorist plots, though, are considered AMT Criminal. For example, a woman who plotted a mass-shooting in Brittany was convicted on AMT Correctional charges and received an eight-year imprisonment sentence. In this case, the project was not as advanced as in the Notre-Dame plot: the would-be perpetrator had done some scouting in the streets where she planned to perpetrate the attack, she had written on Telegram that her action was imminent, but she did not manage to buy any weapons. Other cases of plotting that are considered AMT Correctional involve minors. Their young age is considered as a mitigating factor and their sentences are usually much lower: in the sample, most of the minors received a suspended sentence and for those who received an effective prison sentence, the average length was below three years.

When we focus on female returnees, when there is not much detail about what the women did in Syria or Iraq, the cases are often considered AMT Correctional and the sentence is around 6-year imprisonment. The sentences will perhaps be higher for the most recent returnees who stayed until the collapse of ISIS’s territory and were repatriated in 2022/2023: as prosecutors explain, the infraction committed by these women was indeed “long and continuous.”<sup>28</sup> What’s more, the time spent in the Kurdish camps may not necessarily be considered as a mitigating factor: indeed the camps are often described as a radical environment that constitutes “a continuity of ISIS.”<sup>29</sup>

When there is more information and evidence about a criminal offence, the AMT Criminal will then be used. If we consider the three heaviest sentences given to female returnees in the sample, the one who received the longest sentence (seventeen year imprisonment) was Kelly G. Not only did she travel to Syria, but the magistrates also thought that she was involved in a plot in France. Indeed, she was apparently authorised by ISIS to leave Syria on the condition

that she would perpetrate an attack against the Jewish community. Furthermore, she recruited several women on behalf of ISIS, including one who died only a month after her arrival in Syria. The second heaviest sentence (fourteen-year imprisonment) was given to Jihane M. who went to Syria with her new partner. She had two children and he had one daughter. After his death, she managed to come back to France but left his daughter in Syria. The third heaviest sentence (twelve years) was given to a woman who travelled to Syria three times, who married two ISIS fighters and who was an active member of the “religious/morality police” (*hisbah*).

The other charges used in the sample of 94 cases were:

- Terrorism incitement: The 13 November 2014 law aggravated the maximum sentence for online terrorism incitement (seven-year sentence).
- Terrorism funding: Article 421-2-2 of the French penal code states that funding a terrorist enterprise constitutes an act of terrorism. The maximum sentence is ten years and a €225,000 fine. Two women in the sample were indicted for terrorism funding and fraud in social benefit programs, as they continued to receive social benefits from their sister who had left France for Syria.
- Non-denunciation of a terrorist crime: The maximum sentence is five years and a €75,000 fine (article 434-2 of the French penal code). In the sample, only one woman was convicted for non-denunciation of a terrorist crime: she was aware of the Notre-Dame plot but did not call the police. She received a three-year imprisonment sentence, fully suspended with several probation measures.
- Frequenting of terrorist websites: In one case, this incrimination was at some point envisaged by the magistrate. It was eventually dropped because the legal disposition was censored by the Constitutional Council (*Conseil constitutionnel*)<sup>30</sup>
- Individual terrorist enterprise: This incrimination was created on 13 November 2014 to try to prevent terrorist attacks by lone actors. This offence did not end up being used in the sample – though one prosecutor said it was considered in one case, the magistrate opted for an AMT since there was enough evidence that the would-be perpetrator had contacts with other individuals.
- Child neglect: This incrimination was only used for women who had taken their children to Syria or Iraq, not for those who had given birth there. Moreover, the incrimination was not used systematically, and was always associated to an AMT. Magistrates explained that they progressively decided to add the child neglect offence because it allowed for the children to be considered victims and therefore to be represented in the trials.<sup>31</sup>
- Core international crimes: These charges were not used in the sample, but in two cases that have yet to be judged, two women were indicted for core international crimes.<sup>32</sup> When asked why these charges were less commonly used in France than in other countries, magistrates mentioned two main reasons: on the one hand, it is much more complicated to convict someone on war crimes or genocide charges than on AMT. On the other hand, core international crimes cases are judged by juries and not by professional judges, which convolutes things (in terms of the sensitivity and complexity of the cases, security, etc.).

In many trials, the judges also decide to impose various probation measures. These measures can relate to geography (designation of places where the convict cannot go, obligation to declare where the convict lives; obligation to warn probation officers if the residence changes; requirement to get the approval of the sentencing judge before travelling abroad), social life

(ban from meeting certain people; obligation to find a job or pursue vocational training), or care (medical or psychological treatment; participation in a disengagement programme).

In the sample, 50 women had to spend time in pre-trial detention. Fifty-six female defendants received an effective prison sentence. Among the 23 who travelled to a conflict zone (eighteen returnees, and five tried and sentenced in absentia),<sup>v</sup> only two were granted the possibility to execute their sentence at home with an electronic surveillance device. It is therefore crucial to study how female jihadis are handled in prison.

### **French Female VEOs and Returnees in Prison**

The French prison administration designates the jihadi inmates sentenced on terrorism charges by the acronym TIS. Another name – RAD (previously DCSR) – is given to inmates identified as radicalised but who were not condemned on terrorism charges. There are hundreds of male RAD inmates in prison, but very few female RAD inmates (a dozen). This is congruent with the fact that in the sample, 80 percent (57 out of 71 for whom data was available)<sup>vi</sup> of women had no criminal record prior to their sentencing. In other words, while the crime-terror nexus seems to be a real issue for men, it does not seem to be the case for women.<sup>33</sup> One explanation given by a member of the prison administration is that jihadist groups stress the importance for women to behave modestly and honourably, to be pious wives and mothers.<sup>34</sup> Hence, these groups would not be really interested in recruiting female criminals. Another explanation is that women are generally less involved in criminality than men: they represent 52 percent of the French population, but only eighteen percent of the police and gendarmerie suspects.<sup>35</sup> The most striking fact regarding female TIS is their growing number and proportion, as shown in the graph below.

The peak of the TIS population was reached in March 2020 with 540 inmates.<sup>36</sup> Since then, dozens of inmates have been released each year, while fewer men have been incarcerated. The tendency for women is the opposite, with more and more women being sent to prison. This situation is due to two factors: 1) the decrease of terrorist plots on French soil leads to fewer incarcerations; and 2) the French government's decision to change its repatriation policy has led to an increase of female TIS, knowing that almost all the women repatriated since 2022 have been placed in pre-trial detention. The few exceptions concern women who suffer from serious war injuries or critical health problems. Thus far, the new repatriation policy does not apply to adult men who are still in Syria or Iraq.

The capacity of the prison system was considered when deciding the frequency at which female jihadis are being repatriated. A senior official of the prison administration said that before the first wave of repatriation in July 2022, this administration had advocated for a repatriation pace that should not exceed 15 women every two months.<sup>37</sup> This recommendation was almost respected by the authorities, as the different waves of repatriation took place in July 2022,

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<sup>v</sup> The five women sentenced in absentia were part of separate cases involving other convicts who were present in court. These five women received the maximum sentence for AMT correctionnelle, i.e., 10 years imprisonment.

<sup>vi</sup> Among the 14 persons who had a criminal record, only three had been sentenced for a (non-violent) terrorism related offence (one for disseminating propaganda and two for violating an administrative measure that prohibited them from leaving France). The others had been sentenced for relatively minor offences, like driving offences, robbery, or drug use.



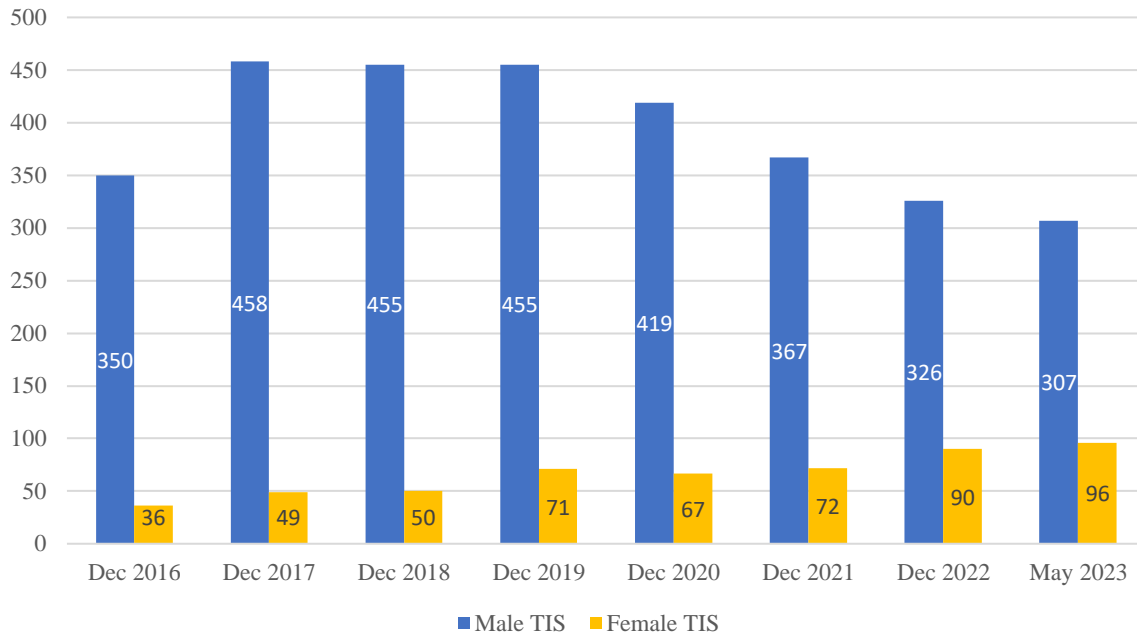


Figure 3.1: Evolution of jihadist inmates (TIS) in French prison (data provided by the French Prison Administration; as of May 2023)

October 2022, January 2023, and July 2023. Only once, in the first wave, the ceiling was slightly exceeded with the repatriation of sixteen women.

Nonetheless, such an influx puts the prison system under pressure. Women represent 3.6 percent of the total population of inmates, which means that there are approximately 2,600 female inmates among a total population of around 73,000 prisoners. In February 2023, female TIS amounted to almost 4 percent of female inmates, while male TIS amounted to less than 0.5 percent of male inmates. Furthermore, for security reasons, only a limited proportion (less than one third) of prisons that have dedicated areas for women are vetted to host TIS, which reinforces the concentration effect.

The way female TIS are handled is based on the system created for men. Prior to 2015, TIS typically lived amongst other inmates (dispersion policy). But with the rise of incarcerated terrorists linked to Syrian networks, the situation became precarious. The risk that terrorists may influence other criminals had already been identified years before, yet it suddenly augmented.<sup>38</sup> Therefore, in October 2014, an experiment was launched in the Fresnes prison. Around twenty inmates were gathered in a specific area called Proselytism Prevention Unit (U2P). In January 2015, the Prime Minister announced his plan to create several units of that type. These units – called dedicated units (UD) and then radicalisation prevention units (UPRA) – started to operate between January and March 2016.<sup>39</sup>

In September 2016, a terrorist attack took place in the UPRA of the Osny prison: an inmate tried to assassinate two guards with a self-made weapon.<sup>40</sup> Prior to the attack, this inmate was considered quite positively by the prison staff: he seemed to be interested in the activities and looked rather open to different thinking. His case raised an issue that is still present in the staff's mind today: false compliance or *taqiyya*, or the ability to dissimulate beliefs. In October 2016, the Minister of Justice Jean-Jacques Urvoas announced that the UPRAs would be replaced by six evaluations of radicalisation units (QER) to better assess the prisoners.<sup>41</sup>

In February 2018, the French government published its National Plan to Prevent Radicalisation (PNPR). One of the measures was the “design and implementation” of “specific detention areas for radicalised individuals to accommodate, after their assessment, radicalised and proselytising inmates.”<sup>42</sup> The first two radicalisation processing areas (QPR) opened in 2018.

As early as 2016, the Minister of Justice Jean-Jacques Urvoas announced his intent to create a QER for women. However, this project did not materialise quickly. In June 2021, another Minister of Justice Eric Dupond-Moretti declared: “Out of 469 [TIS] inmates, 254 have already been condemned. Out of these 254, 163 will be released by 2024. Moreover, there are 635 DCSR [RAD]. [...] There are 121 places in QERs at the national level. These QERs are dispatched between three prisons: Fleury-Mérogis, Osny and Vendin-le-Vieil. A QER for women – which is new – will open by the end of 2021 in Fresnes.”<sup>43</sup> It finally opened in January 2022. Incidentally, it was inaugurated a couple of months after a prison break attempt by a female returnee who was in pre-trial detention in Fresnes: she managed to dig a hole in the wall and used a rope made of bed sheets to get out of her cell.<sup>44</sup> However, she did not manage to climb the main wall of the prison and was caught by guards.

In 2022, the director of the prison administration indicated that the QER for women had a capacity of eight people, while each of the six QERs for men had a capacity of twelve inmates.<sup>45</sup> The QER sessions last four months (including eight weeks of evaluation) and are done by multidisciplinary teams that involve prison staff, probation officers, pairs of support officers (social workers and psychologists)<sup>46</sup> and religious advisers (*médiateurs du fait religieux*). In 2019, a research report on Muslim chaplains explained that this new role of religious advisers was created because the chaplaincy was reluctant to cooperate in the fight against radicalisation, and because the prison administration wanted to “preserve the chaplains’ mission of spiritual support.”<sup>47</sup> There are female chaplains and female religious advisers, but they are not necessarily in charge of female inmates: in fact, several female inmates have a male adviser and several male inmates have a female adviser.<sup>48</sup> In QERs, the role of religious advisers is to assess the “ideological intensity” of the inmates. However, some prisoners consider them to be apostates and refuse to meet with them, which negatively impacts their evaluations.

Once the multidisciplinary evaluation is completed, the reports are transmitted to the central administration, and three outcomes are possible: the higher end of the spectrum (in terms of risks of proselytism and violence) is sent to isolation, the lower end is oriented towards ordinary detention, and in the middle – those who are deemed radical but likely to disengage – are sent to radicalisation processing areas (QPR). As of December 2023, 66 percent of men and 55 percent of women have been oriented towards ordinary detention, 22 percent of men and 33 percent of women towards QPR, and the remaining twelve percent of men and women towards isolation.

There are currently six QPR for men (Lille-Annoeullin, Condé-sur-Sarthe, Paris - La Santé, Aix-Luynes, Nancy and Bourg-en-Bresse) with a capacity of 189 individuals. The first QPR for women opened in Rennes in September 2021. Its capacity gradually grew to reach sixteen individual cells. In 2023, the QPR in Rennes is being extended to an expected capacity of 29 cells (plus two in the nursery – for female inmates with their babies).<sup>49</sup> Additionally, a second QPR for women is planned to open in early 2024 in Roanne, 90 kilometres from Lyon.

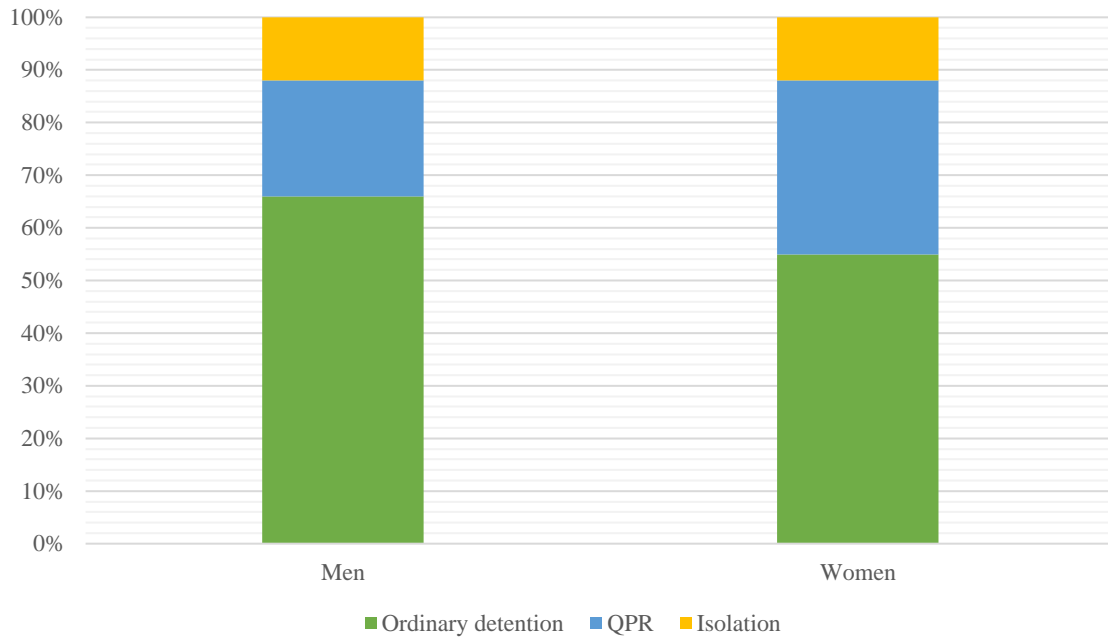


Figure 3.2: Orientation of French terrorist inmates after their evaluation for radicalisation in QER (data provided by the French Prison Administration, as of December 2023)

The decision to change the repatriation policy was taken after the openings of the first QER and QPR for women. However, the successive waves of returnees that began in July 2022 forced the prison administration to adapt, as it would have been impossible to evaluate all the returnees in the only QER for women. Thus, an ambulatory system was put into place: psychologists, social workers, and religious advisors (two men and two women) based in the Paris-region were asked to evaluate inmates in three different prisons (Fresnes, Fleury-Mérogis and Réau).<sup>50</sup> These mobile evaluations are shorter than the usual practice in QER, lasting five weeks, instead of eight. The different professionals can meet each woman two or three times for lengthy interviews (up to three hours). The first interview typically takes place less than a week after the repatriation.

Prison administration professionals who took part in the ambulatory evaluations (sometimes referred to as flash evaluations) said that the narrative of the recent returnees is often stereotyped. Several women explained that they had only gone to follow their husbands, and when the evaluators pushed them to delve deeper, they either did not say much or appeared to have war trauma (“On a du lisse ou du trauma”).<sup>51</sup> The professionals also acknowledged that the conditions of evaluation were degraded (compared to a QER session) but said that more complete evaluations may take place later.

Other professionals in the QPR in Rennes explained that for recent returnees, the QPR plays a dual role: an in-depth evaluation (to complement the ambulatory one), and the beginning of a rehabilitation process. One female returnee claimed that what had been written about her after the ambulatory evaluation was defamatory.<sup>52</sup> She said that some of her declarations had been misunderstood. She was reassured when she realised that the team at the QPR allowed her to explain why she thought that the first evaluation was biased. The professionals at the QPR relayed to me that in this specific case, they contacted the professionals who had conducted the first evaluation to better understand what had happened.

Another returnee – who already considered herself deradicalised – was surprised to be oriented to the QPR, since she had expected to be sent to ordinary detention. After five months, the team of the QPR met for a multidisciplinary commission (CPU).<sup>53</sup> They confirmed that this inmate was probably disengaged. They cautiously ruled-out the hypothesis of false-compliance, arguing that this person had acted consistently with the different professionals and in various situations. The QPR team advised that at the end of the first six-month period, this woman be reoriented towards ordinary detention. They did not use a specific risk-assessment tool (such as VERA-2R or ERG 22+) to reach this conclusion. The prison administration has its own analytical grids (the same for men and women) that help homogenise observations made by professionals. A religious advisor added a general note of caution: some women appear to be “emotionally disengaged,” in the sense that the horrors they went through made them pull away from jihadism.<sup>54</sup> However, he added that it is crucial to solidify this emotional evolution with an “intellectual disengagement,” so that the women can understand and counter the arguments used by jihadist ideologues.

In practice, activities at the QPR are varied: inmates have face-to-face interviews with professionals, but they also take part in collective activities (with a maximum of five inmates per activity), such as: conferences, debates, sporting activities, board games, cooking, oriental dance, etc. These activities may have a recreational aspect and are occasionally criticised,<sup>55</sup> but they also allow for different dynamics to bloom with the staff and to observe these inmates’ behaviour in different settings.

The QPR is separated from the rest of the prison and the detention regime is stricter. For instance, after each parlour, inmates have to strip down for a visual body search. Another example is the fact that the inmates can only access the courtyard for one hour in the morning and one hour in the afternoon, with a maximum of five inmates at the same time. The guards chose to work in the QPR and have been specially trained. Several inmates highlighted that their relations with the guards were smoother than in other prisons, and the guards insisted on the fact that incidents were rare.

According to professionals who have worked both with female and male terrorist inmates, one of the most striking differences related to gender is the fact that women speak much more about their children than men. One psychologist explained that it was even problematic: some female returnees “put up a wall,” in that this topic prevented them from talking about anything else.<sup>56</sup> This psychologist also said that the separation from their children allowed certain women to see themselves as victims. They insist, for instance, on the cruelty of the separation from the children at the airport. Most of them understand that they have to be punished for what they have done, but they question the effect of separation on their children. Furthermore, certain children have trouble in their foster homes – one of them was for instance assaulted by other children. It takes a long enquiry (rarely less than six months) before grandparents, aunts, or uncles are entrusted with the care of returnees’ children.

The authorities are aware that the question of these children is of the utmost importance and are trying to improve the situation. Almost all the professionals who were interviewed for this project acknowledged that it was crucial to maintain the links between the children and their mothers. One exception was a psychologist who said that when a mother is toxic for her children, it is legitimate to envisage their separation.<sup>57</sup> Within the prison administration, at the central level, a professional oversees the relations between the administration and the services in charge of childcare. At the time of the interview (May 2023), 301 child returnees were supervised by these services, including 139 born in Syria or Iraq. This professional explained,

for instance, how the location of the children is taken into account when deciding which prison the mother is sent to.

Of course, there are numerous constraints. For instance, as there is only one QPR in Rennes, the inmates may be far away from their children. At the local level, the prison administration decided to include a social worker in the QPR's staff, whose job it is to facilitate the relationships between mothers and their children. The nature of their interactions is decided by judges, and usually, inmates are quickly allowed to write letters and have occasional phone calls with their children. The letters are read by the administration and the phone calls are mediated, which is to say that a professional stays with the children during the conversation. After a few months, videoconferences and physical visits are typically allowed, though they are also mediated. The frequency of videoconferences is approximately once every two weeks. The recurrence of physical visits depends on the distance and the availability of the professionals who take care of the children. Some children can only visit their mother once every few months. The inmates have access to dedicated places that resemble small apartments (UVF) where they can stay for a few hours with their children. In theory, the stay in an UVF can last up to three days, but in practice, it generally lasts four hours.

Several returnees in the QPR in Rennes perceive the French judicial system as harsher than those of other European countries and know that they will spend years in prison.<sup>58</sup> They therefore hope that they will rapidly be sent to a prison close to the residence of their children in order to be able to see them frequently. They also hope – even if it is unlikely, as the possibilities of early release for terrorist inmates have been drastically reduced<sup>59</sup> – that after a few years, they will have the possibility to execute the rest of their sentence at home with an electronic surveillance device. While recent returnees will indeed spend years in prison, many other TIS female inmates have already been released.

### **French Female VEOs after Prison**

As explained in the previous section, one of the main purposes of the QPRs is to begin a disengagement process in jail. However, only a minority of TIS are incarcerated in such units, and they are not supposed to stay in QPRs for long periods of time. Hence, at any given moment, the majority of TIS in jail can access educative curriculums or professional training, like any other prisoner, but in practice, it is not that easy. This type of curriculum indeed suffers from the overcrowding of French prisons, the lack of teachers and other logistical problems.<sup>60</sup>

Specific programs focused on radicalisation are also available in ordinary detention. They are called Violent Radicalisation Prevention Programmes (PPRV). Prevention of recidivism and disengagement are part of their official objectives.<sup>61</sup> They do not fundamentally differ from activities organised in QPRs (workshops on citizenship, identity, conspiracy theories, media literacy, geopolitics, etc.), but the groups are bigger, and the pace is less intensive. TIS inmates in ordinary detention can also meet support officers (social workers and psychologists) and religious advisors, available to TIS under judicial control, or under probation in open custody as well.

As early as 2016, the French government realised that a thorough programme was needed in open custody. Two elements contributed to this awareness, the first being the growing number of TIS and RAD outside of prison. In the Summer of 2016, there were 70 TIS and 282 RAD in open custody. The second one was the attack in a church in Saint-Etienne-du-Rouvray, where

a priest was beheaded in July 2016. One of the perpetrators was under pretrial judicial control and was wearing an electronic surveillance bracelet.

Hence, the Ministry of Justice launched a call for tender for an experimental programme in order to avoid attacks by individuals under pre-trial judicial control and prevent recidivism by former detainees. This call for tender was won by a non-governmental organisation called Association for Applied Criminal Policy and Social Reintegration (APCARS). The programme run by APCARS was called Research and Intervention on Violent Extremism (RIVE) and existed from October 2016 to September 2018. Twenty-two people took part in the programme, including ten women, where thirteen participants were awaiting their trial, while nine had already been condemned. This mentoring programme was based in Paris and was divided in three pillars: social, psychological, and ideological. The multidisciplinary team was supposed to provide mentoring to each participant for six hours per week. The professionals were trained to use specific risk assessment tools such as VERA-2R and LS-CMI, but RIVE's scientific advisor found that these tools were not used properly.<sup>62</sup>

A new anti-terrorist law was adopted by French members of Parliament on 3 June 2016. One of its measures was the possibility to obligate someone “to comply with the conditions of a healthcare, social, educational, or psychological program designed to teach civic values and help the individual reintegrate into society”.<sup>63</sup> Hence, RIVE was compulsory for its participants. If someone did not comply, a judge could decide to send the individual to prison.

Between mid-2016 and early 2018, the number of TIS and RAD in open custody almost doubled, and this tendency continued to grow. Therefore, the authorities decided to develop and strengthen disengagement programmes. The APCARS contract had a two-year duration. The ministry of Justice issued a new call for tender with further specifications such as the possibility of housing participants. The idea was also to extend the programme geographically to add three cities: Marseille, Lyon, and Lille. The tender was won by Groupe SOS, a major social enterprise with 18,000 employees working in 550 institutions, associated with a small NGO called Artemis (formerly Unismed) that specialised in the prevention of radicalisation. In 2022, the Ministry of Justice had to relaunch the call for tender, and it was won again by Groupe SOS.

Hence, the main disengagement programme in France has been running for five years. It is called Individualised Support and Social Reaffiliation Programme (PAIRS). Like RIVE, PAIRS is organised around three pillars: social, psychological, and ideological. However, there are several differences between the two initiatives. First, the method is not the same: contrary to RIVE, PAIRS is not conceived as a mentoring programme. PAIRS' directors describe it as an “empowerment” and “recovery” programme that helps participants fulfil their plans, as long as they are lawful and realistic. Second, the tools are different: PAIRS' professionals do not use VERA-2R nor LS-CMI. Each professional can use its own tools. An analytical grid has also been developed by the team, but it does not seem to be systematically used. Third, the organisation of the programme is more flexible in order to adapt to participants' needs: the intensity of interviews and activities can vary between three and twenty hours per week. Fourth, the scale is different. In its first four years of operation, PAIRS had around 250 participants. The former national director of the programme said that in Paris, the situation became complicated because of the growing number of participants. He described what may turn into an industrial process – a mix of Taylorism and uberisation applied to disengagement. He explained that this evolution had negative consequences on both the management and the mood of the employees,<sup>64</sup> which staff members confirmed and described as a major cause of employee turnover.<sup>65</sup>

Until recently, the most remarkable achievement of the PAIRS programme was the absence of recidivism. Two (male) participants had nonetheless planned to perpetrate an attack. Both projects were foiled, and the former director of PAIRS claimed that the programme had played its role in alerting the authorities about the lack of progress of the two individuals.<sup>66</sup> Other participants – especially former RAD inmates – were also reincarcerated, but for infractions unrelated to terrorism. Then, on 2 December 2023, a terrorist attack took place in Paris resulting in the death of a tourist. The attacker was a PAIRS’ participant who was suffering from serious mental health issues.<sup>67</sup>

Thus far, approximately 30 percent of PAIRS’ participants have been women (70 out of 250 between 2018 and 2022). Professionals acknowledge that there is no real difference in the methodology used to deal with men and women. One former local director explained: “Gender is not the issue. We want to address individual needs.”<sup>68</sup> That being said, certain topics discussed with the participants are specific to or more recurring for women: sexual violence, gynaecological needs, raising children, wearing the Islamic veil, etc.

In 2022, 97 TIS were released from prison.<sup>69</sup> Approximately 170 had already been released in the two previous years. This trend had been anticipated, and incited lawmakers to reinforce measures to combat recidivism. A law that allowed for restrictions to be applied to former inmates (i.e., wearing an electronic surveillance bracelet under specific conditions) was adopted on 10 August 2020, but it was later censored by the *Conseil Constitutionnel*.<sup>70</sup> Consequently, members of Parliament voted another law on 30 July 2021. Before this new piece of legislation, it was only possible to force someone to take part in a disengagement and reintegration programme if it was included in the original court decision. For instance, in the sample of 94 cases, fifteen have been ordered to take part in such a programme. Among other measures, the new law allows sentencing judges to decide, at the end of the execution of a sentence, to add the obligation to participate in a reintegration or disengagement scheme. Strict conditions must be met: the initial sentence must be more than a five-year imprisonment (or three years in the case of recidivism), the person must be “particularly dangerous”, the recidivism probability must be very high, and the former detainee must still adhere to an ideology that incites terrorism.

Former terrorist inmates can be subjected to other judicial or administrative measures. For instance, individual measures of administrative control and surveillance (MICAS) are decided by the ministry of the Interior. A former prisoner can be obliged to stay in a city or a department for up to one year (with temporary exemptions), and to check in at the police station (or the gendarmerie) up to once a day. The 30 July 2021 law prolonged this period for an additional year, but this extension was deemed unconstitutional by the Constitutional Council (*Conseil Constitutionnel*).

Another example of a measure applied to former terrorist inmates is their registration in the National Database for Terrorist Offenders (FIJAIT). The individuals registered in this database (created in 2015) have to respect the following obligations for ten years (five years for minors): report their residence every three months; if they move out, they have fifteen days to report their new address; if they want to travel abroad, they have to report it fifteen days prior to their departure; if they live abroad and want to visit France, they have to report it fifteen days before their arrival.

To sum up, the French system that deals with former terrorist inmates is a mix of soft and hard measures decided and applied by actors who belong to different institutions (the Ministry of the Interior, the Ministry of Justice, NGOs, etc.). The main idea is to help those who may be

able to reintegrate, while impeding those who still adhere to the jihadist ideology and may pose a risk for society.

## Conclusion

The French approach to jihadism in general and female jihadists specifically has evolved immensely over the past decade. At the beginning of the Syrian networks, women were considered by the public and by the authorities almost as victims of men (often their husbands or future husbands) who had allegedly forced them (or brainwashed them) to travel to Syria. They were often presented as naive and submissive, especially when they were young. Women were also associated with the notion of “care,” frequently depicted as willing to help Syrian children hit by the war.

This gender-biased view changed for several reasons. First, over the years, with the growing amount of information and intelligence collected, it became obvious that women could play an active and even leading role in the radicalisation of a couple or a family. Second, after the creation of ISIS in 2013 and the multiplication of massacres and exactions, their humanitarian narrative appeared more and more irrelevant. Third, women (Hayat B. in January and Hasna A. in November) played an indirect role in the 2015 attacks. Fourth, the attempted attack near the Notre-Dame cathedral and several other plots foiled in 2016 and 2017 showed that women (even teenagers) could plan attacks. Fifth, ISIS’ official position about women taking part in combats shifted in 2017 and 2018, and female jihadists were called to arms.

Consequently, the French authorities have become harsher in their treatment of female jihadists. For instance, since 2016, female returnees have been systematically indicted. In prison, the system that applied to men (with QERs and QPRs) was replicated for women. It does seem that women are now considered as jihadists in the same way men are, i.e., as terrorists.

However, it may be time to slightly “re-genderise” this approach in order to rebalance the notion of violence from the role women can play in a radicalised community. A practitioner who has worked on female jihadists for a decade explained that when women resort to violence, it is a distortion of the original societal project epitomised by the Islamic State. She said: “A female jihadi is a jihadist wife. Those who resort to violence are just jihadists. They erased the gender-dimension.”<sup>71</sup> This quote is in line with the so-called al-Khansa brigade manifesto written by ISIS female members in 2015: “The correct place for woman in society is one of serenity, among her children and family, nurturing, teaching, preserving, and raising the future generations.”<sup>72</sup>

Most of the French female returnees probably did not resort to violence when they were in Syria or Iraq. But that does not mean that they did not play a role in supporting a terrorist organisation. The same practitioner argued that if we focus on violence, we may miss the point and end up misestimating the danger these women pose. Yet for the majority, this danger is more related to their central role in an authoritarian societal project than in their ability to perpetrate attacks. “What is recidivism for female TIS?”, the practitioner asked. “Joining the organisation again? Raising children in the same ideology? Or do we want to prevent something that they never did, resorting to violence?”

For years, the concept of deradicalisation has been criticised and has been growingly replaced by the notions of disengagement or reintegration. But if we consider that violence may not be



the core issue for women, then the focus should really be on deradicalisation. And for those who are already deradicalised, it is crucial to ensure that they remain out of reach from their previous networks.

**Case Study: Inès M.**

Inès M. was born in 1997 in one of the poorest departments in Metropolitan France. She was kicked out of junior high school and had a history of alcohol and drug abuse. After she dropped out of school, she suffered from personal traumatic experiences and had difficulties starting a career. This was when she briefly attended an Arabic language institute, allegedly close to the Muslim Brotherhood.

Eventually in 2014, she met Anissa M., who was 10 years older than her and played an important role in her radicalisation. Anissa M. left France for Syria in January 2015 and maintained contact with Inès M. In May 2015, Inès M. began a relationship with a man who was later sentenced for spreading terrorist propaganda and deported to Tunisia. At the end of 2015 and early 2016, she spent a lot of time alone in her bedroom watching ISIS propaganda and chatting with people in Syria. Her parents became worried, prevented her from going out, confiscated her phone, and reached out to associations for help. Subsequently, the Ministry of the Interior intervened, and she was given an administrative ban from leaving France in February 2016.

Following, she became very active on Telegram as an ISIS recruiter, drafting people who wanted to travel to Syria, but also individuals whose objective was to perpetrate attacks in France. She created male aliases with which she became the emir of two terrorist groups. The first group was composed of men only. When she had to meet them physically, she pretended to be the sister of her alias, acting as an intermediary for security reasons. The second group was composed of women. Inès M. managed to seduce another woman while pretending to be her male alias. The other woman fell in love, decided to divorce her husband, marry Inès M.'s alias and plot an attack with him. Inès M. and the woman ended up parking a car filled with gas canisters nearby the Notre-Dame cathedral in Paris in September 2016. However, the car did not explode as planned because the cigarette they had placed there did not ignite. The women then fled. A few days later, Inès M. was shot in the legs while walking towards policemen with a knife. This arrest came after she had reached out to two other women in order to plan another attack.

Three years after her arrest, in 2019, Inès M. was sentenced to eight years imprisonment for her involvement in the first terrorist group which also involved recruitment activities, and to 30 years imprisonment for plotting the Notre-Dame attack. The case was held before the Specially composed Assize Court (*Cour d'Assises spécialement composée*) that hears terrorism cases solely before professional judges, without a jury. Inès M. appealed the verdict in relation to the Notre-Dame attack, but her sentence was confirmed in appeal in 2021.

She played an important role in changing the public perception of women involved in the jihadi sphere. The case of Inès M. clearly showed that women within terrorist organisations also have agency and are able to play operational roles, including in plotting and carrying out attacks.

Source: Case 18/0065, Inès M., Cour d'Assises Spécialement Composée, 14 October 2019, on file with the author; Case 14350000539, Inès M., Cour d'Appel de Paris, 7 June 2021, on file with the author.

- <sup>1</sup> See Richard Barrett. “Beyond the Caliphate. Foreign Fighters and the Threat of Returnees,” The Soufan Center, October 2017. <https://thesoufancenter.org/wp-content/uploads/2017/11/Beyond-the-Caliphate-Foreign-Fighters-and-the-Threat-of-Returnees-TSC-Report-October-2017-v3.pdf>.
- <sup>2</sup> See “Déclaration de M. Eric Dupond-Moretti, garde des Sceaux, ministre de la Justice, sur les djihadistes français partis en Syrie, au Sénat, 5 Octobre 2022.” <https://www.vie-publique.fr/discours/286713-eric-dupond-moretti-05102022-djihadistes-francais>.
- <sup>3</sup> Informal conversation with a terrorism specialist at the ministry of Justice, Paris, 13 May 2023.
- <sup>4</sup> Unité de coordination de la lutte anti-terroriste, “Les femmes et le djihad,” *Perspectives*, January 2017, p. 18.
- <sup>5</sup> In February 2018, women represented 22.2% of the returnees in France. See Comité interministériel de prévention de la délinquance et de la radicalisation “‘Prévenir pour protéger’. Plan national de prévention de la radicalisation,” February 2018. <https://www.seine-maritime.gouv.fr/contenu/telechargement/54984/353117/file/DP2018-02-23-CIPDR-Radicalisation-V5.pdf>.
- <sup>6</sup> Marie Dosé. *Les victoires de Daech. Quand nos peurs fabriquent du terrorisme* (Paris: Plon, 2020) p. 116.
- <sup>7</sup> *H.F. and Others v. France*, [GC] App no. 24384/19 and 44234/20, ECtHR, 14 September 2022. <https://hudoc.echr.coe.int/fre#%7B%22tabview%22:%5B%22document%22%5D%2C%22itemid%22:%5B%22002-13789%22%5D%7D>.
- <sup>8</sup> Le Monde and Agence France Presse, “La France, critiquée pour des retours au compte-gouttes, rapatrie sept enfants de djihadistes de Syrie”, 13 January 2021. [https://www.lemonde.fr/international/article/2021/01/13/la-france-critiquee-pour-des-retours-au-compte-gouttes-rapatrie-sept-enfants-de-djihadistes-de-syrie\\_6066131\\_3210.html](https://www.lemonde.fr/international/article/2021/01/13/la-france-critiquee-pour-des-retours-au-compte-gouttes-rapatrie-sept-enfants-de-djihadistes-de-syrie_6066131_3210.html).
- <sup>9</sup> Communiqué de la Défenseure des droits, “La Défenseure des droits demande au gouvernement, dans les plus brefs délais de tous les enfants français retenus dans les camps au Nord-Est de la Syrie”, 29 April 2022. [https://www.francetvinfo.fr/monde/revolte-en-syrie/la-defenseure-des-droits-demande-au-gouvernement-le-rapatriement-dans-les-plus-brefs-delaix-des-enfants-francais-retenus-dans-des-camps-en-syrie\\_5109133.html](https://www.francetvinfo.fr/monde/revolte-en-syrie/la-defenseure-des-droits-demande-au-gouvernement-le-rapatriement-dans-les-plus-brefs-delaix-des-enfants-francais-retenus-dans-des-camps-en-syrie_5109133.html).
- <sup>10</sup> UN News, “France violated rights of French children detained in Syrian camps,” 24 February 2022, <https://news.un.org/en/story/2022/02/1112682>.
- <sup>11</sup> See for instance, Raymonde, Poncet-Monge. “Rapatriement des enfants français retenus en Syrie”, written question n° 28474 from Senator Raymonde Poncet-Monge to the Minister of Europe and Foreign Affairs, *Journal officiel*, 30 June 2022. <https://www.senat.fr/questions/base/2022/qSEQ220628474.html>.
- <sup>12</sup> Bernard Cazeneuve and François Zimeray. “Par-delà les considérations humanitaires, le refus de rapatrier les enfants détenus en Syrie nous expose”, *Le Monde*, 11 January 2022. [https://www.lemonde.fr/idees/article/2022/01/11/bernard-cazeneuve-et-francois-zimeray-par-dela-les-considerations-humanitaires-le-refus-de-rapatrier-les-enfants-detenus-en-syrie-nous-expose\\_6109045\\_3232.html](https://www.lemonde.fr/idees/article/2022/01/11/bernard-cazeneuve-et-francois-zimeray-par-dela-les-considerations-humanitaires-le-refus-de-rapatrier-les-enfants-detenus-en-syrie-nous-expose_6109045_3232.html).
- <sup>13</sup> Stéphane Carpentier, Interview with François Molins, *RTL*, 11 July 2022. <https://www.rtl.fr/actu/justice-faits-divers/invite-rtl-justice-l-obtention-de-moyens-supplementaires-ne-suffit-pas-selon-francois-molins-7900171099>.
- <sup>14</sup> Informal conversations, ministry of Interior and ministry of Defence, May 2022.
- <sup>15</sup> Sofia Koller. “Prosecution of Returnees from Syria and Iraq in France,” CEP Policy Paper, *Counter Extremism Project*, February 2023. [https://www.counterextremism.com/sites/default/files/2023-03/CEP%20Policy%20Paper\\_Prosecution%20of%20Returnees%20from%20Syria%20and%20Iraq%20in%20France\\_March%202023.pdf](https://www.counterextremism.com/sites/default/files/2023-03/CEP%20Policy%20Paper_Prosecution%20of%20Returnees%20from%20Syria%20and%20Iraq%20in%20France_March%202023.pdf).
- <sup>16</sup> Gaële Joly. “Rapatriements depuis la Syrie: ‘‘Il reste une centaine d’enfants et une cinquantaine de femmes’’, souligne l’avocate Marie Dosé”, *France Info*, 24 January 2023. [https://www.francetvinfo.fr/monde/syrie/rapatriement-depuis-la-syrie-il-reste-une-centaine-d-enfants-et-une-cinquantaine-de-femmes-souligne-l-avocate-marie-dose\\_5619329.html](https://www.francetvinfo.fr/monde/syrie/rapatriement-depuis-la-syrie-il-reste-une-centaine-d-enfants-et-une-cinquantaine-de-femmes-souligne-l-avocate-marie-dose_5619329.html).
- <sup>17</sup> Jean-Charles Brisard (@JcBrisard), “A la suite du rapatriement d’aujourd’hui, au total 673 Français/résidents sont revenus de #Syrie/#Irak (spontanément, expulsés de Turquie ou rapatriés):...”, Twitter, July 4, 2023, 11:25am. [https://twitter.com/jcbrisard/status/1676160352860487681?s=46&t=MB\\_FnFOc5goYQTLVmWs5TQ](https://twitter.com/jcbrisard/status/1676160352860487681?s=46&t=MB_FnFOc5goYQTLVmWs5TQ).
- <sup>18</sup> Soren Seelow. “Qui sont les irréductibles djihadistes français du ‘mini-califat’ d’Idlib, en Syrie?,” *Le Monde*, 18 October 2023. [https://www.lemonde.fr/international/article/2023/10/18/qui-sont-les-irreductibles-djihadistes-francais-du-mini-califat-d-idlib-en-syrie\\_6195241\\_3210.html](https://www.lemonde.fr/international/article/2023/10/18/qui-sont-les-irreductibles-djihadistes-francais-du-mini-califat-d-idlib-en-syrie_6195241_3210.html).
- <sup>19</sup> Jeremy Shapiro and Bénédicte Suzan. “The French Experience of Counter-Terrorism” *Survival*, vol. 45, no. 1, Spring 2003, p. 85. <https://www.brookings.edu/wp-content/uploads/2016/06/shapiro20030301.pdf>.
- <sup>20</sup> David Bénichou, “L’association de malfaiteurs à caractère terroriste: l’infraction à spectre large”, in *Le jihadisme. Le comprendre pour mieux le combattre*, eds. David Bénichou, Farhad Khosrokhavar and Philippe Migaux (Paris: Plon, 2015), p. 369.

- <sup>21</sup> Christiane, Besnier, and Sharon Weill. "Les filières djihadistes en procès. Approche ethnographique des audiences criminelles et correctionnelles (2017-2019)," Mission de recherche Droit & Justice, Rapport 17.29, December 2019. <http://www.gip-recherche-justice.fr/publication/etude-pluridisciplinaire-de-lactivite-de-la-cour-dassises-competente-pour-les-affaires-de-terrorisme-2017-2019/>.
- <sup>22</sup> Soren Seelow, Julia Pascual, and Jean-Baptiste Jacquin. "Le procureur de Paris François Molins: le risque d'attentat est renforcé", *Le Monde*, 2 September 2016. [https://www.lemonde.fr/police-justice/article/2016/09/02/francois-molins-l-affaiblissement-de-l-ei-renforce-le-risque-d-attentat\\_4991439\\_1653578.html](https://www.lemonde.fr/police-justice/article/2016/09/02/francois-molins-l-affaiblissement-de-l-ei-renforce-le-risque-d-attentat_4991439_1653578.html).
- <sup>23</sup> Interview with three magistrates at the antiterrorist prosecutor's office (PNAT), Paris, 12 April 2023.
- <sup>24</sup> Bénichou, "L'association de malfaiteurs à caractère terroriste: l'infraction à spectre large", p. 377.
- <sup>25</sup> Camille Boutron. "Les récits médiatiques du terrorisme au féminin. Le cas du 'commando de Notre-Dame'," *Note de recherche IRSEM n°105*, 22 September 2020. <https://bit.ly/3quPRfY>.
- <sup>26</sup> Seelow et al., "Le procureur de Paris François Molins: le risque d'attentat est renforcé". See also the following report published by the Senate: Bernard Cazeau and Sylvie Goy-Chavent, "Rapport fait au nom de la commission d'enquête sur l'organisation et les moyens des services de l'Etat pour faire face à l'évolution de la menace terroriste après la chute de l'Etat islamique," n° 639, 4 July 2018, p. 52. <https://www.senat.fr/rap/r17-639/r17-6391.pdf>.
- <sup>27</sup> Cour de Cassation, Chambre criminelle, pourvoi n° 16-82.692, 12 July 2016. <https://www.legifrance.gouv.fr/juri/id/JURITEXT000032900180/>.
- <sup>28</sup> Interview with three magistrates at the antiterrorist prosecutor's office (PNAT), Paris, 12 April 2023.
- <sup>29</sup> Discussion with Constance Wilhelm-Olympiou, 28 April 2023. Wilhelm-Olympiou is the author of Constance Wilhelm-Olympiou and Helin Köse, "Jugement des revenantes de Daesh en France: une période charnière", *Le CAVEAT*, 3 March 2023. <https://www.le-caveat.org/publications/jugement-des-revenantes-de-daesh-en-france-une-priode-charniere>.
- <sup>30</sup> Rulings of the *Conseil constitutionnel* on 10 February and 15 December 2017. There were two different decisions because after the first one, lawmakers tried to insert this offence in a new law. However, it was censored a second time.
- <sup>31</sup> Interview with three magistrates at the antiterrorist prosecutor's office (PNAT), Paris, 12 April 2023.
- <sup>32</sup> Interview with a "specialised assistant", ministry of Justice, 27 April 2023. See also, Soren Seelow, "Comment juger les 'revenantes' de l'Etat islamique? La justice antiterroriste aux prises avec les stéréotypes de genre", *Le Monde*, 10 April 2023. [https://www.lemonde.fr/societe/article/2023/04/10/comment-juger-les-revenantes-de-l-etat-islamique-la-justice-a-travers-le-prisme-des-stereotypes-de-genre\\_6168908\\_3224.html#xtor=AL-32280270-%5Bdefault%5D-%5Bios%5D](https://www.lemonde.fr/societe/article/2023/04/10/comment-juger-les-revenantes-de-l-etat-islamique-la-justice-a-travers-le-prisme-des-stereotypes-de-genre_6168908_3224.html#xtor=AL-32280270-%5Bdefault%5D-%5Bios%5D).
- <sup>33</sup> The importance of the crime-terror nexus in France is debated. See for instance: Marc Hecker, "137 shades of terrorism. French jihadists before the courts," *Focus stratégique*, No. 79 bis, Ifri, April 2018. [https://www.ifri.org/sites/default/files/atoms/files/hecker\\_137\\_shades\\_of\\_terrorism\\_2018.pdf](https://www.ifri.org/sites/default/files/atoms/files/hecker_137_shades_of_terrorism_2018.pdf); Xavier Crettiez and Romain Sèze, "*Sociologie du djihadisme français. Analyse prosopographique de plus de 350 djihadistes incarcérés*," Ministère de la Justice, 5 December 2022. <https://www.justice.gouv.fr/sociologie-du-djihadisme-francais>.
- <sup>34</sup> Interview with a member of the prison administration, Paris, 17 March 2023.
- <sup>35</sup> These figures date back to 2019. See Sécurité et société. *Insee références*, 2021, p. 140. [https://www.insee.fr/fr/statistiques/fichier/5763633/IREF\\_SECUR21.pdf](https://www.insee.fr/fr/statistiques/fichier/5763633/IREF_SECUR21.pdf).
- <sup>36</sup> Interview with a member of the prison administration, 14 February 2023.
- <sup>37</sup> Interview with a member of the prison administration, Paris, 4 April 2023.
- <sup>38</sup> Farhad Khosrokhavar. *Quand al-Qaïda parle. Témoignages derrière les barreaux*, (Paris: Grasset, 2006).
- <sup>39</sup> Catherine Troendlé and Esther Benbassa. "Les politiques de "déradicalisation" en France : changer de paradigme", Sénat, *Rapport d'information n°633*, July 2017. <https://www.senat.fr/notice-rapport/2016/r16-633-notice.html>. See also, Gilles Chantraine, David Scheer and Marie-Aude Depuiset, "Les QER : récit des prémices de l'évaluation de la radicalisation dans les prisons françaises" in *L'évaluation des personnes placées sous-main de justice: genèse, usages, enjeux*, eds, Sanchez (J.-L.), Ministère de la Justice, December 2020. <http://docplayer.fr/209890417-Les-qer-recit-des-premices-de-l-evaluation-de-la-radicalisation-dans-les-prisons-francaises.html>.
- <sup>40</sup> The author of the present chapter visited the Osny prison twice in 2018 and 2019 and talked to a guard who was present the day of the attack. See also: Bernard Rougier and Hugo Micheron, "Extremist Offender Management in France," in *Extremist Offender Management in Europe: Country Reports*, eds., Rajan Basra and Peter R. Neumann, International Centre for the Study of Radicalisation, 2020, pp. 31-38.
- <sup>41</sup> "Plan d'action contre la radicalisation en prison" presented by Jean-Jacques Urvoas, 26 October 2016. <https://www.gouvernement.fr/argumentaire/plan-d-action-contre-la-radicalisation-en-prison>.

- <sup>42</sup> Interministerial Committee for the Prevention of Crime and Radicalisation, “‘Prevent to Protect’ National Plan to Prevent Radicalisation”, French Government, 23 February 2018.
- <sup>43</sup> Speech by Eric Dupond-Moretti, French Minister of Justice, at the National Assembly, 2 June 2021. [www.assemblee-nationale.fr/dyn/15/comptes-rendus/seance/session-ordinaire-de-2020-2021/premiere-seance-du-mercredi-02-juin-2021](http://www.assemblee-nationale.fr/dyn/15/comptes-rendus/seance/session-ordinaire-de-2020-2021/premiere-seance-du-mercredi-02-juin-2021).
- <sup>44</sup> Hippolyte Radisson. "Tentative d'évasion d'une revenante à Fresnes, des dysfonctionnements à la chaîne", *La Croix*, 19 November 2021. <https://www.la-croix.com/France/Tentative-devasion-dune-revenante-Syrie-Fresnes-dysfonctionnements-chaîne-2021-11-19-1201185965>. See also, Sophie Parmentier, “‘J’essaie d’avancer’: à son procès, une revenante de Syrie assure que l’EI ‘fait partie de son passé’”, *France Inter*, 27 February 2023. <https://www.radiofrance.fr/franceinter/j-essaie-d-avancer-a-son-proces-une-revenante-de-syrie-assure-que-l-ei-fait-partie-de-son-passe-3270467>.
- <sup>45</sup> Laurent Ridet. "Bilan stratégique du rapport annuel de performances". [www.budget.gouv.fr/files/uploads/extract/2021/PLR/BG/PGM/107/FR\\_2021\\_PLR\\_BG\\_PGM\\_107\\_STRAT.html](http://www.budget.gouv.fr/files/uploads/extract/2021/PLR/BG/PGM/107/FR_2021_PLR_BG_PGM_107_STRAT.html).
- <sup>46</sup> The “support officers working in pairs” – *binômes de soutien* in French – are duos composed of social workers and psychologists, supporting probation officers and prison staff in dealing with radicalised inmates. Their recruitment began in 2015.
- <sup>47</sup> Claire Béraud and Claire de Galember. “*La fabrique de l’aumônerie musulmane des prisons en France*,” Rapport remis à la Direction de l’Administration Pénitentiaire et à la mission Droit et Justice, April 2019, p. 188. <https://hal.science/hal-03102559/document>.
- <sup>48</sup> Interview with a religious adviser, 15 May 2023.
- <sup>49</sup> Interview with a senior member of the prison administration, Rennes, 13 June 2023.
- <sup>50</sup> Interview with a member of the prison administration, Paris, 4 April 2023.
- <sup>51</sup> Interview with a member of the prison administration, Paris, 1 June 2023.
- <sup>52</sup> Interview with a female returnee, Rennes, 14 June 2023.
- <sup>53</sup> There are three CPUs over the first six-month period at the QPR: the “CPU arrivante” after two weeks, the “CPU intermédiaire” after 2.5 months and the “CPU orientation” after 5 months.
- <sup>54</sup> Interview with a religious advisor, Paris, 26 July 2023.
- <sup>55</sup> Véronique Brocard. *Les sortants*, Paris: Les Arènes, 2020, p. 158.
- <sup>56</sup> Interview with a psychologist, Paris, 1 June 2023.
- <sup>57</sup> Discussion with a psychologist, Brussels, 19 April 2023.
- <sup>58</sup> Interviews with six female returnees, Rennes, 14 June 2023.
- <sup>59</sup> Charline Becker. “L’aménagement de peine pour les détenus ‘terro’, un mirage qui s’éloigne de jour en jour”, Observatoire international des prisons, 11 December 2020. <https://oip.org/analyse/lamenagement-de-peine-pour-les-detenus-terro-un-mirage-qui-seloigne-de-jour-en-jour/>.
- <sup>60</sup> Elaine Mangin. *L’enseignement en milieu carcéral. Entre consécration et dépréciation*, Ecole nationale d’administration pénitentiaire, Université de Pau et des pays de l’Adour, Université de Bordeaux, 2019, p. 43. [https://www.enap.justice.fr/sites/default/files/memoire\\_master2\\_mangin.pdf](https://www.enap.justice.fr/sites/default/files/memoire_master2_mangin.pdf).
- <sup>61</sup> Ministre de L’Intérieur, “Prévention de la délinquance et de la radicalisation,” Document de politique transversale, Projet de loi de Finances pour 2022, pp. 55-56. <https://www.budget.gouv.fr/documentation/file-download/14368>.
- <sup>62</sup> Interviews with two professionals involved in RIVE, 30 October 2019 and 19 February 2020. See Martine Herzog-Evans, "Implémentation d’un programme structuré et fondé sur les données acquises de la science en France: difficultés et recommandations", *Cahiers de la sécurité et de la justice*, vol. 46, 2019, pp. 83-93. [https://medias.vie-publique.fr/data\\_storage\\_s3/collection\\_number/portrait/photo/9782111456983.pdf](https://medias.vie-publique.fr/data_storage_s3/collection_number/portrait/photo/9782111456983.pdf).
- <sup>63</sup> Loi n°2016-731 du 3 juin 2016 renforçant la lutte contre le crime organisé, le terrorisme et leur financement, et améliorant l’efficacité et les garanties de la procédure pénale (1), (*strengthening the fight against organised crime, terrorism, and their financing, and improving the effectiveness and guarantees of criminal procedure*). <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000032627231>.
- <sup>64</sup> Interview with the former national director of PAIRS, Paris, 21 March 2023.
- <sup>65</sup> See Marc Hecker. “Once a Jihadist, Always a Jihadist? A Deradicalization Program Seen from the Inside,” *Focus stratégique*, No. 102 bis, Études de l’Ifri, February 2021. <https://www.ifri.org/en/publications/etudes-de-lifri/focus-strategique/once-jihadist-always-jihadist-deradicalization>. Another interview was done with a PAIRS employee on 15 May 2023.
- <sup>66</sup> Christophe Ayad. "Déradicalisation: ‘On doit faire entendre qu’on peut être musulman dans la République française’", *Le Monde*, 7 October 2022. [https://www.lemonde.fr/societe/article/2022/10/07/deradicalisation-on-a-construit-une-reponse-en-termes-de-politique-publique-qui-fonctionne\\_6144864\\_3224.html](https://www.lemonde.fr/societe/article/2022/10/07/deradicalisation-on-a-construit-une-reponse-en-termes-de-politique-publique-qui-fonctionne_6144864_3224.html).

<sup>67</sup> Ferial Alouti, “Au Groupe SOS, le désarroi des salariés chargés d’anciens détenus radicalisés,” *Mediapart*, 17 December 2023.

<sup>68</sup> Interview with a former local director of PAIRS, 27 March 2023.

<sup>69</sup> Interview with a member of the prison administration, Paris, 14 February 2023.

<sup>70</sup> Loi n°2020-1023 du 10 août 2020 instaurant des mesures de sûreté à l’encontre des auteurs d’infractions terroristes à l’issue de leur peine (*introducing security measures for perpetrators of terrorist offences at the end of their sentence*). <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000042225084/>.

<sup>71</sup> Interview with a practitioner, 13 April 2023. See also Géraldine Casutt, “Quand le djihadiste est une femme,” *Inflexions*, 2/2018, pp. 87-96.

<sup>72</sup> Haroro J. Ingram, Craig Whiteside, and Charlie Winter. “Women in the Islamic State,” in *The ISIS Reader: Milestones Texts of the Islamic State Movement*, eds. Haroro Ingram, Craig Whiteside and Charlie Winter, (Oxford: Oxford University Press, 2020). <https://academic.oup.com/book/36890/chapter-abstract/322112770?redirectedFrom=fulltext>.

