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Managing Female Violent Extremist Offenders in Europe: A Data-driven Comparative Analysis

Tanya Mehra, Thomas Renard, and Merlina Herbach

This book compiled data on 277 female violent extremist offenders (VEOs), prosecuted in four countries: Belgium, France, Germany, and the Netherlands. These women were generally quite young at the time of their first terrorist offence, on average 24.8 years old,[i] which does not seem to significantly differ from the average age of male terrorist offenders.[1]

The vast majority of the female VEOs in the sample have the nationality of the prosecuting country (sometimes alongside a second nationality). Only in a small minority of cases, these women did not have citizenship of the prosecuting country, which is again consistent with previous findings on male terrorist offenders.[2]

While female VEOs were mainly mediatised as "jihadi brides" in relation to their (attempted) travel to join the Islamic State in Syria and Iraq (ISIS), our sample actually covers a larger spectrum of violent extremist offenders. Based on 283 prosecuted cases (as a few women were prosecuted twice), 52 percent travelled to the conflict zone, 16.5 percent attempted but failed to reach the conflict zone, and 31.5 percent did not attempt to travel.[ii] Although female VEOs who spent time in the conflict zone represent a significant share of our sample, there are also women who were convicted for terrorist activities committed in Europe, notably plotting, recruitment, propaganda or financing. Furthermore, beyond the traditional image of women as victims or lacking agency, this research suggests that many women deliberately sought to join a terrorist organisation. In some rare cases, women were even considered to lead the radicalisation process in the family, in contrast with the general perception that men are the most radical family members.

The vast majority (91.5 percent)[iii] of the female VEOs in our sample were affiliated with ISIS at some point, again confirming the massive power of attraction that ISIS had on certain European youth. Furthermore, the "family-friendly" jihad promoted by ISIS, with its so-called caliphate, and its active recruitment of Western women, through targeted propaganda, all contributed to the unprecedented number of women radicalising into jihadi terrorism.

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[i] The average age was calculated on the basis of 222 convicted individuals, removing the acquittals and cases where information was missing.

[ii] Percentages were calculated on the basis of 277 prosecution cases, as information was missing for six cases.

[iii] Information was available for 266 cases. The ratio is calculated excluding missing cases.

Consistent with the peak of ISIS activities, 93.5 percent of the female VEOs in our dataset were involved in terrorist activities during (parts of) the period 2014-2017, based on their indictment period. The indictment period in our dataset ranged between April 2011 and June 2022. On average, the length of indictment was of two years, three months, and four weeks (28.9 months).

Prosecution

Prosecutorial Strategy

The number of trials of female VEOs increased significantly over time in all four countries covered in this book, more specifically between 2016 and 2019. Although the sample does not include all trials as there was no data available for trials of female VEOs in France before 2017, Figure 6.1 below illustrates well the shift towards the more systematic prosecution of female VEOs, and particularly returnees. While several women were tried in 2014-2015, in particular in Belgium, a clear shift occurred around 2015-2016 in Belgium, France, and the Netherlands. In Germany, it was not until 2018 that female returnees became systematically prosecuted.

Initially, women were regarded mainly as victims, as vulnerable individuals lured into jihad by manipulative men, and as harmless. Therefore, many female returnees from the first wave were not arrested, and very few were prosecuted before 2015. This perception started to evolve against the background of the wave of terrorist attacks in Europe, starting in 2014. These attacks fundamentally changed the threat perception of men that travelled to Syria and Iraq to join ISIS or other terrorist organisations, and – later – of female VEOs. The perception of female VEOs as a potential threat became even more tangible with the first all-female (failed) terrorist attack in France, in 2016. Between 2014 and 2016, women had been involved in at least seventeen terrorist plots in Europe, mainly in France, Germany, and the UK.[3]

Alongside this evolving threat perception, relevant authorities started to pay closer attention to female VEOs, leading to a better understanding of their profiles, motivations, roles, and influence. This led to the opening of more systematic prosecution, as well as the building of necessary expertise among criminal justice actors. The systematic prosecution of female VEOs was further facilitated by two factors. First, national prosecutors successfully argued, case after case, that women who joined terrorist organisations in the conflict zone could be considered as part of a terrorist group. It is now established jurisprudence that even through their mostly domestic tasks, they knowingly supported and facilitated the explicit terrorist activities of their husbands, thereby contributing to the overall aim of the organisation. Second, new terrorist offences were adopted, and relevant case law expanded the scope of what constitutes a contribution to a terrorist organisation, hence expanding the tools to successfully prosecute alleged VEOs.

After the territorial defeat of ISIS, even more information became available about the different roles played by women within ISIS. In particular, mechanisms such as the United Nations Investigative Team for Accountability of Da'esh/ISIL (UNITAD) and the International, Impartial and Independent Mechanism to assist in the investigation and prosecution of persons responsible for the most serious crimes under International Law committed in the Syrian Arab

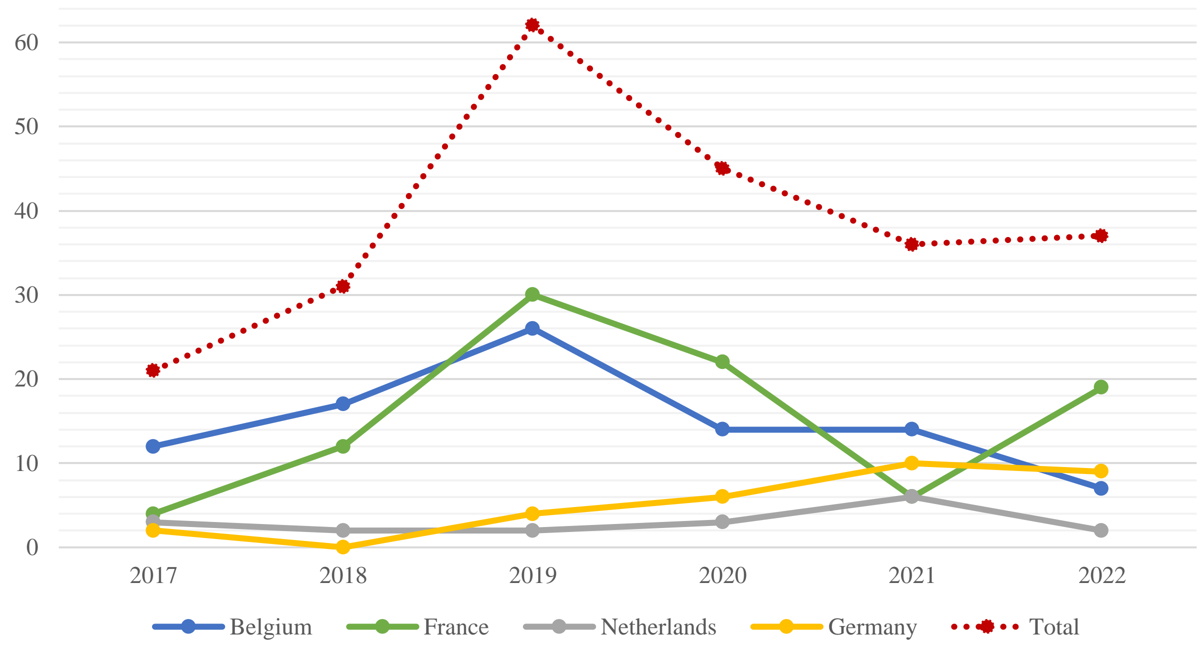

Figure 6.1: Number of first instance verdicts for female VEOs over time in Belgium, France, Germany, and the Netherlands (n(t)=268; as of 31 December 2022).

Republic since March 2011 (IIIM) have collected and preserved evidence and assisted prosecutors in several European countries. As a more accurate and complete picture is becoming available about the different activities of women within these terrorist organisations, the charges are being expanded to include other offences such as child neglect and other domestic offences or core international crimes as can be seen in Germany and the Netherlands. Overall, it seems that a majority of the female returnees in the countries covered by this book have now been prosecuted. In France, some sources suggest that at least two thirds of female returnees have been prosecuted (on an estimated number of 150 female returnees).[4] In the Netherlands, up to three quarters of the female returnees have been prosecuted or are under investigation (on an estimated number of 41 female returnees). In Germany, data is incomplete, but suggests that almost half of the female returnees have been prosecuted, at least. In Belgium, about two thirds of the women who travelled to Syria and Iraq – or were arrested en route – have been prosecuted. The Belgian chapter in this book even suggests that the rate of prosecution is likely higher when applied to all female VEOs.

Collection of Evidence and Investigation Strategies

Structural investigation is an investigation method that can be useful to collect information and evidence in large and complex cases, without having identified suspects. This method can be helpful when there is a large number of victims and multiple crimes are being committed by a variety of actors, including by terrorist organisations. Structural investigations are pro-active and try to establish certain patterns and structures which can later be used to build on individual cases once specific alleged perpetrators have been identified. Countries like Germany, France, and Sweden have been using structural investigations in the context of the conflict in Syria.[5]

One of the advantages of structural investigations is that it saves time as some of the contextual elements of core international crimes can be established prior to identifying individual perpetrators. Furthermore, applying structural investigations does not require any amendments to domestic laws.

Establishing joint investigation teams (JITs) – a formal cooperation between law enforcement, prosecutors and sometimes judges – can be helpful in effectively investigating and prosecuting complex cases. In the summer of 2023, Belgium and the Netherlands joined a JIT that was initially established by Sweden and France to investigate core international crimes potentially committed by foreign fighters against the Yazidi population in Syria and Iraq.[6]

As mentioned above, IIIM and UNITAD are both unique, UN mandated mechanisms that collect, store, and analyse evidence for criminal prosecutions, and also support structural investigations to facilitate prosecutions.[7] However, while prosecutors can benefit from information deriving from IIIM and UNITAD, defence counsels do not have individual access and cannot directly request information from IIIIM and UNITAD, raising potential concerns of equality of arms as it may impact the ability of the defence to challenge the evidence during the trial.[8] Defence counsels also struggle with obtaining foreign documents and necessary translations to prepare their cases. In addition, women have often already been exposed to media, which affects the public's perception of them before and during trial.

Other factors that have contributed to the successful prosecution of the so-called foreign fighters, are the use of "battlefield evidence", and the proliferation of civil society organisation (CSOs) involved in pursuing accountability in the context of female returnees.

Several European countries have indicated that their criminal justice actors receive information collected by the military from the conflict zone. This information can be collected by foreign military, most notably by the United States (US) forces, or by coalition forces such as the Global Coalition against Daesh.[9] Operation Gallant Phoenix is another cooperation mechanism led by the US that facilitates the sharing of information which has been collected from the conflict zone, also referred to as battlefield evidence.[10] Information collected from the conflict zone has been used in several criminal proceedings against persons who travelled to Syria or Iraq to join a terrorist group. In the case against Ilham B., a special Federal Bureau of Investigation (FBI) agent has interrogated her husband – then detained in Iraq – who stated that Ilham B. had joined Khatiba Nusaybah. The special agent of the FBI testified during trial but since there was no further information supporting that Ilham B. had joined Khatiba Nusaybah she was acquitted of this charge. While battlefield evidence can be used in court, it can also be criticised because it restricts the ability of the defence to challenge this evidence and thus impacts the principle of equality of arms.[11]

The proliferation of CSOs engaged in advancing accountability for crimes, in particular international crimes committed in Syria and Iraq has also contributed to the prosecution of alleged terrorists, including returnees. Some are only engaged in documentation, others represent victims and are engaged in strategic litigation such as Civitas Maxima, the European Center for Constitutional and Human Rights (ECCHR), or the International Federation for Human Rights (FIDH). These CSOs support victims and help to file a criminal complaint. While the majority of criminal complaints are still pending, in a number of cases this has led to arrest warrants and prosecutions.[12] Other organisations such as Bellingcat and the Commission for International Justice and Accountability (CIJA) are more engaged in collecting (digital) evidence.

Cumulative Charging

All women in our dataset were charged for terrorism, but some were also charged for other domestic offences or core international crimes. Cumulative charging for terrorist offences and other crimes contributes to holding alleged perpetrators accountable for the full range of crimes they have committed.

A closer look at our sample of court decisions, however, unveils considerable differences between the four countries. In Germany 75 percent of the first instance verdicts concerning female VEOs included domestic charges, such as violation of weapons laws, or child neglect, in addition to terrorism offences in the indictment. The rates in Belgium, France, and the Netherlands are much lower. Only 14.3 percent of the indictments filed in the Netherlands included domestic charges, 7.6 percent of the indictments in Belgium, and 10.6 percent in France.

Another possibility is to cumulatively charge for terrorist offences and core international crimes, which are war crimes, crimes against humanity, and genocide. It is well-known that in addition to murder, torture, and indiscriminate attacks, ISIS has been involved in looting of private property and systematically committing sexual and gender-based violent (SGBV) crimes, notably against the Yazidi population.[13]

So far, only the Netherlands and Germany have cumulatively charged female returnees and VEOs for terrorist offences and core international crimes. Notably in the Netherlands, Yousra L. has been convicted for the war crime of outrage upon personal dignity, committed from within the Netherlands as she was sharing videos of executions carried out by terrorist and added her own degrading remarks (see case study at end of chapter). In the Netherlands, two women are being prosecuted since February 2023 for the alleged crimes of pillaging as a war crime and enslavement as a crime against humanity.[14] While this is the only such conviction in the Netherlands so far, nineteen women in Germany were convicted of core international crimes in 20 cases, either in combination with terrorist offences and domestic crimes, or solely in combination with terrorist offences as can be seen in Figure 6.2.[iv]

Belgium and France have not yet resorted to this option, although things could evolve in the future. In Belgium, the interpretation of the exclusion clause which determines the relationship between terrorism and international humanitarian law has been a long and complicated journey and has thus far prevented cumulatively charging for terrorist offences and war crimes.[v] However, recent case law could change this interpretation.[15] In France, no indictments have been filed for terrorist offences and international crimes cumulatively against female returnees,

[iv] Core international crimes for which female returnees have been convicted in Germany include war crimes, crimes against humanity, and more recently also genocide. For more information about individual charges, see pp. 66.

[v] The courts have ruled that not all non-state armed groups such as Jabhat al-Nusra meet the organisation threshold of a non-state armed group which basically means that IHL does not apply, and members could only be prosecuted for terrorist offences. With respect to ISIS, the courts now seem to recognise that they are a non-state actor in a non-international armed conflict *and* a terrorist group. However, it depends on the type of activities and the nexus to the armed conflict to determine whether certain activities cannot be prosecuted as terrorist offences. A concrete example is the case of female returnee Y.S. which demonstrates her recruiting activities are not directly linked to the hostilities and were thus prosecuted as terrorist offences. This does not prevent the prosecution of alleged terrorist for terrorist offences and crimes against humanity or genocide in Belgium. It is worth noting that a revision of article 141bis is under consideration. See Thomas Van Poecke, “The IHL Exclusion Clause, and why Belgian Courts Refuse to Convict PKK Members for Terrorist Offences,” EJIL: Talk!, 20 March 2019, https://www.ejiltalk.org/the-ihl-exclusion-clause-and-why-belgian-courts-refuse-to-convict-pkk-members-for-terrorist-offences/.

although several investigations are on-going.[16] There are various reasons for a lack of prosecution for core international crimes in France, which include, inter alia, institutional barriers that prevent the prosecution of core international crimes, and a strong reliance on terrorism offences that allows for the use of special investigation techniques and relatively long sentences for terrorist offences.[vi] In short, terrorism trials are considered more effective and less complex. A noteworthy recent evolution was the broadened interpretation of the universal jurisdiction principle in two recent rulings by the *Cour de Cassation* in May 2023 which might ease the prosecution of foreign citizens in France for core international crimes.[vii]

So far only women who joined ISIS were sentenced for core international crimes, but such crimes are also being committed by other terrorist groups. The Independent International Commission of Inquiry on the Syrian Arab Republic (CoI on Syria) has reported that other designated terrorist groups such as Hay'at Tahrir al-Sham, Jabhat Fatah al-Sham, or Ansar al-Sham have also committed war crimes in the conflict in Syria.[17] Additionally, several of the crimes committed by these organisations could also amount to crimes against humanity or genocide.

When cumulative charging is being applied, it could constitute a violation of the *ne bis in idem* principle, which prohibits a person from being prosecuted twice for the same crime and is prohibited under article 4 of Protocol No 7 of the European Convention on Human Rights (ECHR). The aim of the *ne bis in idem* principle is to provide protection to an individual from being tried twice and ensure respect for the finality of a decision, referred to as *res judicata*. The *ne bis in idem* principle consists of different components, of which relevant here is the *idem* part, which refers to same acts. To determine whether this principle is violated when prosecuting female returnees or VEOs this can be further broken down into:

- Do both charges/proceedings concern the same underlying facts?
- Do both charges/proceedings concern the same legal qualifications?
- Do both the charges/proceedings concern the same protected legal interests?

In the context of prosecuting female returnees, it is important to note that when a woman has been tried in absentia, she may be entitled to re-trial which does not constitute a violation of *ne bis in idem* principle. Terrorist offences and core international crimes can be based on the same underlying facts but could also rely on different underlying facts. Relying on the same underlying facts does not necessarily lead to a violation of the *ne bis in idem* principle if the elements of the crimes are different, or if the criminal offences safeguard different protected

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[vi] While the prosecution of international crimes unit is now brought under the anti-terrorism unit, the adjudication of terrorism and core international crimes takes place in different courts with different procedures.

[vii] Under universal jurisdiction, a court could try a person regardless of where the crimes were committed and regardless of the nationality of the victims and perpetrators. In France, courts can only prosecute individuals under universal jurisdiction if the double criminality requirement is met, meaning that the crimes that have allegedly been committed abroad can only be prosecuted in France if the crimes were also criminalised in the State where the offence has been committed. The Cour de Cassation ruled that the double criminality does not mean that the offence needs to be criminalised in the exact same manner. Furthermore, in the second ruling the Cour de Cassation ruled that jurisdiction is limited to situations where the suspect habitually resides in France should not defined too narrowly. Roger Lu Phillips, "2nd Time's the Charm: France's Cour de Cassation Broadens Universal Jurisdiction Law," Just Security, 24 May. 2023, https://www.justsecurity.org/86689/2nd-times-the-charm-frances-cour-de-cassation-broadens-universal-jurisdiction-law/; Cour de Cassation, "Universal jurisdiction of French justice for crimes committed in Syria," Press release, 12 May 2023, https://www.courdecassation.fr/en/toutes-les-actualites/2023/05/12/press-release-universal-jurisdiction-french-justice-crimes.

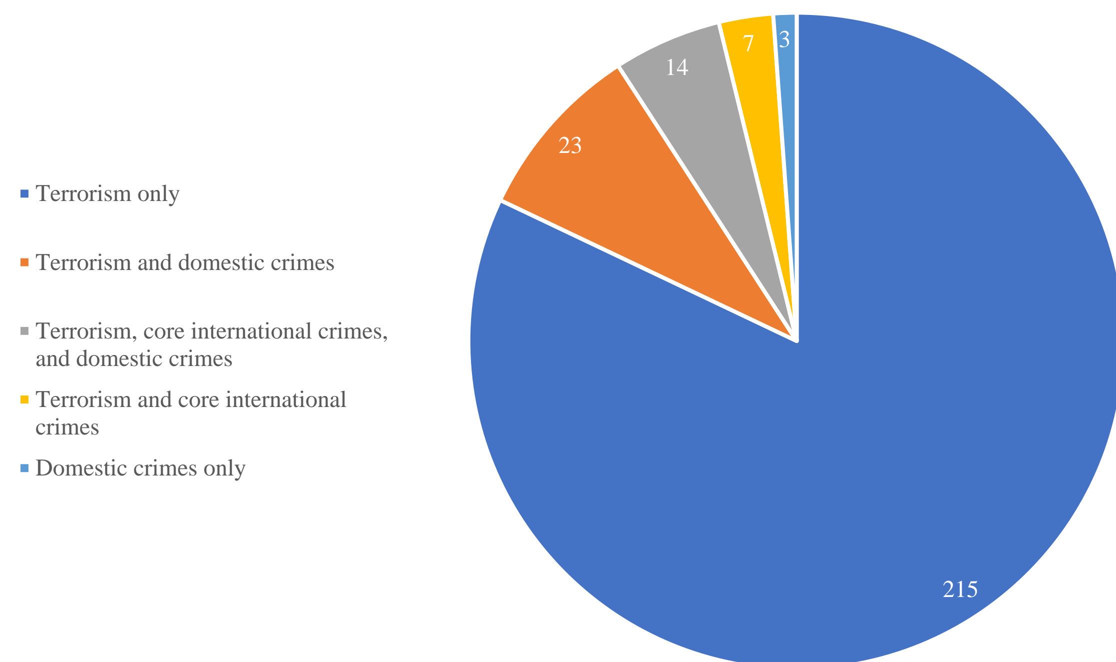

Figure 6.2: (Cumulative) convictions against female VEOS in Belgium, France, Germany, and the Netherlands (n(BE)=120, n(FRA)=94, n(GER)=41, n(NL)=28; as of 15 July 2023.)

legal interests. Such a protected legal interest could be national security when it relates to domestic terrorism charges or values of concern to the international community when it relates to core international crimes charges. When the same conduct leads to two offences, this does not necessarily mean that the accused will be sentenced in full for both offences. In accordance with domestic laws, a judge will take the fact that a certain conduct qualifies as two or more distinct offences into consideration during sentencing. Prosecutors would need to consider when it would be appropriate to rely on the same facts or not when laying charges.

Trials in Absentia

When a trial is held in absentia, court proceedings are conducted without the defendant(s) being present in person or online, such as in the case of women still in Syria. Several European countries allow for trials in absentia, as it is considered to be in the interest of justice to hold perpetrators accountable even if they are not present at trial.[18] This is all the more relevant as a number of women have specifically refused to be repatriated, including among residents from the countries covered in this book. While it may not be possible to enforce the sentence when the accused is not present at trial or when the judgement is rendered, a conviction can help to establish historical record, provide some sense of justice to victims, and allow them to seek remedies. Furthermore, when a person is convicted in absentia and then returns, they can immediately be imprisoned. In fact, arrest warrants have been issued against most of the women in Syria and Iraq, meaning that when they return to their home country they will be arrested and placed under pre-trial detention until trial.

However, trials in absentia can be seen as violating the accused's right to a fair trial, specifically their right to be present at trial, the right to defend oneself, as well as the ability to examine the witnesses and to select a defence counsel. Hence, international law does not exclude trials in

absentia per se, but certain procedural safeguards need to be met, including proper notification, presence of a defence counsel, and possibility for retrial.[19] On a regional level, EU Directive 2016/343 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings aims to enhance the right to a fair trial in criminal proceedings across EU Member States.[20]

In Germany, the general rule is that the accused has to be present at trial. Only in very narrow circumstances are trials in absentia permitted when the court discharges the accused of the obligation to be present at trial after the accused intentionally caused a condition precluding them from being able to stand trial, or when the accused is considered to have waived his or her right to appear after being properly summoned regarding a criminal prosecution of a minor offence.[21] This is not applicable to female VEOs given that they were prosecuted for serious offences, including terrorism charges and core international crimes.

In France and Belgium, it is possible to conduct a trial and render a judgment without the presence of the defendant. In Belgium, 50 female VEOs have been tried and convicted in absentia. They received an average sentence of four years and nine months for membership in a terrorist organisation. Several of the women were presumably dead when tried in absentia, but without a death certificate prosecution can still take place. Others were in Syria or Iraq at the time of trial. According to article 187 of the Belgian Code of Criminal Procedure a person is entitled to retrial before the same court if he or she has filed opposition within fifteen days of the notification of the conviction. Only four cases that were initially tried in absentia were re-opened after the defendant had returned to Belgium. In two cases, the sentences were reduced from 60 months' imprisonment to 40- and 30-months imprisonment respectively. In the case of H.B., the re-trial led to a suspension of the initial 30 months' imprisonment. In February 2023, N.F. was acquitted on all counts of membership in a terrorist organisation after her return to Belgium, as the court found that she was a minor upon departure. Before returning to Belgium, she had been convicted in absentia for membership in a terrorist organisation and sentenced to 60 months' imprisonment.

In France, in the sample of 94 cases, five female VEOs have been convicted in absentia and were all sentenced to ten years imprisonment.[22] In cases where the absent defendant has appointed a counsel or where co-defendants are present, these trials in absentia take place in court pursuant to regular procedure. In cases where there are no co-defendants present and the absent defendant has not appointed a counsel, the case will be decided after merely hearing the prosecution and civil parties where applicable. In cases where the defendant remains absent after the announcement of the judgment, they have five days to file an appeal with the *Cour de Cassation*, counting from the day that the judgment came to the attention of the defendant. Should the defendant surrender or be otherwise taken in custody within one month after the announcement of judgment in absentia, the defendant can request a re-trial of the case at the *Cour d'assises*.[23]

In the Netherlands, trials in absentia are permitted, but the use of this type of trial has taken an unexpected turn. As of early 2017, it was the policy of the Dutch Prosecutor to start criminal investigations against all Dutch persons – men and women – who were still considered to be in Syria and Iraq to avoid impunity and to reduce the duration on potential lengthy extension of pre-trial detention for the accused once they are back in the Netherlands.[24] One of the conditions of trials in absentia is that the prosecutor needs to notify the accused of the trial. As this notification could not take place in the traditional manner by sending a letter to a known Dutch address for women remaining in Syria or Iraq, the prosecutor informed the accused through social media of the start of the trial. The purpose of the notification is to allow the

accused to avail their right to attend the trial. Several Dutch women who were in al-Hol camp have been notified of the proceedings against them in the Netherlands indeed availed their right to be present at trial. As a result the court would stay the proceedings to allow the accused to attend the trial. Since no progress was made to allow these women to attend their trials, the court considered terminating their proceedings. To avoid impunity, the Dutch government repatriated these women so they could stand trial.[25] The first of these women, Ilham B., was convicted for terrorist offences in June 2022,[26] and five other female returnees have been convicted and their cases are pending appeal. Another twelve female returnees were repatriated in November 2022 and arrested upon arrival. They are likely to stand trial in 2024, following the first pro-forma hearings in 2023. In December 2023, the courts also decided to stay the proceedings against two women and – for the first time – a male for six months while they are still detained in the camps and prison in Syria.

Sentencing

Over the past years, most states have amended their legislation and expanded the number of terrorist offences. The EU Directive 2017/541 of 15 March 2017 on combating terrorism was adopted with the aim to implement United Nations Security Council Resolution (UNSCR) 2178 (2017) and create more consistency in the EU's response to terrorism by introducing harmonised definitions and a range of new terrorist offences, such as training and travel for terrorist purposes.

Most Common Terrorist Offence: Membership in a Terrorist Organisation

Looking closely at the sample of prosecuted female VEOs across the four countries, and as shown in Figure 6.3 below, it is evident that the most common offence used to charge and convict female VEOs is membership in a terrorist organisation (78.3 percent of all terrorism convictions). In Belgium, this represents 85.5 percent of all terrorism convictions, in France 81.2 percent, and in Germany 82.5 percent. The Netherlands is an exception in this case, as membership only represents 40 percent of all terrorism convictions of female VEOs. Belgium, France, and the Netherlands each relied on a variety of different types of offences in prosecuting female VEOs, although with some variation. In Belgium, the second most common offence is travel for terrorist purposes, in France it is terrorism financing, and in the Netherlands, it is preparation of terrorist crimes. In Germany, the only other offence that has been used is support to a terrorist organisation. This reflects a less significant contribution to the overall aim of the terrorist organisation than what is required to find someone a member of a terrorist organisation, such as, for example, financing of a terrorist organisation. Figure 6.3 further shows that not all terrorist offences have been prosecuted equally successfully in the four countries. Notably, women charged with recruitment for a terrorist organisation were all acquitted in the Netherlands, and only half of the cases led to a conviction in Belgium. At the same time, the conviction rate for membership in a terrorist organisation is at 91 percent for all countries combined, while financing of terrorist organisation led to a respective conviction in 77.8 percent of the cases prosecuted in France and the Netherlands.

Offences		Total	Belgium	France	Germany	Netherlands
Membership in a Terrorist Organisation	Charged	257 cases	116 cases	84 cases	34 cases	23 cases
	Convicted	235 cases	106 cases	82 cases	33 cases	14 cases
Preparation of Terrorist Crimes	Charged	20 cases	3 cases	-	3 cases	14 cases
	Convicted	15 cases	1 case	-	-	14 cases
Terrorism Financing	Charged	18 cases	-	14 cases	-	4 cases
	Convicted	14 cases	-	12 cases	-	2 cases
Incitement to Terrorism	Charged	12 cases	5 cases	2 cases	-	5 cases
	Convicted	9 cases	4 cases	2 cases	-	3 cases
Travel to Commit Terrorist Crimes	Charged	10 cases	10 cases	-	-	-
	Convicted	9 cases	9 cases	-	-	-
Support of a Terrorist Organisation	Charged	8 cases	-	-	7 cases	1 case
	Convicted	8 cases	-	-	7 cases	1 case
Recruitment for a Terrorist Organisation	Charged	8 cases	6 cases	-	-	2 cases
	Convicted	3 cases	3 cases	-	-	-
Terrorist Propaganda	Charged	3 cases	-	3 cases	-	-
	Convicted	3 cases	-	3 cases	-	-
Preparing a Terrorist Explosion	Charged	3 cases	-	1 case	-	2 cases
	Convicted	1 case	-	1 case	-	-
Leading a Terrorist Organisation	Charged	3 cases	3 cases	-	-	-
	Convicted	1 case	1 case	-	-	-
Threat to Commit Terrorist Crimes	Charged	2 cases	2 cases	-	-	-
	Convicted	-	-	-	-	-
Terrorist Killings	Charged	1 case	-	1 case	-	-
	Convicted	1 case	-	1 case	-	-
Participation in Terrorist Training	Charged	1 case	-	-	-	1 case
	Convicted	1 case	-	-	-	1 case

Figure 6.3: Terrorism charges filed and convicted in cases of female returnees and VEOs in Belgium, France, Germany, and the Netherlands (n(FRA)=94; n(GER)=41; n(NL)=28; n(BE)=120; as of 15 July 2023).

There are several distinctions between the four countries regarding the offence of membership in a terrorist organisation, yet some common features and drawbacks can be identified. In Germany and the Netherlands, the offence is based on the domestic offence of participation in a criminal organisation, whereas in France the "association of wrongdoing with respect to a terrorist offence" resembles rather a conspiracy offence.[27] Commonly, the offence of membership in a terrorist organisation contains three elements: a structured or organised group with a terrorist aim; a material element; and a mental element.

A Structured or Organised Group with Terrorist Aim

A group is composed of a minimum of two persons, with no need to have clear roles or defined tasks within the group. A certain level of continuity is needed to meet the constitutive requirement of a structured organisation.

The terrorist aim of the group can derive from international listings by the UN or the EU, or from national lists of terror organisations. In France, a court has ruled that Ahrar al-Sham is not listed as a terrorist organisation, and that it is not the role of the court to make such a determination.[28] However, the Court of Cassation (*Cour de Cassation*) ruled in 2021 that national courts do not have to abide by terrorist designations made by international organisations.[29] Similarly, in the Netherlands, the Supreme Court ruled that Ahrar al-Sham has a terrorist motive and can therefore be regarded as a terrorist organisation. The Court explained:

> The fact that Ahrar al-Sham is not included on the European terrorism sanctions list and/or the national terrorism sanctions list does not lead to a different opinion […]. In a letter […] the Minister of Foreign Affairs explained that politicians and the courts look at the question of whether an organisation is terrorist from different perspectives. For example, for inclusion on the national terrorism sanction list, it is important whether the organisation poses a threat to [national] security. This criterion means that Ahrar al-Sham cannot be placed on this list, since there are no indications that this organisation is engaged in (attempted) terrorist activities in or from the Netherlands or is involved in the facilitation thereof, or has a realistic violent international agenda. Whether or not an organisation is placed on a terrorism sanction list is therefore independent of the question answered by the court.[30]

In Germany, a terrorist aim is not a requirement for courts to determine the nature of an organisation. As provided in section 129a of the German Criminal Code (StGB), an organisation can be considered terrorist when it is aimed at committing the most serious crimes, or when it is aimed at committing less severe crimes that are intended to:

> seriously intimidate the population, to unlawfully coerce an authority or an international organisation by force or threat of force, or to destroy or significantly impair the fundamental political, constitutional, economic, or social structures of a state or of an international organisation and which, given the nature or consequences of such offences, may seriously damage a state or an international organisation […].[31]

Material Element (actus reus)

Participation in a terrorist organisation requires the individual to somehow contribute to the terrorist goals of the organisation. Participation can take the form of (co-)committing a crime, but also of performing non-criminal acts, such as driving or arranging logistics, so long as it supports the terrorist intent of the organisation.

A look at the activities of the female returnees convicted of membership offences in the four countries shows that the majority had provided support to their husbands by running a household and raising children. This shows that these acts – which allowed men to participate in combat – are now also considered to constitute a contribution to ISIS, as confirmed by jurisprudence across all four countries.

Nonetheless, the activities of female VEOs convicted for membership offences are quite diverse. Figure 6.4 provides an overview of the range of activities performed by women who were found guilty of membership in a terrorist organisation. It is based on a total of 229 cases relating to 227 women who were involved in a total of 310 activities, as women frequently engaged in more than one activity. The individual bars provide an overview of how common specific activities were among certain groups of women.[viii] While none of the returnees appear to have been directly involved in combat activities, 62.6 percent of them (142 out of 227) provided some sort of logistical support. However, as illustrated in Figure 6.4 below, there are certain differences in the patterns of activities depending on whether the woman successfully travelled to the conflict zone, failed to do so, or did not attempt to travel. Unsurprisingly, of the women who travelled to Syria and Iraq and were later convicted of membership in a terrorist organisation, a majority of 85.8 percent were engaged in logistical support activities (109 of 127 women). Several of the female travellers also arranged their own or others' travels, or spread propaganda, and often did both. Among the women who attempted but failed to travel, 65.7 percent (23 of 35) were prosecuted for membership offences based on their travel arrangements to reach Syria and Iraq. Finally, among the women who did not attempt to travel, there is a significant proportion of cases in which the defendants were engaged in terrorist plotting and/or financing terrorism. It should be noted that several other women were explicitly convicted for the criminal offences of financing, recruitment, support of a terrorist organisation, or preparation of a terrorist offence. While these women have engaged in the respective activities that are also listed below, they are not included in Figure 6.4 which is intended to highlight the bandwidth of activities that can constitute a contribution to a terrorist organisation, and as such meet the actus reus of membership in a terrorist organisation.

Mental Element (mens rea)

Terrorist intent refers to the intended consequences of the offence. In the Netherlands, terrorist intent refers to the intent to instil fear amongst (part of the) population or to comply a country or international organisation to do or refrain from doing something or disrupt vital structures of country or international organisation.[32] Whether the acts resulted in fear is not relevant in determining mens rea, but whether the perpetrator or terrorist organisation had the intention to instil fear is decisive. In both the Netherlands and Germany, it is sufficient that the individual knows of the organisation's goal and be aware that their actions can contribute to the realisation of the overall goal. The focus is not on the individual intentions, but on the terrorist intentions

[viii] In five cases of women convicted for membership in a terrorist organisation in Belgium, their travel status was unknown, hence these cases are excluded from this figure.

of the organisation.[ix] It is not necessary that the individual was aware of any specific crimes the terrorist group intends to commit. In Belgium, the offence for membership in a terrorist organisation was modified in 2016 and went one step further. A person can be convicted not only if they knew but could have known that their activities could contribute to a terrorist crime. Across the four countries, courts consider it general knowledge that ISIS was an organisation with a terrorist intent, certainly after the series of major terrorist attacks perpetrated in Europe in 2015.

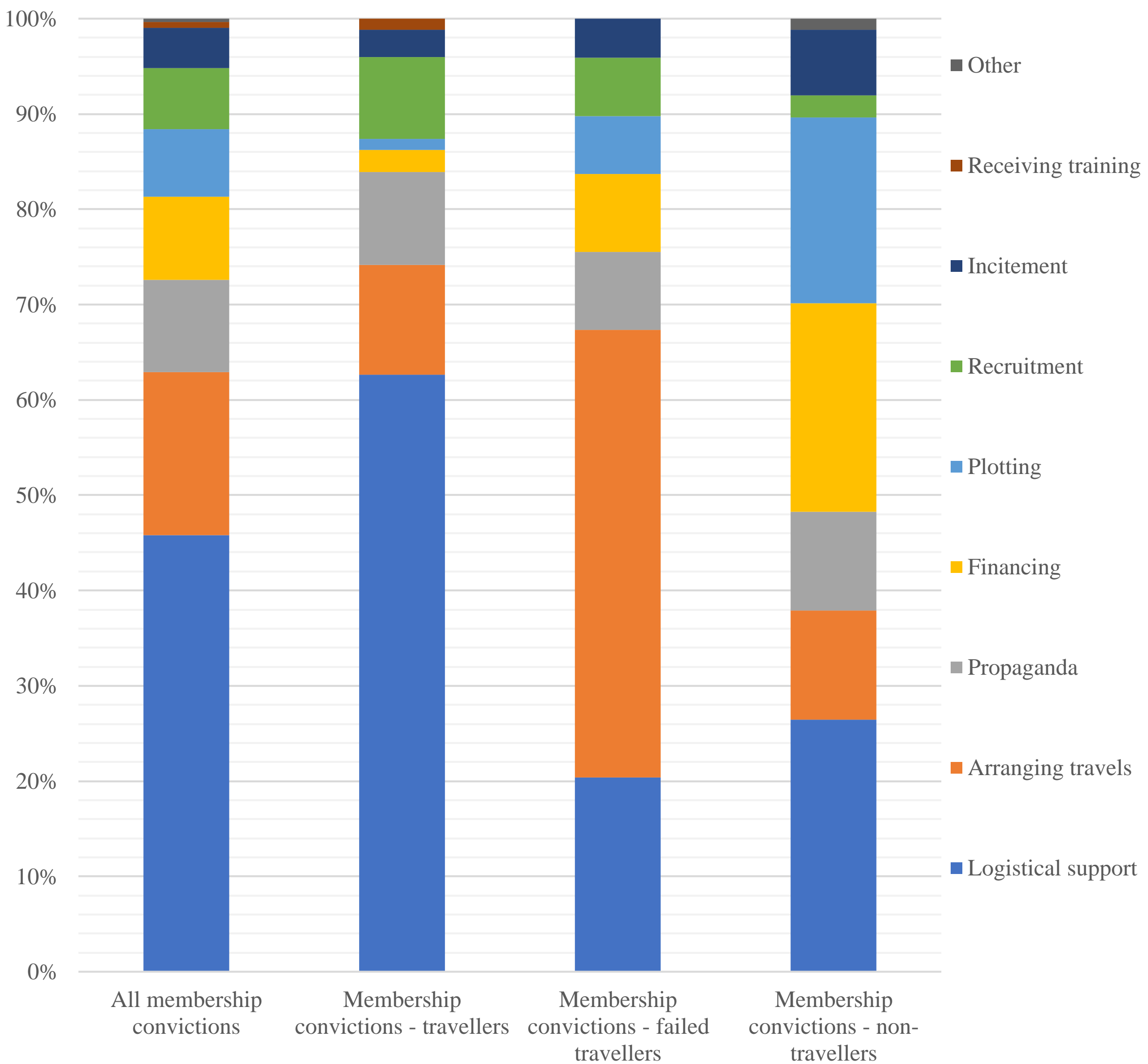

Figure 6.4: Most common activities by travel status of female returnees and VEOs convicted for membership in a terrorist organisation in Belgium, France, Germany, and the Netherlands (n(t)=310; n(trav)=174; n(ntrav)=87; n(f)=49; as of 15 July 2023)

[ix] Thus, the individual needs to know of the organisation's goal and be aware that his/her actions can contribute to the realisation of the overall goal. See for example standing jurisprudence in the Netherlands: Case 21/01122, Judgement, Supreme Court, 01 November 2022, para 28. https://uitspraken.rechtspraak.nl/details?id=ECLI:NL:PHR:2022:1014.

Most Common Core International Crime: War Crime of Pillaging

From the four countries analysed for this book, Germany remains the only country that has prosecuted female returnees for core international crimes in several cases. In the Netherlands, one female VEO has been convicted, and a few returnees are indicted for core international crimes in addition to terrorist offences. As can be seen in Figure 6.5, the war crime of pillaging has been the most common core international crime for which female returnees have been convicted for in Germany. Fourteen female returnees have been charged with the war crime of pillaging, which led to a conviction in twelve cases. Many of them ran a household and raised their children in houses given to them by ISIS. In order to successfully prosecute the war crime of pillaging, it is important to prove that the property has been taken without permission of the legal owner and is being used for personal gain. In addition, the prosecutor needs to prove that women willingly and knowingly moved into a house that has been confiscated in such a manner. By living in a house that has been illegally appropriated, some courts consider this as sufficient evidence that the women were contributing to further the territorial claim of ISIS.

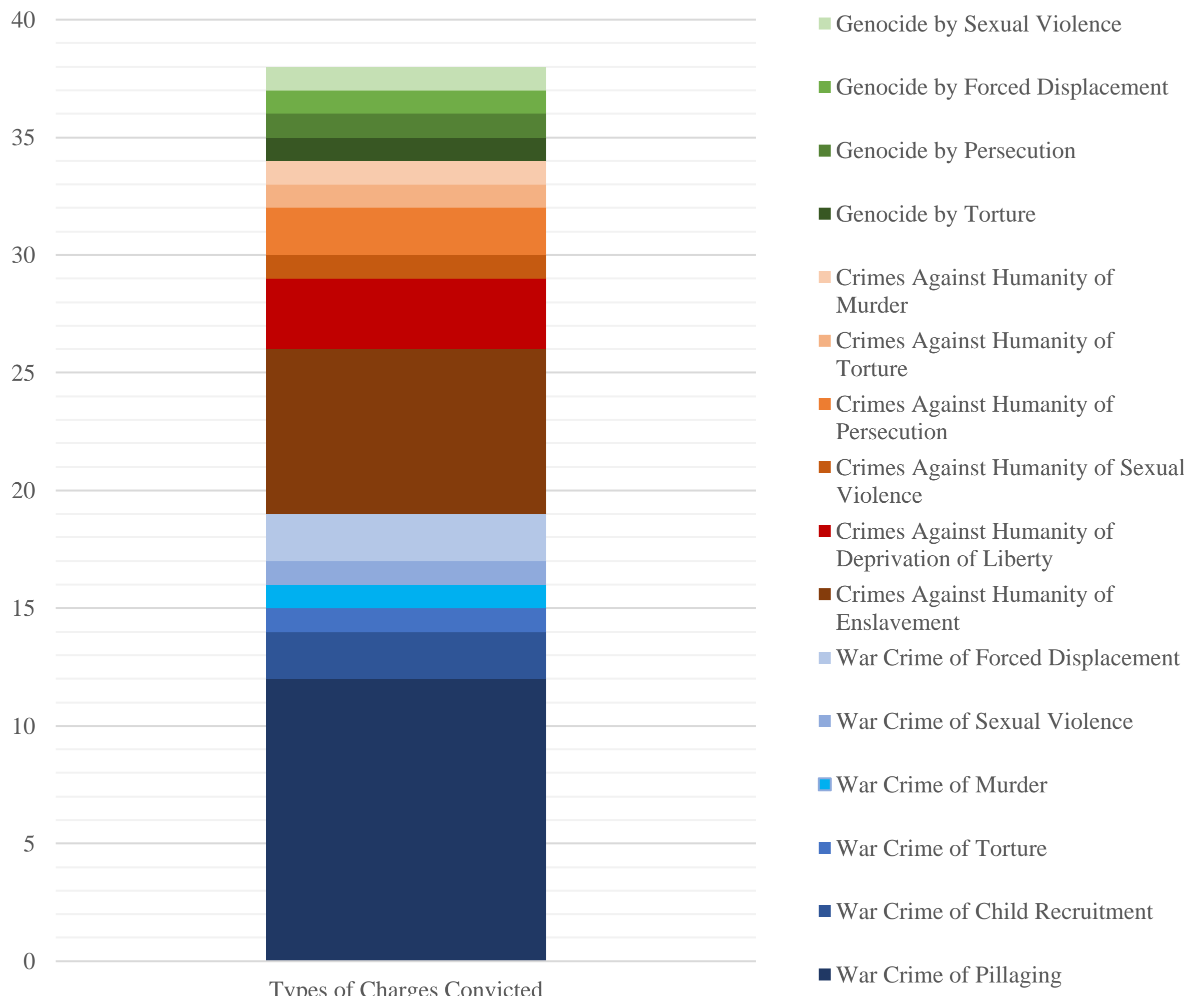

Figure 6.5: Core international crimes charges convicted in cases of female VEOs in Germany (n=20; as of 15 July 2023)

Prosecuting female returnees for the war crime of pillaging raises several challenges. It is not always possible to demonstrate that women had sufficient agency to decide not to move in an appropriated house, as many women had little say in their household, under the patriarchal caliphate society. Another challenge relates to the fact that many houses were confiscated by ISIS prior to occupation by ISIS fighters and their families. Thus, the female returnees and their families were not the ones who carried out the initial appropriation. However, in the case of Mine K., a German court ruled that the continuation of the appropriation of property by ISIS members also constitutes pillaging as a war crime.[33] In several other cases, however, pillaging charges were dropped because it was not possible to prove the property was confiscated by ISIS.[34]

Some experts have argued that the prosecution of women for war pillaging and child neglect offences is gender-biased.[35] However, this can only be demonstrated by comparing with the prosecution of male returnees. Yet, this is difficult given the limited number of men that have returned and been prosecuted since 2018.[36] Only Khaled A., a Syrian national and member of the terrorist organisation Ahrar al-Tabqa between January and August 2013, has been successfully prosecuted in Germany for pillaging.[37] In addition, Deniz B., German citizen and husband according to Islamic law of the previously prosecuted returnee Sibel H., is standing trial in Germany for, among other charges, allegedly residing in two houses which were illegally seized by ISIS.[38] His trial has started in mid-December 2023 and could mark the start of also prosecuting men for pillaging.

Most Common Domestic Crime: Child Neglect

One of the main tasks expected of women when joining ISIS in Syria and Iraq was to give birth and raise their children according to ISIS ideology, in order to raise the next generation of ISIS fighters and expand the so-called caliphate. Since most of the female returnees prosecuted in Belgium, France, Germany, and the Netherlands were affiliated with ISIS, it is worth looking at their parental status. Upon departure to ISIS territory, not all women were mothers and not all of them took all their children with them. In the dataset, more than three quarters of the Dutch female returnees (77.8 percent) and more than half of the German female returnees (58 percent) were childless upon departure. In France and Belgium, childless women were less frequent at departure and constitute only around one quarter of female returnees prosecuted. Furthermore, many women gave birth while abroad, either in ISIS territory, or later in the Kurdish-controlled camps in Northeast Syria. The parental status has had some impact on the charges that have been laid against female returnees, but also on (pre-trial) detention arrangements, and rehabilitation and reintegration.

One particular crime that female returnees are increasingly being charged with are child neglect offences, which can involve violations of duty to care, abduction of children, and human trafficking.[39] Those women who have taken their own children abroad are more frequently charged with this offence than those who only became a parent when already in the conflict zone. Eight out of the twelve women who left France with their children to ISIS-controlled territory have been convicted for neglect offences upon return. These women were prosecuted for child neglect pursuant to article 227-17 of the French Criminal Code which entails a maximum sentence of two years. When these offences are committed outside of France, French nationals can still be prosecuted as long as the child neglect is also criminalised in the country where the crime has been committed. In the case of Syria, abuse, torture, and other degrading treatment of children is criminalised under articles 12, 13, and 51 of the Child Right Act, giving rise for criminal prosecution in France for child neglect offences of French nationals committed

in Syria.[40] One such case is Jihane M. who left France for Syria in 2014 with her partner and three children. She returned in 2016 with her own two children but left her partner's daughter in Syria. In addition, to membership in a terrorist organisation, Jihane M. was convicted for child abduction and child neglect and sentenced to 14 years imprisonment. This condition of double criminality also applies in Belgium when offences are committed abroad by Belgian nationals or residents. In Belgium three women were charged with child neglect offences. One of them was acquitted for having used a minor in relation to a terrorist offence, because her child was only 10-months old and could therefore not play any role in the commission of the offence. The two other cases concerned attempts to recruit their own children by two female travellers, as they tried to convince their sons to join them in Syria.

In the Netherlands, female returnees who took their children to Syria or Iraq are now automatically charged with child neglect offences. Under article 255 of the Dutch Criminal Code a mother can be sentenced to maximum of two years of imprisonment for deliberately endangering her child for whom she is responsible. If this leads to severe physical harm or death, the sentences will be respectively maximum seven or nine years of imprisonment.

In Germany, twelve women have been convicted for child neglect offences, most of them for violations of their duty to care and education pursuant to section 171 of the German Criminal Code, and only a few for the abduction of minors pursuant to section 235 of the German Criminal Code. Both offences entail a punishment of up to three years imprisonment or a fine. In cases where the child died as a result of the abduction, the imprisonment must be at least three years, and between one and ten years if the child faces a danger to life or physical or mental health due to the abduction.

Remarkably, it appears that only women who already had children at the time of departure were charged with child neglect offences. This could be for several legal, policy-related, and practical reasons. First of all, some of the child neglect offences are only applicable to children who were born in one of the European countries, for example child abductions or trafficking. Other legal barriers are that child neglect offences such as the violation of duty of care cannot be prosecuted when committed extra-territorially. If a crime is committed against a Dutch citizen, the Dutch Criminal Code is applicable provided that it concerns an offence with a minimum sentence of 8 years imprisonment and that it is criminalised in the country where it was committed. This excludes child neglect unless it leads to severe bodily harm or death.[41] Another complicating factor is establishing nationality. Many of the children born in the conflict zone either do not have a birth certificate, or their birth certificate is issued by non-state actors such as the Kurdish forces (SDF).[42] Many European countries, including the Netherlands, Belgium, France, and Germany, require DNA testing to establish nationality, which may be done in the camps prior to repatriation or upon arrival.[43] This process could affect the possibility to prosecute female returnees for child neglect offences of children that were born in the conflict zone and whose nationality has not yet been established. In practical terms, it will be difficult to prove that the level of care for children who were born in Syria or Iraq has deteriorated compared to that of children who have been taken from Europe to Syria and Iraq. It is also difficult to determine whether the women had any agency to provide proper or better care for the children as some were confined to their home and could not leave. Furthermore, it will be very difficult to establish what constitutes a violation of the duty to care and education for a child already born in Syria and Iraq and currently living in detention camps in Northeast Syria. Several reports have indicated that the situation in the camps is not in the best interest of a child, or conducive for the development of a child.[44] However, the women are not free to leave the camps, making it in practical terms very difficult to hold them fully accountable for the situation of their children.

Some governments have also been accused of not protecting the fundamental human right of their citizens, meaning children detained in camps in Northeast Syria. In the case of *H.F. and Others v France*, the French government was taken to the European Court of Human Rights (ECtHR) by French grandparents for its unwillingness to repatriate their grandchildren and daughter. The court took a restrictive approach – unlike the UN Committee on the Rights of the Child and many others – towards the extraterritorial application of human rights and did not recognise a right to repatriation.[45] Despite this drawback, the ECtHR did rule that procedural safeguards need to be improved in making repatriation decisions to avoid arbitrariness. Some hoped that this ruling would give a push to France and all the other countries that are member of the Council of Europe to review and expedite repatriations.[46]

Penalties for Terrorist Offences

The average length of prison sentence varies within and across the four countries. Each country has its own sentencing guidelines, and the maximum penalties available for the offences provided by law are different. Comparing the sentences for the main terrorist offences in the four countries covered in this book, as of November 2023, shows that French law provides for the highest maximum imprisonment terms for terrorist offences with 30 years up to life imprisonment for membership in a terrorist organisation.[47] German law and Belgian law, on the contrary, provide for up to ten years imprisonment for the most common terrorist offences.

Over the past decade, several amendments to French laws led to an increase of maximum applicable penalty, in particular for membership offences.[x] The maximum applicable prisons sentence under Belgian criminal law did not change since 2011. However, in 2019, a new law amended the criminal code to introduce higher sentences in cases of involvement of minors in support, training, or recruitment in terrorist activities.[48]

In the Netherlands, an amendment proposing an increase of the maximum sentence for membership in a terrorist organisation from fifteen years to 20 years is under consideration as of November 2023.[49] However, most of the terrorism-related convictions also included other terrorism offences, which increased the overall sentence in reflection of the full range of crimes committed by the defendants, making an increase of the maximum penalty for membership only seem redundant.[50] According to the Dutch Council of Judiciary, out of the 85 cases in which men and women have been convicted for membership offences in the last ten years, only 27 convictions were based solely on membership resulting in a prison sentence of less than seven years.[51] Thus it is highly unlikely that increasing the penalties will lead to longer sentences for women. Moreover, if the law gets adopted, it cannot be applied retro-actively. Figure 6.6 reflects the minimum, where applicable, and maximum applicable penalty for the most commonly charged and convicted terrorist offences in relation to female VEOs in the four countries. It thereby reflects all changes made to the applicable margin of prison sentences between 2011 and 2023.[xi]

[x] The maximum applicable sentence for membership in a terrorist organisation has been steadily increasing in France since 2004 when the association of wrongdoers AMT was categorised as a felony. See Sharon Weill, "French Foreign Fighters," p. 230.
[xi] In addition to prison sentences, some laws also provide for a fine to be paid by the convict. However, the number of applicable fines in cases of female returnees and VEOs was not monitored comprehensively for the purpose of this project.

Sentencing Considerations

When determining the precise type and length of sentence, judges take into account mitigating and aggravating factors. A look at the considerations made by judges in Belgium, Germany, and the Netherlands in cases of female VEOs shows that some factors are similarly applied across borders. The most commonly considered factors that can account as both mitigating or aggravating factors are showing remorse; having a criminal record; the severity of the crimes; and cruel nature of the terrorist group. The use of other factors, however, varied within and between individual courts and across countries. Belgian, German, and Dutch courts have taken into account the duration that women stayed with ISIS in many cases. Further, German, and Dutch courts have considered the conditions and length of detention in Kurdish-administered camps, (partial) confessions and the fact that women attempted to leave ISIS in many cases.

Judges often paid special attention to the women's roles as mothers. In several cases, the judges considered the separation of the defendant from her children during pre-trial detention as a mitigating factor. Especially in relation to stricter detention regimes due to COVID-19 prevention measures, judges concluded that the pre-trial detention had a particularly severe impact on the mothers and was considered a mitigating factor in determining the overall type and length of sentence. Some women were relatively young and prone to coercion, whereas

Country	**Membership in a Terrorist Organisation (min) – (max)**	**Support of a Terrorist Organisation (min) – (max)**	**Recruitment for a Terrorist Organisation (min) – (max)**	**Preparation of Terrorist Acts (min) – (max)**
Belgium[52]	5 years – 10 years	5 years – 10 years	5 years – 10 years	5 years – 10 years
France[xii]	up to 30 years	up to 30 years	up to 30 years	up to 30 years
Germany[53]	1 year – 10 years	0.5 years – 10 years	0.5 years – 5 years	0.5 years – 10 years
Netherlands[54]	up to 15 years	up to 15 years	up to 15 years	up to 10 years

Figure 6.6: Penalties for selected terrorist conduct in Belgium, France, Germany, and the Netherlands between 2011 and 2023

[xii] Notably, French criminal law does not provide for distinct offences of membership, support, and preparation as all these acts are covered by the provision on AMT in Article 421-2-1 of the French Penal Code. Nonetheless, certain acts of recruitment could also fall under Article 421-2-4. Articles 421-2-1, 421-2-4, 421-5 and 421-6 French Penal Code (as of July 2016), https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070719/LEGISCTA000006136045/#LEGISCTA000006136045, with amendment increasing the maximum penalty for membership in a terrorist organisation whose aim it is to commit serious offences from 20 to 30 years imprisonment in June 2016, see Art. 13 LOI n° 2016-987 du 21 juillet 2016 prorogeant l'application de la loi n° 55-385 du 3 avril 1955 relative à l'état d'urgence et portant mesures de renforcement de la lutte antiterroriste (1) [LAW no. 2016-987 of July 21, 2016 extending the application of law no. 55-385 of April 3, 1955 relating to the state of emergency and bearing measures to strengthen the fight against terrorism (1)], 22 July 2016, https://www.legifrance.gouv.fr/loda/id/LEGIARTI000032631189/2016-06-05#LEGIARTI000032631189.

Mitigating factors	Aggravating factors
• No criminal record • Detention in camps in Northeast Syria (incl. poor living conditions and overall length) • (Partial) Confession • Remorse • Separation from child during pre-trial detention • Participation in deradicalisation programmes/distanced herself from ISIS ideology • Mental health issues • Impact of media reporting • Higher impact of pre-trial detention due to COVID-19 prevention measures	• Length of membership in terrorist organisation • Cruelty of the crimes • Cruelty of the relevant terrorist organisation • Continuous radical views • No remorse • Number and age of victims • Intensity of contributions to the relevant terrorist organisation • Number of contributions to the relevant terrorist organisation

Figure 6.7: Commonly applied mitigating and aggravating factors in cases of female returnees and VEOs in Belgium, Germany, and the Netherlands (as of 15 July 2023)

others had more agency and intentionally contributed to the terrorist organisation in different ways. These and other personal circumstances are also taken into account during sentencing when they were not already taken into account as part of the charges. It also appears that several of the women had a troubled youth, suffered from physical or substance abuse, identity problems during adolescence, or other mental health issues. For some of them, these conditions were present before leaving for Syria and Iraq and throughout the time of alleged crimes, which can be interpreted by judges as a sign of vulnerability of some of these women, and therefore as a mitigating factor. In very few cases, Dutch courts assessed the mental health of the defendants, recognising that it can lead to limited culpability.[55] Information related to the (mental) health background, or history of alleged sexual- and gender-based violence (SGBV) is highly sensitive, and therefore not easily accessible. Often times, it is redacted from written judicial decisions to protect the privacy of the concerned individual. As a result, this book cannot provide any meaningful findings on the mental health of female VEOs. Figure 6.7 provides an overview of the most commonly applied mitigating and aggravating factors in the prosecution of female VEOs in Belgium, Germany and the Netherlands.

Length of Sentences

In light of the above, there is not simply one average length of sentence for female VEOs in the four countries. Instead, the research conducted for this book has helped to paint a more differentiated picture, taking into account the various aspects, such as maximum available length of sentences and personal circumstances, that are influencing the type and length of sentence for female VEOs. As can be seen from the case of Germany, convictions for core international crimes increase the length of imprisonment as well as the imprisonment rate, in addition to holding the women accountable for the full range of crimes they have committed. When charged and convicted for core international crimes in addition to terrorism and/or domestic charges, the average length of a prison sentence for female VEOs in Germany increases by one and a half years, from three years, four months, and two weeks to four years,

nine months, and four weeks. Additionally, female returnees convicted for core international crimes in the country are more likely to receive prison sentences (85.7 percent) compared to the women who were convicted only for terrorism and/or domestic charges (35.7 percent).

Looking at all convictions across all four countries, the sentence that judges determined based on the individual guilt of a defendant varies in terms of type, as well as length. Sentences range from ordinary suspension to firm imprisonment, as well as to combined sentences of prison and probation as described further below and shown in Figure 6.9.

In more detail, Figure 6.8 compares the length of prison sentences and imprisonment rates across all four countries. It does so by comparing sentences between returnees, meaning those who successfully travelled to the conflict zone and later returned, and domestic VEOs who either did not attempt to travel at all or failed to do so at home or in a third country. Calculations are based on the following criteria. Firstly, it includes cases in which a convicted VEO was sentenced to prison and has to undergo a probation period after release from prison, or when parts of the prison sentence have been replaced by a probation period. Secondly, in the context of this research, sentencing only refers to imprisonment after a conviction and does not take into account other periods of detention, such as pre-trial detention, administrative detention, or reductions of detention after conviction caused by early release. The reason for this is that the legal basis, purpose, and procedural safeguards for these forms of detention are different and data for these detention periods as for example pre-trial detention and early release are not available for all of the countries.

While these considerations allow for comparisons on the length of imprisonment and imprisonment rate following convictions, one must recognise certain country-specific differences in sentencing procedures and practices to put the findings into context. Notably, sentencing judges in Belgium have more leverage when deciding on the replacement of a prison sentence by a probation period. In Germany, the rule of thumb is that all prison sentences of two or less years are entirely replaced by probation periods.[56] Similarly, a significant number of prison sentences of up to four years given to female VEOs in Belgium were replaced by probationary reprieve, the so-called *sursis probatoire*.[57] Consequently, the actual imprisonment rate following conviction in Belgium is significantly lower, particularly for female VEOs who have not travelled abroad. Furthermore, Belgium and France tried many women in absentia. These individuals are thus neither non-travelling, nor are they returnees, as they were still abroad at the time of prosecution. In calculating the overall average length of prison sentence and imprisonment rate, these cases can have a significant impact. They increase both the average length as well as the imprisonment rate. Nonetheless, these women do not actually spend time in Belgian or French prisons as they are still abroad, unless they return or are repatriated in the future.

It must also be noted that the duration of the prison sentence as portrayed in Figure 6.8 is not identical with the actual time that these women have to spend in prison in practice. Indeed, many female VEOs (like most offenders) will be released before the end of the sentence. A number of women might even be eligible for early release quite soon after the end of their trial, due to the time already spent in pre-trial detention. Furthermore, a number of female VEOs might be eligible to spend part of their sentence in looser detention regimes that allow them to spend time outside of confinement during the day.

With this in mind, the imprisonment rate following conviction in all four countries for female VEOs is lower in cases of women who did not travel to Syria or Iraq. France has the highest average prison sentences for all female VEOs, independently of their travel status. The average length of sentence in the Netherlands is lower compared to the other three countries, but it also

has the highest imprisonment rate for all female VEOs. However, it should be acknowledged that the small number of prosecuted cases in the Netherlands might have an effect on the calculated averages.[xiii] The low imprisonment rate of female VEOs in Belgium is noteworthy but can be explained at least in part by the very systematic prosecution of women, including a number of women who were prosecuted and convicted for relatively minor offences, or with limited evidence, hence resulting in lower sentences. Nevertheless, a gender-bias in the sentencing in Belgium cannot be excluded, although it cannot be demonstrated either.

Country	**Average length of imprisonment as pronounced by the courts in the sentence**			**Imprisonment rate (effective imprisonment, following convictions)**		
	Returnees	Domestic VEOs	All incl. in absentia	Returnees	Domestic VEOs	All incl. in absentia
Belgium	5.44 years	2.68 years	4.32 years	50%	16.7%	52.2%
France	6 years	6.90 years	7.63 years	75%	50%	75%
Germany	4.52 years	4.83 years	4.68 years	65.7%	50%	57.9%
Netherlands	1.77 years	1.45 years	1.61 years	84.2%	55.6%	69.9%

Figure 6.8: Comparison of length of sentence by travel status of female VEOs prosecuted in Belgium, France, Germany, and the Netherlands (n=283; as of 15 July 2023)

Juvenile Justice

A look at the prosecutions of female VEOs in Belgium, France, Germany, and the Netherlands shows that many of the women were very young, some even under-age at the time they allegedly committed the crimes.[xiv] When alleged minor offenders face criminal prosecution, certain departures from regular criminal justice are required to address their special needs. The EU Directive 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings and other international standards identifies four key aspects of juvenile justice: the best interest of a child; the right to be heard; non-discrimination; and the provision of measures that uphold these rights.[58] In addition to protecting public safety, the primary aim of juvenile justice is the well-being and education of the youth offender.

France has applied juvenile justice in 21.3 percent (20 out of 94) of the cases in our sample. These cases under juvenile justice involved women aged between thirteen and eighteen years at the time they committed the crimes in question. Pursuant to article L11-1 of the French Juvenile Justice Code, youth offenders can be held criminally responsible under juvenile justice provisions between the age of thirteen and eighteen years. None of the women who were tried under juvenile justice had travelled to Syria and Iraq. The majority did not attempt to leave France, while a few failed to leave the country. These young women were all convicted of participation in a terrorist organisation (*AMT correctional*) with 60 percent of them (12) receiving a sentence on probation while the others were sentenced to an average term of imprisonment of two years, ten months, and 24 days in prison. When sentencing youth offenders, French Juvenile Courts, and *Cour d'assises des Mineurs* can only impose half of the

[xiii] For more information of sentencing and development of sentences in the Netherlands, see Chapter: The Dutch Approach to Female Violent Extremist Offenders.
[xiv] In relation to those who went abroad to join ISIS and other terrorist organisations in Syria or Iraq, research has shown that females were more often minors than their male counter parts, see Joana Cook and Gina Vale, "From Daesh to 'Diaspora': Tracing the Women and Minors of Islamic State," International Centre for the Study of Radicalisation, 2018, pp. 21-24, https://icsr.info/wp-content/uploads/2018/07/ICSR-Report-From-Daesh-to-%E2%80%98Diaspora%E2%80%99-Tracing-the-Women-and-Minors-of-Islamic-State.pdf.

length of sentence compared to ordinary criminal justice for both custodial sentences and fines with a maximum fine of €7,500. In cases where ordinary criminal justice provides for life imprisonment, the maximum term for youth offenders is set at 20 years imprisonment (articles L121-5, L121-6 French Juvenile Justice Code). If the defendant was, however, sixteen years or older at the time of the commission of the crimes, the juvenile courts may apply ordinary criminal justice sentencing regulations, following an assessment of the defendant's personal circumstances and maturity and context of the case, as provided for in article L121-7 of the French Juvenile Justice Code. Nonetheless, in such cases, the maximum penalty is set at 30 years imprisonment.

In Germany, 26.8 percent (11) of the cases from our sample were tried under juvenile justice against women aged between 15 and 23 years at the time of the commission of the crimes in question. Pursuant to the section 105 (1) of the German Youth Courts Act, juvenile justice can be applied to adolescent offenders up to the age of 21 years, following an assessment of their maturity and personal circumstances. The average term of imprisonment for female VEOs tried under juvenile justice in Germany is four years, four months, and 23 days. One of the reasons for this relatively long term of imprisonment is the fact that half of these women were cumulatively convicted of core international crimes, terrorism charges, and domestic charges. When an indictment period stretches over a longer period of time, such as several months or years of affiliation with a terrorist organisation in a conflict zone, juvenile and ordinary criminal justice provisions can be applied consecutively. In such cases, parts of the sentence are determined according to juvenile justice and others pursuant to regular criminal justice. This is also one of the reasons why the average sentence for juvenile justice cases concerning female VEOs in Germany is longer compared to France or the Netherlands.

Figure 6.9 below provides an overview of the average length of sentences for different categories of sentences as pronounced in cases adjudicated under juvenile justice regimes compared to those tried pursuant to common criminal procedure across all four countries. For this purpose, types of sentences were grouped in three categories, namely custodial, non-custodial, and a combination of custodial and non-custodial sentences. Non-custodial sentences relate to all sentences that are executed outside a prison facility. This relates, among others, to house arrest and probation periods. In measuring the duration of these sentences, the length of the pronounced measure, for example probation period, or house arrest, as mentioned in the verdict was taken into account. However, probation periods were often ordered in addition to prison sentences or replacing parts of a prison sentence. This combination is categorised as a combination of custodial and non-custodial sentences. When calculating the average length of this category of sentence, the duration of the prison sentence, in addition to the non-prison sentence, was taken as the overall length of sentence. In cases where the court decision stated that the probation period was replacing a part of the prison period, the part of the prison sentence which was not intended to be executed was deducted from the length of the prison sentence. Finally, custodial sentences relate to all sentences that have to be spent entirely in a prison facility, meaning solely prison sentences. For these categories, the length of the prison sentence as pronounced in the verdict was taken into account for the below comparison.

According to our data from the four countries the combination of custodial and non-custodial sentences does not lead to a longer period of time than mere custodial sentences (Figure 6.9). For sentences following from both juvenile justice and common criminal justice, only custodial sentences show the highest average length. In cases tried under juvenile justice, convicts in the four countries received an average custodial sentence of four years, five months, and five days

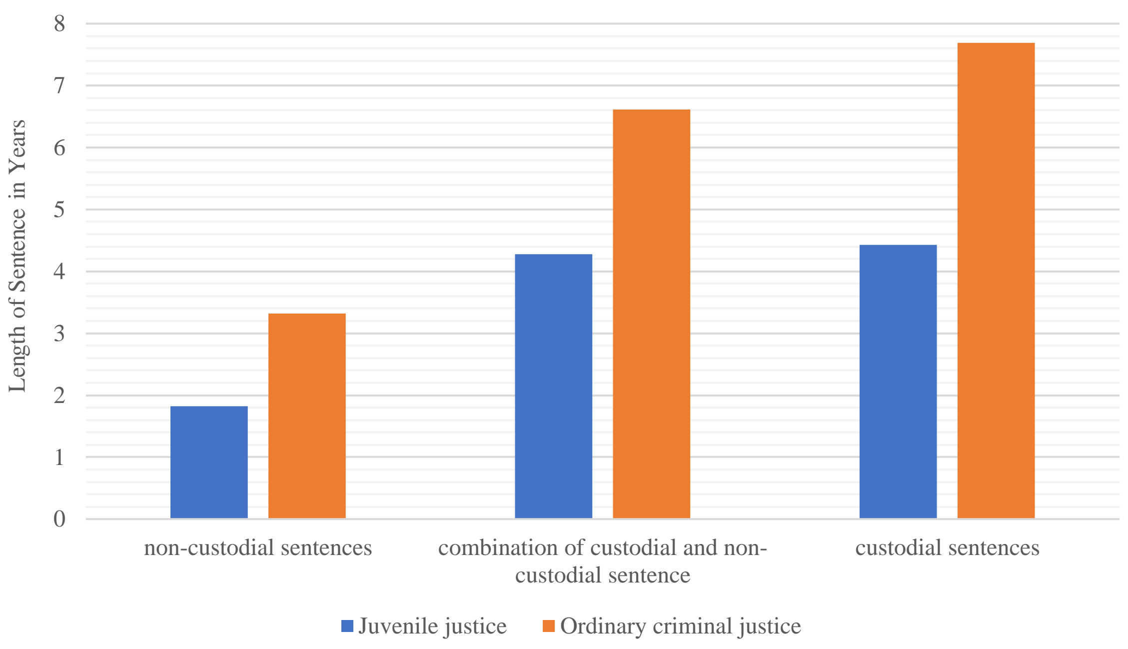

Figure 6.9: Average length of sentences for different types of sentences handed down against female VEOs in Belgium, France, Germany, and the Netherlands (n(BE)=109; n(FRA)=91; n(GER)=41; n(NL)=24; as of 15 July 2023)

imprisonment. Women convicted under common criminal justice on the other hand, were sentenced to an average of seven years, eight months, and nine days sole imprisonment.

Overall, and pursuant to the rationale of juvenile justice, women tried under juvenile justice in the four countries received shorter sentences across all three categories than those tried under common criminal justice (Figure 6.9). Looking at non-custodial and suspended sentences, juvenile justice procedures led to an average of one year, nine months, and 26 days of imposed measures, whereas cases following common criminal justice resulted in almost double the length of non-custodial measures, more precisely three years, three months, and 26 days. In cases resulting in a combination of custodial and non-custodial measures pronounced in the sentence, the difference in average length between juvenile justice cases and common criminal justice cases is the smallest from the three categories. Here, women tried under juvenile justice were sentenced to imprisonment in combination with probation or other non-custodial measures for an average of four years, three months, and eleven days. Conversely, those tried under common criminal justice were imposed these measures for an average duration of six years, seven months, and ten days.

The age of criminal responsibility in the Netherlands is twelve years pursuant to article 486 of the Dutch Criminal Code, and juvenile justice is applicable to persons between twelve and eighteen years old. Only two women in the country sample were initially tried pursuant to juvenile justice. However, in one case, the court of appeal found that in light of the severity of the crimes and the personal circumstances of the defendant, the woman, who was seventeen years old at the time she committed the respective crimes, should be sentenced in accordance with ordinary criminal justice in accordance with article 77b of the Dutch Criminal Code, which allows to deviate from applying juvenile justice for persons between sixteen and

eighteen under certain conditions. Under article 77c of the Dutch Criminal Code, a judge can decide that persons between the age of eighteen and 23 should be tried under juvenile justice. The prosecutor can also request the application of juvenile justice. One advantage is that the application of a broader range of measures are available when applying juvenile justice, which may be more suited to the (development of an) adolescent.

No cases of female returnees and VEOs being tried under juvenile justice are known in Belgium. This could be due to the slightly different juvenile justice framework in Belgium compared to the other countries, as well as to the collection method for court cases[59]. According to Belgian law, children under the age of eighteen are not criminally responsible and are dealt with by juvenile judges available in each judicial district. When persons under the age of eighteen commit crimes, protection measures are imposed, which can include referral to a closed youth institution. Alleged juvenile offenders between sixteen and eighteen years are eligible for prosecution under ordinary criminal justice following an assessment of their maturity, personal circumstances, and gravity of the alleged crimes (articles 36bis, 57bis of the Belgian Youth Protection Act).

Applying juvenile justice not only has an impact on determining the type and length of sentence but may also provide a broader range of protective measures, both regarding prison management, as well as regarding the rehabilitation and reintegration of young offenders. One of the measures to ease reintegration is to hold trials of under-age offenders behind closed doors. This prevents exposure to the media, stigmatisation, and ensures better protection of the defendant's privacy.[60] The domestic laws of all four countries relevant to this research are aligned with the EU Directive 2016/800.[61] In fact, several trials of female VEOs in Germany, who were prosecuted under juvenile justice, are usually held behind closed doors with only an anonymised press release providing a short summary of the judgments being made public.

Acquittals

Finally, when looking at the number of acquittals, it is evident that they are relatively low. In Germany, there are no full acquittals, three in France (3.2 percent of all cases), four in the Netherlands (14.3 percent of all cases) and eleven in Belgium (9.2 percent of all cases). In the Netherlands, one woman was fully acquitted of all charges of financing of terrorism because it could not be established that she intentionally sent the money to an ISIS member. The other two acquittals were related to incitement and recruitment. In the summer of 2023, another female returnee was acquitted of the charge of membership in a terrorist group because it could not be established that she ran a household together with her husband, an ISIS member, nor that she contributed to the terrorist aim of ISIS. This decision has been appealed.[62] Accordingly, the acquittal rate among female VEOs overall is relatively low across all four countries with an overall rate of 6.4 percent. Notably, the rate of acquittals among female returnees is considerably lower (5.2 percent overall) than among women that did not travel to the conflict zone (9 percent overall).

Deprivation of Nationality

Deprivation of nationality as a tool to address terrorism has been occasionally used against female VEOs. In some countries, like the Netherlands, the deprivation of one's nationality can take place either when a person poses a threat to national security, or after a criminal conviction.

The Netherlands has applied deprivation of nationality relatively frequently, that is in 29 cases after a criminal conviction, including men and women. So far, nine have become final. However, deprivation of nationality after a criminal conviction can also be conducted in Belgium, Germany, and France. In all four countries a deprivation of nationality can only be conducted in case the person in question is not rendered stateless, but the conditions under which a deprivation of nationality can take place, the frequency, and the implications of this measure differ.

The procedure in Belgium for stripping of nationality has undergone several changes, most recently in 2015. Pursuant to article 23 sections 1 and 2 of the Belgian Nationality Act, a person convicted for a terrorist offence which entails a sentence of at least five years of imprisonment can be stripped of his or her nationality, independently from how or when the nationality was acquired. The decision is taken by a court at the request of the prosecutor.[63] According to the available data, it appears that twelve female VEOs have been stripped of their nationality in Belgium, since 2012. Although the prosecutor has requested a revocation of nationality in more cases, some of these requests were eventually declined by the judges, based on several considerations such as the person's links to Belgium. Eight of them were stripped of their Belgian nationality after a trial in absentia. In four cases, the women were convicted while being in Belgium. One of them is Malika el A.**,** who was stripped of her nationality, but the government was unable to deport her to Morocco after she had served her sentence.[64]

So far, no German female VEO has been stripped of her nationality. It is only since 2019 that German nationals with dual nationality can lose their German citizenship if they have *concretely* participated in combat on the side of a terrorist organisation, as provided in Section 28 of the Germany Nationality Act. The loss of nationality must then be registered by the relevant administration office *proprio motu*. Those individuals who reside in Germany can take legal measures against such a decision, while individuals who are abroad cannot challenge the decision. Since there are no indications that any German woman has been involved in combat activities, it is thus very unlikely that they would be stripped of their nationality.

In France, only persons who have acquired French nationality through naturalisation can be stripped of their nationality. Reasons include having committed a serious crime, including terrorist offences, either before acquiring the French nationality, or within fifteen years after having acquired the nationality, provided it does not lead to statelessness.[65] A person can be deprived of their French nationality by the Council of Ministers, after both the individual and the Council of State have been heard.[66] In 2015 the Constitutional Council concluded that the regulations on deprivation of nationality are in conformity with the ECHR.[67] It appears that over the last two decades, a deprivation of nationality after criminal conviction decision has been issued 31 times in France, mostly on men. The first case of stripping a woman of her French nationality due to terrorist offences occurred in May 2023. Unzîle S., a young woman with French and Turkish nationality was convicted in 2017 for plotting a terrorist attack in March 2016.[68] The procedure to revoke her nationality was initiated in August 2022, three years after she was released from prison. While the Council of State recognised that she had made considerable efforts to reintegrate into society, including by obtaining a permanent employment contract as of February 2023, they concluded that the nature and seriousness of her acts committed justified the decision to deprive her of her French nationality.[69]

The ECtHR has ruled in several cases whether a decision on deprivation of nationality taken after a criminal conviction constitutes a violation of the right to private life. While the case of *K2 v. the United Kingdom* dealt with deprivation of nationality of a male while being outside the country, the ECtHR has also ruled in *Ghoumid and Others v. France* that the fact that the French authorities decided to deprive the nationality of male applicants more than ten years

after the commission of the terrorist offences they were convicted for, did not mean that the decision was taken without due diligence and hence did not constitute a violation of their rights under the European Charter of Human Rights. [70]

The deprivation of nationality is often followed by a non-entry ban and return decision, as can be seen in the Netherlands. The EU has adopted a Directive 2008/115 on common standards and procedures on the return procedure for illegal third country nationals.[71] The decision to deprive someone of their nationality does and should not automatically lead to declaring a person an illegal resident. The EU Directive specifically mentions that the best interest of the child, family life, and the level of medical care in the county of the other nationality, as well as the principle of non-refoulement should be taken into consideration when deciding on taking a return decision.[72] Furthermore, imposing a return decision because a person poses a risk to national security does not necessarily reduce the risk of national security. A person can still plot an attack from abroad, mobilise a social network online from abroad, or engage in terrorist activities abroad.

To understand the effects of a deprivation of nationality a distinction needs to be drawn between cases where this is applied for a person who is in the country and cases where a person is abroad.[73] If a return decision becomes final, it remains yet to be seen how this can be implemented in practice. While some may choose to leave the country voluntarily, other individuals may not want to return to a third country because they have built up a life in the current country, for example have a family there, and are making significant steps in their reintegration process. Other reasons include that third countries may not want to take back their nationals, or that a risk of human rights abuse may prevent expulsion.

While deprivation of nationality may under very limited circumstances be permitted under international law, it remains controversial and even counter-productive in practice. Deprivation of nationality after criminal conviction is perceived as a punitive measure, leading to many practical problems: the individuals are often no longer legal residents, they lose their national identity number and are unable to apply for medical insurance for themselves or their children, are unable to apply for jobs, and cannot register their children in school. They are no longer entitled to social benefits, including any support with their reintegration into society. All these uncertainties could push an individual towards clandestine life, or even towards radical networks as a result of a new grievance against the host country and lack of opportunities to reintegrate into society. Options to monitor such individuals are limited, since house arrest or immigration detention must be limited in time.

In the Netherlands, deprivation of nationality is a controversial issue.[74] Regardless of whether the verdict is seen as lenient or strict, once the women have been informed that they will be deprived of their Dutch nationality, the decision triggers legal proceedings to appeal the deprivation and return orders. In some of the more recent cases against female returnees, deprivation of nationality or the risk thereof is taken into account as a mitigating factor during sentence. The measure is perceived as rigid and there is not enough support among certain stakeholders, such as Dutch Probation Service and several municipalities, for deprivation of nationality after a criminal conviction.

Prison Management

A New Population

The number of female VEOs in detention has increased significantly over the past decade in Europe, and notably in the four countries covered by this book. Historically, only very few

women have been detained on terrorism charges in European countries, compared with several decades of experience in managing male VEOs from various ideological backgrounds, and notably related to Islamist-inspired terrorism since the 1990s.

The growing number of female VEOs in European prisons is the result of several factors. First, the mobilisation of European individuals to join a jihadi organisation in Syria and Iraq was unprecedented, as well as the number of women and minors that travelled to Syria, or attempted to do so, as explained in the introduction of this book. Second, the tightening of security measures, around 2014-2015, in the context of an increased terrorist threat level and of a wave of terrorist attacks led to more arrests in jihadi circles. This, and the shift in the prosecutorial approach, as described above, resulted progressively in a growing number of women in prison, whether in pre-trial detention, or in detention following a conviction. This includes women that were arrested and prosecuted sometimes months or years after their return from Syria, since most voluntary returns occurred between 2014 and 2016. Third, the decision of several European governments to repatriate female travellers detained by the Kurdish forces in Northeast Syria since the fall of ISIS' so-called caliphate, led to a new wave of female VEOs in detention. Since 2019, Belgium, France, Germany, and the Netherlands have repatriated 113 women from the camps, in addition to 319 children.[75]

Interestingly, the number of female VEOs in detention has increased significantly over the past few years while the number of male VEOs started to decrease progressively, after an estimated peak around 2018-19.[76] As a result, female VEOs now represent a non-negligible share of the VEO population in several countries, for example 13 percent in Belgium, 24 percent in France, and allegedly even higher in the Netherlands.[xv] Further exacerbating this changing gender ratio, the reduced terrorist threat level in Europe between 2018 and 2023, resulted in a decreasing number of inmates considered as potentially radicalised albeit not convicted for terrorism offences in several countries, notably in France and Belgium.[77] Radicalised inmates are managed very similarly to terrorist offenders. Since that category was largely dominated by male inmates,[xvi] its decrease is further rebalancing the female/male VEOs ratio.

The implications of the growing number of female VEOs in prison should not be neglected or underestimated. Given the much smaller number of women in prison, compared with men, female VEOs tend to constitute a higher share of the female inmate population. For example, they represent between three to four percent of female inmates in France and Belgium, whereas male VEOs generally represent less than one percent of the total prison population.

Overall, female VEOs represent a double minority group: they are a minority in the group of all VEO inmates, and they are part of the female minority in the prison system. This makes them particularly remarkable.

Some European countries had far fewer female VEOs, have still not repatriated their citizens, or are still lagging behind with regard to prosecution. However, for the countries covered in this book, the rising number of female VEOs in prison has been a very significant trend, despite differences across countries. Even though some women had been detained in these countries prior to 2012, in relation to jihadi terrorism or to other forms of terrorism (notably far-left

[xv] Data for Germany was not available. As of November 2022, 21 women were detained in the terrorist unit for female inmates in Zwolle. Other terrorist units for male offenders in the Netherlands have a capacity of around 60 spaces.

[xvi] For instance, in France, there were only 11 women among the 904 inmates considered as radicalised (DCSR) among ordinary inmates in French prisons, as of 30 December 2019. See: Controleur general des lieux de privation de liberté, "Prise en charge pénitentiaire des personnes 'radicalisées' et respect des droits fondamentaux," Report, January 2020, https://medias.vie-publique.fr/data_storage_s3/rapport/pdf/274641.pdf.

terrorism, in France, Belgium and Germany), such cases were too exceptional to trigger any specific response, or to develop any relevant experience.[xvii] In contrast, the recent increase of female inmates has led to serious reflections within the prison system, as well as to the development of new specific policy responses.

Prison Regimes

With a growing number of female VEOs in detention, it progressively became necessary to consider options for specific detention policies. This was notably the case in France, where the perspective of the repatriation of female jihadis from Syria seems to have motivated the decision to create new dedicated units for female VEOs. In the Netherlands, the perspective of repatriation might have played a role in re-evaluating the detention regime for female VEOs. A small number of women had been detained in the same units as male VEOs until 2020, but the repatriation of eighteen women from Syria, between 2021 and 2022, could hardly have been absorbed in the two terrorist wings of the prisons Vught and De Schie, where there were already 30-40 extremist offenders, mostly men, in a detention model that was considered already to be under pressure.[78]

The four countries covered in this book eventually adopted a prison management regime for female VEOs that is essentially mirroring the one for male VEOs. It is interesting to note that authorities could have decided to opt for a different approach, based on a distinct risk and needs analysis of the female VEO population, compared to men. However, it seems that governments favoured a path-dependent policy-making process, extending the prison management approach in place for male VEOs to female VEOs. As a result, the female VEOs in the Netherlands are all concentrated in one specialised prison wing, in Zwolle, which was established in 2020. In France, since 2021, female VEOs are first oriented to an evaluation of radicalisation unit (QER), for evaluation lasting up to four months, and eventually to either a radicalisation processing unit (QPR), isolation unit, or ordinary detention for the remaining of the detention. Belgium is an exception in the sense that it did not fully transpose the system in place for male VEOs. Indeed, two special wings had been created in 2016 to isolate male terrorist leaders or recruiters, the so-called Deradex units, but no similar units have been established for female VEOs. However, considering that these units had been progressively marginalised in the prison management of male VEOs, with only one inmate remaining in these units in 2023 for a total of 40 places available, there is arguably little difference in the management of male and female VEOs in Belgium.

Different models of prison management for terrorist offenders co-exist in Europe, which all present strengths and weaknesses.[79] More concretely:

- *Dispersion*: Under this regime, VEOs are spread across many different prisons and among non-VEO inmates, falling under the ordinary prison regime – although this can be complemented with additional procedural security measures. The potential advantage of such a regime is that it may encourage VEOs to open up when in contact with other inmates that do not necessarily share their same worldviews. It also limits the risks of creating or maintaining extremist structures and cohesion in prison and challenges the narrative of violent extremist groups that VEOs are discriminated against

[xvii] In Spain, it is estimated that women represented about 10 percent of the ETA prisoners, whereas about a third of the defendants during trials of the far-left terrorist group *Action Directe* in France were women. See Carrie Hamilton, *Women and ETA* (Manchester: Manchester University Press, 2013); Fanny Bugnon, “La violence politique au prisme du genre à travers la presse française (1970-1994),”(PhD diss., Université d’Angers, 2011), https://theses.hal.science/tel-00641911/file/These_Fanny_Bugnon_2011.pdf.

or treated with exceptional measures. In contrast, disadvantages include the risk that VEOs can use this regime to radicalise, recruit, or network with other inmates or staff. Furthermore, it potentially means that the management of VEOs is left to non-specialised staff.

- *Concentration*: Under this regime, VEOs are concentrated in one or several wings or units, across the country. They are therefore placed together but separated from other inmates. Potential advantages include VEOs having limited opportunities to influence other prisoners; it being easier to monitor VEOs and develop specific intervention programmes for them; and staff are potentially specialised for the management of these kinds of inmates. On the other hand, this kind of regime also presents disadvantages, such as the risk that VEOs will strengthen ties among themselves and possibly use their time together to maintain their cohesion or prepare illicit activities. Additional disadvantages include: the absence of contact with non-extremist inmates, VEOs' ability to be confronted with other points of view are limited; feelings of marginalisation or stigmatisation may develop among inmates, increasing their frustration and radicalisation; and segregation may give VEOs a higher status in the eyes of staff and inmates. Finally, segregation limits their ability to participate in rehabilitation or reinsertion programmes.

- *Isolation:* Under this regime, VEOs are isolated from all other inmates, including other VEOs. This is a very strict security regime, which is generally not recommended given that prolonged solitary confinement is prohibited under human rights law and under the UN standard minimum rules for the treatment of prisoners (so-called Mandela Rules).[80] However, isolation regimes remain controversially practiced with or without some nuance in some countries, or in extrajudicial detention facilities.

- *Mixed-regime*: Most countries, at least in Europe, have now opted for a mixed regime, combining the above three regimes. Depending on the assessment or categorisation of the inmate, based notably on available intelligence, the most challenging VEOs, for instance in terms of radicalisation or recruitment, can be placed in separate units, whereas other VEOs can be dispersed – yet often still subject to relatively strict security measures. This approach allows flexibility to select the most appropriate regime and also facilitates mobility, as VEOs may transition from one regime to another, depending on their behaviour and subsequent assessments.

The four countries covered in this book have all adopted a different prison management system. Belgium and Germany implement a system of dispersion, based on the evaluation that the risk of radicalisation of other female inmates by female VEOs is limited. In contrast, the Netherlands has opted for a concentration model, with all female VEOs initially grouped in the same prison wing, in Zwolle. The risk of creating a group effect is partly diminished by the fact that most of the women detained in Zwolle were already detained together in Syria before repatriation, and they are furthermore divided in smaller groups within detention. In addition, female VEOs are eligible to be transferred to regular detention after one third of their sentence, in order to facilitate their reintegration by confronting them with other inmates, although this is allegedly not always possible in practice. The French system is a "mixed regime", which allows to place female VEOs in isolation, in specialised radicalisation processing units (QPR), or in regular detention, after an initial risk evaluation.

Independently from the detention regime, the management of female VEOs presents some similar opportunities and challenges across all countries. One general advantage, compared with the detention of male VEOs, is that units for female inmates are much smaller than prisons

for men. As a result, they are generally easier to manage, notably due to a higher ratio of prison staff members to inmates, and a closer proximity to inmates. In specialised units, like in France and Netherlands, the ratio of staff to VEO is even higher than for regular female inmates, and staff members have received specific training. In contrast, the limited number of detention centres for women limits the authorities' placement flexibility. In the dispersion approach, they only have limited options to spread female VEOs across the country, to separate female VEOs from one another, and to move them around when needed (for example, after an incident). In Belgium, for instance, there are only nine prisons with special units for women. In France, only a third of the prisons are vetted to host female VEOs. As a result, some women are detained far away from their family members, including potentially their children, which can further complicate their rehabilitation. Furthermore, not all prisons are equally equipped to provide specific healthcare or psychiatric support to women, which can be problematic considering the high prevalence of trauma among female VEOs.[81]

Finally, similarly to male VEOs, female VEOs can be subject to specific additional security measures in prison, such as surveillance of external communications and body searches, they are being closely observed and monitored by prison staff and intelligence services, and their cases are being discussed within multi-stakeholder platforms, whose frequency and configuration vary across countries.

Risk Assessment

Across Europe, prison staff was at first cautiously suspicious with regard to the influx of female VEOs, a population that had been depicted quite negatively in the press, as liars, bad mothers, and even monsters.[82] However, this perception has evolved over time. Most female VEOs proved to be relatively "quiet", "well-adapted inmates, creating little trouble. Compared with some male VEOs, they are seen as posing "no physical risk" and "incidents are rare", according to stakeholders interviewed for this book. One striking exception was the escape attempt by one female VEO in France.[xviii] The content of daily staff observations of female VEOs evolved accordingly, from a certain sense of paranoia to a much less alarming tone, as mentioned in various chapters of this book.

Female VEOs do not seem to benefit from the same exceptional status among other inmates, compared with some male VEOs, and the risk of radicalisation and recruitment of other inmates seems less prevalent among the female population. While acknowledging the risk that radicalisation and recruitment could occur, and therefore the necessity to take specific security measures or detention regimes as discussed above, the risk is usually considered much lower than for male VEOs. In some countries, it was even stated that no cases of radicalisation or recruitment by female VEOs have been observed so far.

It is important to highlight that the above does not imply that imprisoned female VEOs are all completely deradicalised. In the Netherlands, for instance, the national counter-terrorism fusion centre (NCTV) considers female VEOs in detention as "a mix of women who continue to actively embrace and promote jihadist ideology and a smaller number who appear to have genuinely renounced it."[83] Furthermore, as highlighted in the French chapter, some women may appear disillusioned with jihadism, based on their experience in Syria, but may still be vulnerable to (re-) radicalisation. Interestingly, a number of stakeholders interviewed for this

[xviii] In a separate case worth mentioning, a male terrorist convict and his wife stabbed two prison guards in 2019, in France. Hanane A. had smuggled a knife into the prison, as she visited her husband in prison. Although she was not an inmate, it is one of the very few cases of terrorism violence in prison involving a woman.

project made a distinction between female returnees and those who did not travel, as the former tended to show more signs of disillusionment and disengagement than the latter, whose idealised views of jihad had not been confronted with the reality of war. In some cases, imprisoned female "frustrated travellers" even considered female returnees to be "traitors".[84]

Overall, interviews with stakeholders in this book highlight that staff has developed a better understanding of the different risk profiles of female VEOs. Compared with men, female VEOs are perceived as posing a fairly limited risk in prison, while recognising that some could remain a threat upon release. However, some dissenting voices were heard among stakeholders, voicing concerns about some possible naivety from prison staff, and fearing a form of gender-based complacency towards female VEOs.

Specific risk assessment tools are used in all four countries covered by this book, in order to evaluate the risk posed by female VEOs in prison and upon release. Belgium, Germany, and the Netherlands use the VERA-2R tool, a specialised structured professional judgement tool for extremist offenders. France uses its own analytical grid. In either case, these tools are not gender-specific, and they are applied to all VEOs alike. Risk assessment tools have been developed over the past years, relying on available data on extremist offenders. Since available data is largely male-dominated, it is legitimate to ask whether these tools are adapted to evaluate female VEOs, and whether they properly take into account a gender perspective as recommended by UN Security Council Resolution 2396 (2017).[85] However, this book suggests that these tools are considered by their users as sufficiently gender-neutral, as they cover broad risk and protective factors that can manifest both with men and women, albeit possibly differently. In any case, scientific knowledge about gender-specific risk factors for female VEOs, such as psychopathology, is essentially non-existent and it seems therefore difficult to develop gender-specific tools.[86]

The Issue of Children

The issue of children is much more central to the management of female VEOs, and more specifically to female returnees, than for male returnees or VEOs. In our sample, about half of the women who travelled to Syria and Iraq already had children prior to departure, and more came back with children born in the area.[xix]

The mother-child relationship is widely recognised as paramount to protect. This is arguably particularly true for young children that were repatriated from Syria with their mothers, who grew up in a particular proximity to their mothers in the Kurdish camps, and are often highly traumatised.[87] However, from a prison management perspective, this creates specific challenges. For instance, in some countries, notably in Belgium and Germany, it is theoretically possible to let children up to a certain age (3 years, or even up to 6 years in Germany) stay in prison with their mothers. However, that is not always possible due to a lack of adapted cells in prison. And, above all, it is generally not considered desirable by the authorities from a child welfare perspective, and therefore remains very exceptional practice.

Another challenge, already mentioned above, is that the limited amount of (vetted) prisons for female VEOs and the overall policy to disperse women across all prisons results sometimes in

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[xix] We did not have information about the parental status for 19 percent of the combined sample, and as a result we cannot calculate an exact percentage. However, it is likely that the female FTF for which there was no information were childless, as the presence of a child would be typically mentioned explicitly in court decisions. Following that assumption, it could be inferred that 46 percent of the female FTFs were mothers at the time of departure for Syria and Iraq.

a considerable physical distance between mother and child. This is notably the case in a bigger country such as France, where the unique QPR for female VEOs in Rennes can be far away from the residence of their families. But even in a small country such as Belgium, the distance can be considered as consequential, and therefore hampering the right to regular visits.[88]

In every country, regular contacts and visits can be maintained between the mother and child, unless explicitly prevented by a court order in relatively exceptional cases. The modalities and frequency of these contacts vary from one country to another.

Overall, practitioners interviewed for this book generally consider that children constitute a favourable condition to the rehabilitation process of female VEOs. The perspective of reuniting with their children gives mothers a high motivation to behave well in prison, and it also gives them a positive future outlook. However, children can also undermine the rehabilitation process, notably if that is the only issue that female VEOs are willing to talk about. Under certain circumstances, the issue of children can also become a factor of vulnerability for female VEOs, if it leads to specific grievances (such as the lack of contacts with the child), or if it contributes to a narrative of victimisation.

Rehabilitation and Reintegration

Rehabilitation in Prison

All four countries covered in this book consider that it is important to offer rehabilitative support to female VEOs in prison, in order to maximise their chances of reintegration and lower the risk of recidivism. In this regard, all four countries favour programmes that focus on *disengagement* from a terrorist milieu and a change of behaviour, rather than *deradicalisation* from radical Islam. However, this does not mean that religion is completely absent from these programmes, as it can be part of the programme if the beneficiary is responsive to it.

Rehabilitation programmes generally consist of regular discussions with the female VEOs, and at least in some countries, notably in France, these are combined with the organisation of specific activities like sporting activities, workshops, or conferences. These programmes are multi-disciplinary, covering potentially psychological, social, or religious aspects, and are tailored to the needs of the beneficiaries. This general approach is shared across all four countries, and is usually considered as a good practice, although specific modalities can vary. For instance, these programmes can start during pre-trial detention in some countries, such as Belgium, whereas they only start after conviction in Germany. In France and the Netherlands, this work is mostly led by agents of the state, whereas in Belgium and Germany it is performed, at least in part, by non-profit civil society organisations. Finally, there can also be differences in rehabilitation programmes within countries. For instance, in France, the rehabilitation offer will be greater for female VEOs in QPR than for those in ordinary detention. In the federal states (Belgium and Germany), the offer can vary from one federal entity to another. The services in charge of rehabilitation work are indeed different in Belgium, between Flanders and Wallonia, and in Germany, between the different federal states (*Bundesländer)*.

Existing research has identified some gender-specific aspects that rehabilitation services should take into consideration, particularly for their work in prison. This includes:[89]

- Trauma: female returnees will likely have experienced multiple traumas in Syria and Iraq, and rehabilitation staff could be trained to recognise and address these traumas effectively.

- Reconfiguring motherhood: motherhood was "weaponised" by ISIS, and it is therefore necessary to help female returnees rethink what motherhood means and entails.
- Support networks: female returnees often have difficult relationships with their families. Involving the families in the rehabilitation work, when possible, or helping female VEOs to develop an alternative support network is essential to consolidate the disengagement process.

The issue of trauma seems particularly relevant for female returnees, who are likely to have experienced a number of such traumas in the conflict zone or in Kurdish camps, such as the death of a child or husband, sexual abuse, and other war-related traumas. This can result in post-traumatic stress disorder (PTSD), which is reportedly often undiagnosed for women as symptoms are different than for men.[90] This seems particularly relevant because PTSD could hamper disengagement efforts. Furthermore, research suggests that PTSD is more prevalent among female violent offenders than among male violent offenders. As such, it could therefore constitute a specific risk factor of recidivism among female VEOs specifically, although more research is clearly needed.[91] Sexual or physical abuse (in Syria, or prior to radicalisation) should also be of particular concern, as some research suggests that gender-based violence constitutes a particular risk factor for criminal recidivism among female offenders.[92]

Another recommendation that emerges from existing research is to ensure gender-mainstreaming in rehabilitation work, which is defined as the "process of assessing the implications for women and men of any planned action, including legislation, policies or programmes."[93] As a result, it has been recommended that prison staff and rehabilitation services, among others, should reflect on possible gender stereotypes that underpin their approaches and potentially affect their effectiveness.[94] Some rehabilitation stakeholders interviewed for this project acknowledged that they did conduct a specific internal reflection on such possible gender stereotypes, notably in Belgium and the Netherlands, although it does not appear to have resulted in a change of approach.

Overall, rehabilitation programmes for female VEOs are essentially the same as those for male VEOs. The stakeholders interviewed for this book did not consider it was needed, nor appropriate to develop gender-specific programmes due to the tailored nature of these programmes, which already allow for a gender-sensitive approach, taking into account particular needs or experiences of female VEOs. Issues that are more specific to women, like sexual violence or the relationship to children, can be fully addressed in this context.

False Compliance

The lack of compliance of female VEOs with prison measures and rehabilitation programmes, and more specifically the intentional attempt to deceive the prison authorities by "faking" deradicalisation has been a growing concern among policy-makers and practitioners in Europe.[95] This issue, known as *false compliance*, was particularly salient after some male terrorist offenders committed a terrorist attack after having deceived the authorities, sometimes to the point of being considered as model inmates or success stories in prison. Some notable examples include:

- Bilal Taghi stabbed two prison guards in France, in 2016. Known for radicalisation, the inmate bragged that he had deceived the prison staff in believing he was harmless before his attack.[96]

- Usman Khan murdered two persons in the UK, in 2019, in a terrorist attack. He had been convicted for terrorism in 2012, and prior to his release had been considered a model prisoner and was featured in the promotional material of a major deradicalisation programme.[97]

In the specific case of female VEOs, false compliance can be found in the cases of some women who had deceived the authorities upon their return to Europe after a stay in ISIS' so-called caliphate, and then (tried to) travel back to Syria – like Jennifer W. in Germany or Julie B. in Belgium.[98] It can also be found in the highly mediatised cases of some women detained in the Kurdish camps in Syria, like Shamima Begum, who were considered by the media and the authorities to be hiding their radical ideas in order to be repatriated.

These concerns are legitimate, particularly when expressed by services whose mission is to maintain security and prevent re-offending. However, the issue of false compliance is often misunderstood and subject to fantasies, such as the idea that all terrorist offenders would practice so-called *Taqiya* in prison to dissimulate their beliefs. Hence, some nuance is needed. First, a distinction should be made between false compliance and *non-compliance*. Non-compliance could be defined as the lack of cooperation with the relevant services and programmes, which can be motivated by a variety of factors, including lack of trust or defiance. False compliance can be defined as the intentional attempt to lie or deceive the authorities, for instance by minimising one's criminal responsibility or hiding one's ideological commitment. Both issues are potentially challenging in the context of rehabilitation and reintegration of female VEOs, although false compliance is considered more problematic if undetected.

With regard to false compliance specifically, it is important to highlight that the motivations underpinning such behaviour are a key consideration. Indeed, it is widely recognised that lies and deception are quite common among criminal offenders, including among VEOs.[99] Among female VEOs, false compliance can be motivated, for instance, to avoid self-incrimination (during pre-trial detention), or to be granted early release or access to children. False compliance only becomes seriously concerning when it is done with the aim to lower security vigilance, with the intention of facilitating (terrorist) re-offending.

Prison staff and rehabilitation services are usually expecting a degree of deception from female VEOs, so there is allegedly no naivety from their point of view. However, security services (and to a lesser extent psycho-social services) will tend to approach it very differently from rehabilitation services. The former will seek to verify female VEOs' claims, and possibly confront them with their lies or incoherence, in order to better assess their risk and intentions. The latter put less emphasis on discovering the truth, and will often refrain from challenging lies, even when detected, as they focus more on building trust and steering behavioural change. However, some scholars consider that rehabilitation services should actually care more about false compliance, because it can eventually hamper negatively the trust vested by policy-makers, security services, and citizens into these programmes.[100]

When seeking to detect possible instances of false compliance, some challenges are specific to female returnees. First, there is often less evidence available about the full extent of the activities committed by female VEOs in Syria and Iraq, compared with men, and it is therefore more difficult to challenge their claims upon return. Second, female returnees have often a fairly stereotyped discourse upon return, as highlighted by French interviewees, which they have sometimes practiced for several years before repatriation. While this raises suspicion among prison staff, it remains difficult to challenge due to the aforementioned challenge. Third, some female returnees were considered by the security services to have already disengaged from violent extremism prior to their return. However, some of them had maintained the

appearances of commitment to the jihadi ideology while in Syria, in order to avoid being arrested by ISIS during the caliphate era or being persecuted in the Kurdish camps by female jihadi believers. As a result, some female returnees have become liable to statements or actions they made or took while practicing what could be called *reverted false compliance*.

Overall, many stakeholders interviewed for this project emphasised that false compliance performed with the specific intent to re-offend is very rare and unlikely. Above all, it is considered to be very complicated for female VEOs to conceal their ideology and intentions over an extended period of time, in light of all the observation measures and intelligence-gathering methods in place, the limited privacy in a prison environment, the regular risk-assessments performed by prison staff, as well as frequent exchanges with rehabilitation services or other support services.

Recidivism

The issue of false compliance is of particular concern when linked to the fear of terrorist recidivism. Policymakers and CT practitioners, including some of the interviewees for this book, are highly concerned about the risk that some released terrorist convicts could return to terrorist activities.[101] In the past few years, there have been some prominent cases of terrorist re-offending in Europe. For instance, on 2 December 2023, in Paris, a man who had been previously sentenced to five years imprisonment in 2016 for planning a terrorist attack, killed one person in a terrorist attack. Other terrorist attacks have been committed by released terrorist offenders in Europe, notably in London and Vienna, in 2019 and 2020 respectively. Such attacks are particularly alarming for at least two reasons: First, they seem to suggest that the rehabilitation process and the security monitoring system have failed, hence raising serious questions about the effectiveness of counter-terrorism policies. Second, given that several thousands of individuals have been convicted or detained for terrorism over the past decade in Europe, and given that hundreds are set to be released in the coming years, policymakers are concerned about what they perceive as a significant pool of potential terrorist recidivists.

However, research suggests that terrorist recidivism is extremely rare.[102] Only a very small minority of individuals re-engage in terrorist activities after their release from prison – usually around five to fifteen percent. In France, almost 500 terrorist inmates were released between the summer of 2018 and the end of 2023.[103] Among these individuals, only one case of recidivism led to a lethal attack. Moreover, research on released Dutch terrorist offenders suggests that convicted terrorist might also have lower risks of criminal recidivism, that is of committing another criminal offence (but not a terrorist one).[104] Such findings are in stark contrast with the general rates of ordinary criminal recidivism – usually around 50 percent. The exact reasons for these low recidivism rates among terrorist offenders are not yet fully understood, however. Some hypotheses include the heavy security measures surrounding released terrorist offenders, mitigating the risk of recidivism; personal trajectories out of terrorism, notably through maturation and desistance processes, or by developing pro-social bonds; or the cyclical nature of terrorism, according to which terrorism might be less prevalent by the time terrorist convicts are released.

Research on terrorist recidivism is still fairly limited, and research looking into female VEOs recidivism is basically non-existent. The very low number of female terrorist convicts is clearly a barrier to such research. The focus of this book was not on recidivism, and the timeframe is not sufficient to measure recidivism scientifically. However, some observations can be made, based on our sample and findings. Out of the 262 women convicted for terrorism in the four countries covered by this book, there were only two cases of known terrorist recidivism in

Belgium, three ambiguous cases in France,[xx] and none in the other two countries. Even cases of ordinary criminal offence by released female VEOs seem extremely rare, so far. Caution is needed, nevertheless, as many women in our sample are still in prison, or were only recently released, and have therefore had only limited opportunities to re-offend.

Security services monitor the risk of recidivism very closely. To begin with, as mentioned above, some services, notably in the Netherlands, consider that some of the female returnees in prison still embrace the jihadi ideology.[105] Furthermore, security services conceive the risk of terrorist re-engagement in quite broad terms. Whereas terrorist recidivism rates are usually calculated on the basis of two convictions for terrorism offences, security services take into account the risk that some female VEOs might return into extremist milieus, or raise their children into extremist ideology, none of which would automatically lead to a new conviction. Some released female VEOs could also be involved in non-violent terrorist activities, such as preaching or recruitment, financing (for instance to the benefit of women who remain in Syria and Iraq) or marrying another radicalised person. This being said, the low rates of terrorist recidivism observed so far are still remarkable given the extensive security measures deployed to monitor released VEOs, and the broad range of criminal offences available to arrest and convict suspects of terrorist activities, including non-violent ones.

Overall, security services recognise that many female VEOs are likely to take their distance with violent extremism. Many female VEOs in prison are considered to have already disengaged, at least in part, and some female returnees were considered to have desisted from ISIS even before their return. The Dutch NCTV considers that "some female returnees who have been released from prison in the past few years appear to have distanced themselves from jihadist networks for the time being, while others are thought to have remained active in jihadist circles"[106]. In Belgium, security services consider that more female VEOs are on a trajectory of disengagement than not. In France, according to intelligence services, about 60 percent of the released terrorist offenders would be disengaged from the jihadi ideology – although that figure does not distinguish per gender.[107] However, it is important to reiterate here that disengagement and deradicalisation are not linear processes. Individuals may disengage and then re-engage, following different life circumstances. As such, the numbers above should be interpreted with caution. It is also important to highlight that not all cases of terrorist recidivism demonstrate a case of false compliance. Indeed, individuals might have genuinely disengaged in prison, and then relapsed into terrorism after their release.

One particular variable that could further mitigate the risk of recidivism among female VEOs is the fact that they have much less criminal antecedents compared with male VEOs. Indeed, whereas male VEOs frequently show previous criminal records,[108] our data suggest that this is only very rarely the case for female VEOs. Only 22 female VEOs in our sample had criminal antecedents.[xxi] Since criminal antecedents are considered one of the best variables to predict recidivism, the low rate of criminal records among female VEOs could be source for optimism.

[xx] Terrorist recidivism was considered as two convictions for a terrorist offence in the same country, separated by a clear period of inactivity or disengagement (ideological or physical). One French woman had a conviction for AMT and one conviction for apology of terrorism, but since there was a partial overlap in the indictment periods, it is not clear whether this case meets the criteria to be considered as terrorism recidivism. The other two cases from the French dataset included a breach of administrative measures, which again does not seem to fully meet the criteria for terrorism recidivism.

[xxi] Based on a total sample of 277 prosecuted female VEOs, among which data was unavailable for 114 (although missing data very likely suggested the absence of criminal records).

Reintegration and Post-release Monitoring

Most female VEOs will not spend their entire sentence in prison, similarly to male VEOs. After some time, they could benefit from an alternative detention regime (such as electronic surveillance regime, or daily exit permissions), or be released under probation conditions. More rarely, some will be freed only at the very end of their sentence. Upon release, a particular challenge is to ensure the continuity of security and care measures, through the so-called prison-exit continuum. This requires to not only have specific care and security measures available for released offenders, but to also ensure a proper coordination between prison and post-prison services.

In all four countries covered in this book, the preference is to release female VEOs under probation measures. This allows to maintain a form of enforced support and social control over released offenders, at least during the first months after release, which are considered as crucial to a successful reintegration. Indeed, research suggests that criminal recidivism is most likely in the first six months after release, and the risk significantly decreases after the first year.[109] In some countries, notably in Belgium and the Netherlands, probation officers already participate to multi-stakeholder platforms in prison, which allows them to better prepare reintegration in advance, notably by compiling all relevant information about risks and needs assessments, and to build some trust with the beneficiary.

Participation in a rehabilitation programme can be set as a mandatory condition by a judge, although this is not a systematic measure imposed on all female VEOs. Rehabilitation can also be pursued on a voluntary basis. Furthermore, even when mandatory, rehabilitation after release is not necessarily performed by the same services as those active in prison, which may therefore discontinue an ongoing disengagement process.

Some administrative measures can be imposed on female VEOs, in addition to or in place of probation measures. This can include for instance the freezing of certain assets, or restrictions on travels. France has advanced this approach the furthest through a new law adopted in 2021 that allows respective authorities to impose very strict administrative measures for up to one year after release, essentially equivalent to probation measures (such as daily checks to a police station).[110] The law has been criticised for being vague and for lacking clear and precise conditions for the implementation of these measures. This could violate the principle of legal certainty and potentially lead to arbitrary use of these measures.[111]

Independent from probation and rehabilitation, female VEOs (like male VEOs) will continue to be monitored by security services. In most countries, there are specific multi-stakeholder platforms tasked to coordinate the monitoring of VEOs. In the context of these platforms, services can decide to favour a security-driven approach (such as a close monitoring by intelligence services), or a socio-preventive approach (such as offering psycho-social and reintegration support). These decisions are notably informed by a risk assessment, based on all information available to the services. Interestingly, the risk assessment used by services outside prison is mostly not the same as the one used by prison services. This is logical because the monitoring conditions and risk environment are very different in prison and outside prison, and different services have different needs and tools available. Yet, this prevents developing a longitudinal risk evaluation of convicted VEOs.

All security measures to monitor released VEOs are essential, but their potential counter-productive effects and human rights considerations should also be acknowledged – and possibly mitigated. After serving a prison sentence, such measures can curtail the exercise of several human rights, such as the right to work and the freedom of movement, and in the long-term undermine a successful reintegration into society. Indeed, very strict security measures

like restrictions on movements, regular police checks, or being blacklisted by financial institutions will likely hamper the reintegration of female VEOs. Without a bank account, for example, it is very hard to rent an apartment or to find a job. Furthermore, some of these measures might increase a form of social stigmatisation (as a "terrorist") that again can hamper reintegration. For instance, it can be difficult to explain to an employer or to friends why someone must go to a police station daily, without exposing their past. Overall, it is still probably too early to evaluate rehabilitation and reintegration programmes for female VEOs after their release. In spite of the very low recidivism rates mentioned above, some concerns remain. The general consensus among stakeholders interviewed is that rehabilitation and reintegration are fragile processes, calling for cautious assessments. This relates to the question of success: beyond the absence of recidivism, what is the fundamental objective of the rehabilitation and reintegration services? Some stakeholders offered some alternative criteria (such as coming to peace with one's past), but these are hardly measurable and unlikely to be used by policymakers. This book suggests that there are some reasons for optimism regarding the rehabilitation and reintegration of female VEOs, although more time is still needed for a proper evaluation.

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