

Institute of Security and Global Affairs

Leiden University – Faculty of Governance and Global Affairs

Master Crisis and Security Management Thesis



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Submission Date: 19 / 07 / 2020
Word Count: 19.038

What is left for her?
Analyzing the Dutch returnee process through a gender lens.

Table of Contents

Abstract	3
Acronyms	3
1. Introduction	4
1.1 Academic & Social relevance	5
1.2 Readers Guide	6
2. Body of Knowledge	8
2.1 Conceptualization of Terms	8
2.2 Gendered Roles in Violent Extremism	11
2.3 Motivations to return	14
2.4 Returnee Process	15
3. Research Design / Methodology	22
3.1 The Research Question	22
3.2 Operationalization of Terms	23
3.3 Case Study	23
3.4 Data Collection and Analysis	24
4. Analysis	25
4.1 Terrorism in the Netherlands	25
4.2 Departee and Returnee Numbers	27
4.3 Physical Process - Disengagement & Return	29
1.Example: Krista van Tankeren	31
2.Example: Amber and Abdussalam S.	34
4.4 Judicial Process - Conviction & Detention	37
3. Example: Anonymous returnee woman and Oussama Achraf Akhlafa	37
4. Example: Shukri F. & Maher H.	41
5.Example: Laura Angela Hansen	45
4.5 Rehabilitation Process - Deradicalization & Reintegration	47
→ Analysis of the rehabilitation process	48
5. Conclusion	50
5.1 Policy Recommendations	52
6. Tables	55
7. Bibliography	55

Abstract

He is a fighter hero and she is just a housewife. The purpose of the paper is to analyse the Dutch returnee process through a gender lens. Through discussing the role of gender in violent extremism, the analysis is discovering the gendered biases in the returnee management. Those differences will be tried on the case study of the Netherlands, with in-depth individual examples. The research question is looking for an answer to ‘*what issues are socially constructed gender stereotypes creating in the returnee process in the Netherlands?*’. The findings include that the Netherlands management is considering gender as an issue, however, it is not realized through policy-implementations (Table 5 is including the summary). The paper is ending with policy recommendations and an open question: How is it possible to judge someone’s psychological commitment to an ideology, based on their physical attributes categorized into a type of biological sex, let alone their gender identification?

Key Words: terrorism, foreign fighter, gender, returnee process, The Netherlands.

Acronyms

- AIVD = Dutch General Intelligence and Security Service (in Dutch: Algemene Inlichtingen- en Veiligheidsdienst)
- CT = Countering Terrorism
- CVE = Countering Violent Extremism
- EU = European Union
- ECTC = European Counter Terrorism Centre
- FTF = Foreign Terrorist Fighter
- ICCT = International Centre for Counter-Terrorism
- IND - Immigration and Naturalisation Services (in Dutch: Immigratie-en Naturalisatiedienst)
- ISIS, IS, ISIL = Islamic State of Iraq and Syria
- NCTV = National Coordinator for Security and Counterterrorism (in Dutch: National Coördinator Terrorismebestrijding en Veiligheid)
- OM = Public Prosecution Service (in Dutch: Openbaar Ministerie)
- RAN = Radicalization Awareness Network
- RN = Dutch Probation Services (in Dutch: Reclassering Nederland)
- TER = Terrorists, Extremists, Radicals
- UN = United Nations
- VE = Violent Extremism

1.Introduction

He is a fighter hero and she is just a housewife. At least, that is their expected gender roles. We tend to use differentiated gender stereotypes in order to assume someone's behaviour as much in conflict situations as in normal life. Gender stereotypes are socially constructed expectations, both in the professional and personal sphere. The topic of gender inequality and its negative consequences are well studied in social sciences, and although the gender gap is slowly closing, it still represents an issue (UNDP, 2020, p.147). The United Nations Development Programme called gender inequality as "*one of the greatest barriers to human development*" (UNDP, 2020, p.12). Moreover, countries with higher social norms biases tend to have higher gender inequality (UNDP, 2020, p.157).

In 2006, a terrorist group started operations as an Al-Qaeda offshoot in Iraq. The group took advantage of the weak state of Syria due to its civil war, between the government-controlled Syrian Democratic Forces (SDF) and the opposition directed Free Syrian Army (FSA). In June 2014, Abu Bakr al-Baghdadi, who was the current leader of the terrorist group, declared the establishment of the self-proclaimed cross-border 'caliphate'¹ in Mosul, Iraq called the Islamic State of Iraq and Syria - *ISIS, ISIL, IS*. The caliphate was serving the goal of creating a true Muslim life, under the religious Sharia law and Hisbah police (Najjar, 2019). The support for the non-state actor grew nationally, as they offered an ultimate, Islamic solution to the vulnerable and war-torn population of Syria, against the government's unethical attacks. Moreover, their support reached the international level and attracted tens of thousands of foreigners, to be exact 52.808 as of July 2019 (Cook & Vale, 2019, p.1), to give up their lives and join the cause abroad. Their propaganda used religious motivations, anti-western and anti-feminist approaches. After 5 years of global intervention, ISIS started to lose territory and in March 2019, the United States declared their victory and defeat of ISIS, by taking over their last territory in Baghouz, Syria. However, its physical collapse does not equal the stop of the extremist ideology. As a result of the collapse of ISIS, many resigned in refugee or detention camps, who have become 'relocators' by leaving conflict zones to a third country (UNDP, 2019, p.28). However, departees would return to their country of origin or

¹ A caliphate is an Islamic State under an Islamic leader with the title of caliph, a person who is considered as the successor to the Islamic prophet Muhammad.

residence if possible. Countries have different strategies and policies in place, however, due to the collapse of ISIS, the number of returnees are expected to rise - both legally and illegally (EPRS, 2018, p.5).

The returnee process starts with the disengagement from the affiliated group, then continues with the physical return home, potential prosecution and detention upon return home, followed by possible rehabilitation and finally reintegration into society. This process is going to be analyzed through a gender lens in order to highlight the gender-based differentiated management of violent extremist (VE) returnees. These gender stereotypes can lead to flawed assessments of the threat that individuals pose and result in differential treatment based on gender rather than intent and capability (David, 2020, p.7).

“Dismissing women’s roles and the agency is not only a security gap, but it is also a gender equity issue and a question of inclusive peace: ignoring that women can make calculated and political decisions to be part of violent groups also discounts them as important actors, which in turn makes it easier to exclude them in post-conflict decisions” (Schmidt, 2018, p.5).

1.1 Academic & Social relevance

Starting from the atrocities of 9/11, then the growth of international and national terror attacks since the Syrian conflict began in 2011 (EP, 2018, p.5), terrorism and foreign fighters are top priority security issue in the EU (EP, 2018, p.6). In 2019, there was a total of 119 attacks and 1.004 arrests relating to terrorism in the EU, which resulted in 10 dead and 27 injured people (Europol, 2020, p.10). The flow of both men and women is a concern for European governments, as these individuals could pose a threat on return home (Hoyle et al., 2015, p.8; EP, 2018, p.5). Returnees represent a security threat as they have contributed to other attacks in Europe in the past years (AIVD, 2017, p.3), such as the 2015 Paris bomb attacks (BBC, 2016) and the 2019 London Bridge attack (BBC, 2019). More specifically, women were involved in 33 separate plots in France, Belgium, Denmark, Germany and the United Kingdom (Abbas, 2020, p.54). Relevant actors in CVE policies have called for further in-depth research and wider knowledge in the gendered analysis of jihadi² terrorism and the returnee process (Schmidt, 2020, p.12; UNDP, 2019, p.29; Mazurana et al, 2002, p.120).

² For clarification, ‘jihad’ is an Arabic word, which literally means struggling and it represents the fight against the enemies of Islam.

From an academic point of view, the results of the study are going to give a gender analysis of the Dutch returnee management, thus contributing to the development of CVE practices. The research is deepening the understanding of gender concepts in the field of security governance and terrorism. Moreover, there is a need for gender analysis (UNDP, 2019, p.29), because when we better understand the involvement of men and women in VE, the better we could reverse the ideological commitment to jihadi terrorism. The topic is relevant to research because there is a confidence gap in practitioners to understand, address and embed gender-focused approaches in their work of disengagement from VE (Colliver et al., 2019, p.4).

From a societal point of view, the research contributes towards the application of gender-respective returnee policies and frameworks in order to better CVE practices of overall societal safety, prevention of radicalization and better the level of national safety and security. The development of national and international policies for the treatment of women returnees is important, as the risk of re-radicalization and re-recruitment increases if returnees are not looked after properly (UNDP, p.12; UNCTED, 2019, p.17).

The purpose of researching gender-based differentiation in the returnee process is in place to highlight the unfair systematic management based on socially constructed gender assumptions. The distinguished treatment can lead to the widening gender gap in policies and frameworks, which can further develop into the widening of the security gap (UNCTED, 2019, p.21; Schmidt, 2020, p.2). The paper is going to analyze through a gender lens, which means the examination of the relationships between females and males, in order to analyze their roles, their access to and control of opportunities, the constraints they face relative to each other. Important to highlight the gender-based differentiation, as gender stereotypes can create discrimination in post-conflict environments (Schmidt, 2020, p.2).

1.2 Readers Guide

The exploratory paper is going to research whether socially constructed gender stereotypes are affecting the returnee process in the Netherlands. The paper begins with the

conceptualisation of the used terms, as the topic of VE and returnees brought many controversial concepts to light ([2.1 Chapter](#)). Following the conceptual definitions, a review of the existing literature on the role of gender involved in VE is going to be provided to set the context ([2.2 Chapter](#)). The literature review includes the topics of motivations for joining and leaving a VE organization, gendered roles in VE ([2.3 Chapter](#)) and the returnee process - physical, judicial, prehabilitation process respectively ([2.4 Chapter](#)). The issues underlined in this chapter are going to be tried on the Dutch returnee process, in order to understand the gaps in the system.

The research design part ([3.Chapter](#)) is starting with the research question ([3.1 Chapter](#)):

What issues are socially constructed gender stereotypes creating in the returnee process in the Netherlands?

This is followed by the operationalization of terms ([3.2 Chapter](#)), then the case study explanation ([3.3 Chapter](#)), then finally closed by the methods of data collection and analysis ([3.4 Chapter](#)). For analytical clarification, the paper is going to review the management of Dutch returnees that are affiliated with jihadi extremism, travelling from the Netherlands to ISIS territory and back; or travelling from another European country as a Dutch citizen and returning to the Netherlands. The time frame of the analysis is starting from 2014 to 2019 - the five years of the self-declared ISIS ‘caliphate’ (Najjar, 2019).

The analysis of the case study of the Netherlands ([4. Chapter](#)) is starting with an overview of the current terrorism situation in the country ([4.1 Chapter](#)). The returnee process of the Netherlands will serve as the empirical evidence to justify the argument, as the country has a significant amount of returnees, especially females, and an active CVE and CT framework. After setting the context, the paper is going to establish the existing numbers of Dutch departees and returnees ([4.2 Chapter](#)). The following part is the returnee process, that is traced step by step and in separate chapters:

[4.3 Physical Process - Disengagement & Return;](#)

[4.4 Judicial Process - Conviction & Detention;](#)

[4.5 Rehabilitation Process - Deradicalization & Reintegration.](#)

The experiences of women and men, more specifically Dutch returnees, are separated at the end of the parts in tables to highlight the occurring differences between them. Finally, the concluding last part ([5.Chapter](#)) is going to include the finalized conclusion of the research

and offer policy recommendations towards a gender-sensitive approach in the returnee process ([5.1 Chapter](#)). At the end of the paper, a list of tables can be found ([6.Chapter](#)), as well as a bibliography to reference the used literature and keep transparency ([7.Chapter](#)).

2. Body of Knowledge

2.1 Conceptualization of Terms

The main concepts used in this research are defined below by the EU and the United Nations. The first concept is the individual who is in the centre of this research. The basic used term would be the '*foreign terrorist fighter (FTF)*', who is an individual travelled to a State other than their State of residence or nationality for the purposes of the perpetration, planning or preparation of, or participation in terrorist acts or the providing or receiving of terrorist training, including in connection with armed conflict (UNSC, 2014, p.2; UNDP, 2019, p.28). This definition is criticized by gender researching scholars, as it does not accurately describe the role and involvement of women. The definition includes front-line fighter women, but excludes other essential supportive roles (UNDP, 2019, p.30), as the purpose of involvement can not only be a 'fighter' (Hoyle et al., 2015, p.9; Schmidt, 2020, p.2).

Therefore, the paper is not going to use the term 'foreign terrorist fighter' for multiple reasons. Firstly, the absence of the fundamental definition of terrorism makes it impossible to know who is a terrorist fighter, what are the criteria and conditions one has to fulfil to be defined and regarded as one. Secondly, the research is recognizing and values other kinds of involvement in violent extremism than a fighter, therefore, this umbrella term does not cover the reality. For example, Gielen is using the term '*female jihadist*', who is a girl or woman either considered or attempted to travel to ISIS territory, who facilitates others for travel or marriage to jihadists, has returned from ISIS territory, or has committed acts of violent extremism (Gielen, 2018, p.456). This definition is covering the broader roles and involvement, however, the term is not widely used by others and the counterpart, *male jihadist*, has not been included in any literature. Moreover, the complexity of defining the acts of jihadism and who is a jihadist arises. Hence, the paper is going to regard individuals as 'departees' and 'returnees'. Dutch authorities are using the term 'jihadist travellers' and

the EU agrees with this observation by accepting the lack of definition on terrorism and using instead ‘returnees and departees’ (EP, 2018, p.27). In light of the unfulfilling FTF definition, ‘returnees’ are individuals who are returning from association with violent extremist groups to their country of origin or residence and crossed international borders to return home (UNDP, 2019, p.30). Returnees are not a homogenous population (EP, 2018, p.23), as male, female and child returnees have a diversity of backgrounds, experiences and motivations (Brown, 2019, p.2) which creates a complex issue and requires not only security but also humanitarian responses (EP, 2018, p.31). AIVD distinguishes various types of returnees, based on their threat posed to national security: threat, risk or no threat. (AIVD, 2017, p.3). They are drawing this threat assessment based on the length of their stay, their reason for returning and evidence against them (AIVD, 2017, p.4).

The second group of terms is defining the committed act while abroad under violent extremism. Europol, the police department of the EU, defines it as ‘*jihadi terrorist acts*’, committed out of a mindset that rejects democracy on religious grounds and uses the historical comparison with the crusades of the Middle Ages to describe current situations (Europol, 2019, p.79). Again, the definition is troublesome as it includes ‘jihad’ and ‘terrorism’ - both that remains undefined. Moreover, this definition regards acting on ‘religious grounds’, however, the motivation to join violent extremism is not always religion. The paper is going to refer to the committed acts by returnees as ‘*terrorism-related offences*’, as this legal term includes all motivations, roles and involvements. Defined by the Europol under the EU Directive 2017/541, terrorist offences are certain intentional acts which, given their nature and context, may seriously damage a country or an international organization when committed with the aim of seriously intimidating a population; unduly compelling a government or international organization to perform or abstain from performing any act; or seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organization (Europol, 2020, p.7). The term ‘*extremism*’ falls under the same category as ‘*terrorism*’, as there is no universally agreed definition (Europol, 2020, p.7).

The third group of terms is clarifying the concepts of the returnee process. Once an individual disconnects themselves from violent extremism, the process of disengagement will happen by

leaving a violent extremist group physically. Therefore, *'disengagement'* is a physical departure from an armed group and the cessation of violent behaviour (Schmidt, 2020, p.3). Here, it is important to draw a distinction between a physical and psychological leave of extremism (Turkington & Christien, 2018, p.7; Brown, 2019, p.3), as ideological disconnection might not happen at the same time as the physical one or it might not happen at all (Van der Heide and Schuurman, 2018, p.198). This has to do with the fact that disengagement can happen by force or by will. The cognitive part of the process is *'deradicalization'* when rejecting the ideology of the violent extremist group (UNDP, 2019, p.29; Van der Heide & Schuurman, 2018, p.198) to change their radical beliefs (Schmidt, 2020, p.3, Walkenhorst et. al, 2020, p.14). This psychological shift can happen in or after detention, or not at all if the individual refuses to change.

The societal process requires an individual to go through rehabilitation and reintegration. *'Rehabilitation'* is the process of positive transformation and healing from association with violent extremism (UNDP, 2019, p.29), after which people are able to lead a self-determined and self-sustaining life in a democratic society and no longer hold extremist views that could pose a risk to themselves or society (Walkenhorst et. al, 2020, p.14). And *'reintegration'* is the process of returnees re-entering and rebuilding their lives in society (UNDP, 2019, p.29)³, through social (family, friendship and community) and functional (housing, employment or healthcare) connections (Walkenhorst et. al, 2020, p.14). The umbrella term used for the separate parts of the returnee process altogether is *'exit programme'*. They are considered all efforts were undertaken by or under the responsibility of a municipality, or a country, aimed at deradicalization (changing extremist beliefs), disengagement (dissuading from violent extremist action), reintegration and rehabilitation (Gielen, 2018, p.456).

The analysis is putting a gender lens onto this returnee process, thus the definition is inevitable. *'Gender'* is a social construction of masculinity and femininity with attached values to these constructions (Schmidt, 2020, p.3), which perceptions of belief can and are changing over time and space (OSCE, 2019, p.9). Through a constructivist lens, a gender-based analysis examines how gendered social constructions are affecting private and

³ These definitions and frameworks are standardized across the UN agencies as 'Disarmament, Demobilization and Reintegration (DDR)' programmes.

public aspects of life, such as security governance. For clarification, gender does not equal to women or biological binary.

Kimmel has argued that we cannot fully understand VE movements, strategies and roles without a gender analysis (Brown, 2019, p.3). The issue starts from the fact that even if there is a gendered approach, it is generally reduced to a biological male and female binary. However, gender refers to the social attributes, roles, opportunities associated with being male and female in society (Brown, 2019, p.3). Moreover, the reason why the paper is highlighting women's experience more is that the female side is under-researched, under-represented and socially, as much as academically, more controversial than the male side.

2.2 Gendered Roles in Violent Extremism

The important role of women in violent extremism is recognized by many scholars (Colliver et al., 2019; Saltman and Smith, 2015; Schmidt, 2018 and 2020; Turkington and Christien, 2018; Cook and Vale, 2019a-b; OSCE, 2019; Pearson, 2017; ISD, 2019; David, 2020; Hoyle et al., 2015; Brown, 2019). Despite women having similar motivations to join extremism as men, cultural-societal-gender norms assume women have been forced to join (Turkington & Christien, 2018), pulled into violent extremism, as “unintelligent pawns of men” (Schmidt, 2018, p.1). Turkington & Christien (2018, p.4) put it:

“While men’s agency is assumed, women are infantilized or sexualized, despite mounting evidence that women join terrorist organizations for most of the same reasons as men”.

In order to successfully disengage women from radicalization, we need to understand their reasons to get engaged with violence in the first place (Davis, 2020, p.7). More specifically in Europe, factors of social isolation, marginalization, polarization and stigmatization, in correlation with the rise of islamophobia and xenophobia, created the foundation for successful ISIS recruitments (Abbas, 2020, p.54). An additional push factor can be noted in relation to Dutch female extremists: vulnerability. Many have experienced violence (domestic or sexual), physically/emotionally absent parents and racism (Gielen, 2018, p.458). The pathway to radicalization can be paved with various push and pull factors, such as:

<i>Women's Motivations⁴</i>		<i>Men's Motivations⁵</i>
<i>Religious</i>	<i>Societal</i>	<i>Personal & Political</i>
Desire and duty to be part of the caliphate building, management and support (hijra).	Feeling of social exclusion or experiences of discrimination, which can trigger a dilemma over belonging and identity.	Economic displacement and isolation - undermining their sense of masculine achievement in society.
Travelling to the proclaimed caliphate to live a true and pure Islamic life.	Female empowerment and rejection of western feminism - Muslim sisterhood	Troubled teenage years and engagement with petty crime.
Marry a fighter and indoctrinate children.	Rebellion against Western society, parents and taking control of their lives.	Macho image and masculine pride to defend 'their women'.

Table 1 - Push and Pull factors of Radicalization

The gendered nature of women's participation and motivations should not be underestimated, gender influences the experience of VE for men and women differently, as groups place different values on activities based on gender (Brown, 2019, p.3). At first, women in ISIS caliphate were confined to the domestic sphere, by supporting their militant husbands and indoctrinating their children (Vale, 2019, p.1; Gielen, 2018, p.454; Abbas, 2020, p.50). As a result of social stereotypes, women often face strong conventional societal expectations to be caregivers and homemakers, while men are similarly expected to be breadwinners (UNDP, 2020, p.153). And while the marriage remains a relevant reason, it can be a practical means to escape their current lives, in order to reach their goal of religious duty or to facilitate their migration to the caliphate (ISD, 2019, p.8). The media coverage on women's involvement in violent extremism was limited to the stereotypical wife and mother story in the beginning (Aljazeera, 2019a). The so-called 'jihadi brides/wives' concept has gained attention after more and more women have travelled from the EU to ISIS territory in order to marry fighters (EP, 2018, p.5; Schmidt, 2020, p.1). The concept has generated a gender-aware understanding of terrorist actors, by challenging gender expectations and leaving comfortable lives in Europe (Brown, 2019, p.3). Although overemphasis on the 'good mother' narrative

⁴ Colliver et al, 2019, p.8

⁵ Brown, 2019, p.4.

leads to a disregard of women in other roles (Schmidt, 2019, p.12; David, 2020, p.1) or the simplistic wife explanation can misinterpret their reason for support (ISD, 2019, p.8). Moreover, gendered media reporting can be dangerous, as it can interpret bias into counter-terrorism practitioner's assessment of the individual's threat (David, 2020, p.5).

Over the years, female involvement has grown from family duties and labelled victims into recruitment, propaganda activities and financing (Brown, 2019, p.3) thus a supporter of the jihadi cause (Gielen, 2018, p.455). And when a woman has a direct role in armed violence, she receives more media attention than male counterparts because of the drastic departure from gendered stereotypes of nurturing, peaceful women (Schmidt, 2020, p.1). Since July 2017, female combats on the ground have become active in fighting (David, 2020, p.3), therefore, female departees could be considered as physical fighters as well. Moreover, ISIS has actively encouraged women to be suicide bombers: they received and provided training, and also prepared them (David, 2020, p.3). Another important female involvement in the functioning of the Islamic State was the all-female religious police, called *al-Khansaa Brigade* (Gielen, 2018, p.455). It had the mandate of enforcing religious Sharia laws and punishing disobedience, including through violent means. This is where the horror story of 'women torturing women' came into reality, under the '*monster*' narrative (Aljazeera, 2019b). Schmidt refers to this as "*the stereotype that allows policymakers to discount women's participation in extremist violence as rare, leading to inadequate resources or attention when women want to disengage*" (Schmidt, 2020, p.12).

Moreover, even recent articles use gender-stereotypical narrative and discuss the manly rescue of naive teenage girls, who had been acquitted from conviction and detention (Hamilton, 2020). This '*victim*' stereotype, according to Schmidt, underestimates women's deliberate involvement in terrorist groups and it leads to a lack of programming when women want to disengage (2019, p.12). These narratives can reinforce societal assumptions, plus religious and racial stereotypes, about women and describe them as emotional, not political, easily manipulated, deranged and simply unintelligent (Schmidt, 2018, p.1). Moreover, assumptions along gender lines, that women and girls are victims and not agents, have proven dangerously ill-founded (OSCE, 2018, p.14.). This discourse can hinder effective policy frameworks against female violent extremism (Gielen, 2018, p.454). The ideological

commitment of women departees is established to be deeper to violent extremism (Schmidt, 2020, p.4), which warns that the ideological dedication of women should not be underestimated (Vale, 2019, p.9). For example, even though the caliphate had fallen, women had continued their roles by replicating the structures of ISIS in the detention camps of al-Howl in Syria (David, 2020, p.4).

However, stereotypical and gender framed narratives do not mean that women cannot be victims of violent extremism and terrorism. Victims of VE have been subject to gender-based violence, forced marriage (also child marriage), trafficking, kidnapping and slavery (Brown, 2019, p.4). In some cases, women victims become perpetrators due to the oppression and pain they went through. The purpose of the research is to fairly judge the involvement of both men and women, in order to create an equal system: where the victims receive proper rehabilitation and reintegration support, while the active perpetrators receive fair judicial punishment for the committed terrorism-related offences and enrollment into deradicalisation programmes. As long as a country's returnee management is not gender-sensitive, meaning that it is accepting of specific gender roles in jihadism and understanding other crucial involvement than physical, it cannot equally manage both innocent and guilty returnees, let it be any gender. The conceptualisations mentioned above, such as jihadi wives, are unhelpful in understanding the reality of female recruitment and radicalization (Pearson, 2017, p.8) - therefore unhelpful in the understanding of returnee management and de-radicalization or rehabilitation. Misunderstanding women's role and motivations often mean that legal and social solutions that are not addressing their needs and grievances (Turkington & Christien, 2018, p.5).

2.3 Motivations to return

The motivations to physically return and psychologically disconnect from violent extremism are just as complex as the reasons to join and leave in the first place. Similarly, it is mostly induced by a personal crisis or a critical turning point (Van der Heide & Schuurman, 2018, p.199). The motivation behind the decision to return is hard to establish, however, AIVD

listed reasons such as homesickness, pressure from family (against their will) or disillusion from the ideology (AIVD, 2017, p.4).

Physically, it can come from a personal or from a societal point, however, it is important to make the distinction between voluntary and forced returning (Brown, 2019, p.4). Generally, no one would be allowed to leave from the territory of ISIS, therefore if someone was allowed to return, officials are treating it a red flag (AIVD, 2017, p.4). They could pose a threat as a possibility for recruitment, financing terrorism or carrying out attacks abroad (AIVD, 2017, p.5). Reasons for leaving a VE group and returning can be based on:

<i>Ideological factor</i>	<i>Social factor</i>	<i>Practical factors</i> ⁶
Disillusionment with the ideology	Dissatisfaction with extremist members, group or movement	The feeling of isolation, stigmatization, external pressure to participation

Table 2. Reasons for Returning

2.4 Returnee Process

The EU's counter-terrorism activities are managed under Europol, and it includes groups such as the European Counter Terrorism Centre (ECTC), which is an information hub for counter-terrorism, with unique information and intelligence sharing capabilities for law enforcement authorities in the EU Member States and beyond (Europol, 2020, p.89). Moreover, the Radicalization Awareness Network (RAN) is the main policy tool for countering radicalization in the EU (EP, 2018, p.16). The network consists of nine working groups and thousands of first-line practitioners (teachers, police officers, social workers) around Europe in order to share countering violent extremism (CVE) good-case practices.

The first part of the returnee process is the physical disengagement, where the individual is disintegrating themselves - willingly or forcibly - from the terrorist organization. This means that there are two ways of returning: independently or repatriated by the state (Cook and Vale, 2018, p.5). The first gender differentiation comes up with the repatriation of returnees who are trying to return to their country of origin or residence. European countries have

⁶ Demant et al., 2008 (in Gielen, 2018, p.460)

varying strategies regarding the matter, however, fewer women are returning than men, and many countries do not publicly acknowledge their returnee numbers (Cook and Vale, 2019, p.5). Women can also face administrative issues such as the loss of identification or the loss of their (or their child's) citizenship, which could prevent them from physically returning (Brown, 2019, p.9). Countries practice four returning options: 1. hold them in detention in Syria 2. try them for their crimes in Syria or Iraq; 3. try them at an international tribunal; 4. repatriate them to their home countries to face arrest, prosecution, and/or reintegration (David, 2020, p.2).

The second part of the returnee process, after the physical disengagement from an extremist group, is conviction and potential detention, abroad or at home. Until the European Criminal Code's were updated to broader terrorism-related offences, there was a gendered difference in the justice system when regarding the treatment of returnees (CTC, 2018). At the beginning of the returnee flow, women were not prosecuted at all on the basis of gender-stereotypes (Gielen, 2018, p.454). First of all, the confusion is generated from the fundamental issue: the lack of definition of terrorism. How could a court convict someone for terrorism, when the definition of terrorism is not clearly defined and the concept is dependent on our personal perceptions? Second of all, the poor understanding of female roles in ISIS which results in the perception that they are less of a threat (David, 2020, p.6; Brown, 2019, p.9). Even the field of feminist criminology acknowledged that the justice system is working on a gender-biased base (Turkington & Christien, 2018, p.3). Most of the times, female returnees were regarded as victims and passive followers of men, therefore, not active fighters of the jihadi cause. While there were female combatants as well, they were mostly involved in recruitment, propaganda, indoctrination and preparation - creating a foundation for violent extremist attacks to happen and strengthening the ideology. In some EU countries, women are prosecuted and in some, they are not: the extent of prosecution is dependent on the national framework and legal system (Europol, 2020, p.44). Legal initiatives responded to this gap by criminalizing participation, contribution and providing/receiving training as well and not just physical fighting (EP, 2018, p.7), with the adoption of Directive 2017/541 on combating terrorism (EUR-Lex, 2018), based on the UNSC Resolution 2178 (UNSC, 2014). The legal directive increased the number of female defendants prosecutions for

terrorism-related offences, and the majority of females were tried in 2018 (Europol, 2019, p.23). The directive offers the acceptance of various background motivations and the prosecution of female returnees for:

- leading a terrorist group;
- preparing to commit a terrorist act;
- participating in or collaborating with a terrorist organization;
- financing terrorism;
- The glorification of terrorism;
- spreading messages inciting to commit a terrorist offence;
- other terrorism-related offences (Europol, 2019, p.25).

On one hand, gender-blind policies can induce a ripple effect of neglect, starting with the judicial process. If a female returnee would not be convicted, she would not be in detention, where she could possibly access assistance programs (Schmidt, 2020, p.2; Brown, 2019, p.5). Even if a returnee would be found innocent and she would get acquitted, individual assessment should be required, in order not to make simplistic judgements based on gender, age or statistical probability (David, 2020, p.9). The potential solution can include reintegration efforts, such as help in re-starting a normal life, mental health care and religious teaching. On the other hand, women can exploit victimizing narratives to avoid prosecution when they are returning home (Schmidt, 2020, p.2), and can rejoin existing jihadist networks in their home countries. For example in the Swedish drama show, called '*Caliphate*', where one of the characters (Kerima) has reconnected her VE network and carried out a suicide attack right after officials released her due to an attempted trip to Syria. Her example shows how having a troubled background and mental health problems can drive one towards radicalization. Moreover, how these societal and personal issues need to be solved in order to disconnect.

The legal complication comes from the fact that there is no specific legal framework for terrorist crimes (Clingendael, 2020) and criminal convictions might not reflect the severity, or the lack, of their terrorism-related offences. Returnees are investigated under the European Union's criminal law, which has raised proportionality and effectiveness concerns. The criminal justice response is heavily evidence-based and in the case of returnees, proof of

involvement in terrorism is hard to find (EP, 2018, p.44; Heide and Schuurman, 2018, p.197; UNDP, 2019, p.39; Brown, 2019, p.4), but critical for threat assessments (David, 2020, p.10). The following tables are highlighting the female side of terrorism numbers in the EU, however, gendered data is close to non-existing as it is included just as footnotes in a few topics. Moreover, as another concern, the most recent 2020 TESAT report does not include gendered data, not even in footnotes.

Table 3 - Women arrestees suspected of jihadi terrorism in the EU			
<i>2016</i> ⁷	<i>2017</i> ⁸	<i>2018</i> ⁹	<i>2019</i>
26% (of 718)	16% (of 705)	22% (of 511)	- ¹⁰

Table 4 - Female defendants in court proceedings for terrorist offences in the EU			
<i>2016</i> ¹¹	<i>2017</i> ¹²	<i>2018</i> ¹³	<i>2019</i>
53	66	94	- ¹⁴

The other side of the judicial process after conviction is detention. The EU Member States' strategy varies: some allocates offenders in general prisons and some places them in special terrorism sections. The separated terrorism prison sections can be beneficial to avoid non-terrorist offenders from radicalization. However, it can also mean better radical networking for extremist offenders, therefore, they could pose a higher threat during their imprisonment and after their release (Europol, 2020, p.13). The average prison sentence for jihadi terrorism offences was five years in the EU in 2019, the same in 2017 and 2018 (Europol, 2020, p.30). The severity of the penalty in each case is depending on the legal system, the respective offence and specific circumstances (Europol, 2020, p.30). Some EU Member states are also using alternatives to prison terms, such as treatment in mental health institutions, monetary penalties, community service, restrictions, travel bans or confiscation

⁷ Source: Europol, 2019, p.30

⁸ Source: Europol, 2018, p.55

⁹ Source: Europol, 2019, p.30

¹⁰ The TESAT 2020 report states the numbers “irrespective of gender”. Only indicator is that “activities, leading to arrest, were almost exclusively involving male suspects” (Europol, 2020, p.15).

¹¹ Source: Europol, 2017, p.51

¹² Source: Europol, 2019, p.71

¹³ Source: Europol, 2019, p.71

¹⁴ No gendered data in the same section of the TESAT report (Europol, 2020, p.86).

of assets (Europol, 2020, p.30). In 2019, the European Council has also adopted measures to prevent and combat radicalization in prisons, and the management of violent extremist offenders after release. These efforts included information exchange, training programmes for prison and probation staff, special measures based on risk assessments, case-by-case analysis, deradicalization support with the religious approach, and psychological support after release (European Council, 2019). These efforts could include gender as a factor, however, not much importance is being paid to the concept.

Before women could return to their home countries, some departees were also detained in Syria, more specifically in the al-Howl and al-Roj camps (David, 2020, p.4). These camps raise multiple humanitarian, security and legal issues, however, most of the foreign female departees are residing here as long as their home country is deciding on the course of actions further. Globally, sentences for women returnees range widely from time-served to death (UNDP, 2019, p.40).

The next step, the process of ideological disconnection: in prison or after prison (in some cases, not at all). Deradicalization is the process where an individual is rejecting the ideology of the violent extremist group (UNDP, 2019, p.29). Deradicalization programmes differ in every country, although multidisciplinary, “across-society” (UNDP, 2019, p.15) approach is favourable: local, social and cultural dynamics are co-operating on a case-by-case approach (Turkington & Christien, 2018, p.2). This means collaboration among global and regional multilateral organizations, national and local governments and civil society.

Deradicalization efforts can be dated back to the 1970s (Van der Heide, 2018, p.200) and since the early 2000s, multiple governments, such as Yemen, Indonesia and Saudi Arabia, have launched the ‘first generation’ of deradicalization programmes. The efforts included elements such as education in prison, monitoring after prison release, theological re-education, vocational training (Turkington & Christien, 2018, p.2). Critics of deradicalization programmes have included the question of necessity, resources, counterproductivity and stigmatization (Van der Heide & Schuurman, 2018, p.200). Deradicalization efforts have two types: individual ideological or collective deradicalization, but they all result in ideological change at the end (Schmid, 2013, p.44). Realizing the gender

gaps on the European level, some countries did not offer deradicalization or reintegration programmes in the beginning to female extremists (Gielen, 2018, p.455). The exclusion of women returnees is connected to the fact that they were not considered as a threat throughout the first waves of returnees. Although, psychological dedication to jihadi beliefs is just as important to consider a threat as the physical commitment to terrorism through the literal act of violence (Hoyle et al., 2015, p.37). This observation is justified as the physical collapse of the ISIS caliphate did not mean the end of the extremist group, as the ideological commitment, especially of women followers, is surviving the fall and their activism can mean the resurfacing of ISIS in the future (Cook and Vale, 2018, p.5; Schmidt, 2020, p.2). The exclusion of women from the returnee process, including ideological deradicalization programs, is dangerous as they tend to have loyalty towards jihadi extremism, argued that even more ideological motivation than men (Schmidt, 2020, p.4), which could lead to further spread of violence (Vale, 2019, p.1). Yet still, global deradicalization programmes' near-exclusive priority is male fighters (Mazurana et al, 2002, p.116). In other words, these programmes are mostly based on male-dominated data and serve men's needs - called *a gender-blind perspective* (Abbas, 2020, p.51; Brown, 2019, p.3). However, deradicalization and exit programmes should be influenced by gender aspects as the needs and the narratives of individuals are influenced by the gender norms and roles (Brown, 2019, p.2).

Another gendered gap can be mentioned in the context of female exit practitioners, as the field is described as "*a men's club*" (Brown, 2019, p.9). Female practitioners included in deradicalization programmes are crucial, as they are needed to manage female returnees, as they are the ones truly understanding their realities, especially if they were subjected to violence and assault (Brown, 2019, p.5). Yet, female exit practitioners are not always included in it, which eliminates some women's chances of receiving care.

Another noticed issue appears in relation to the evaluation of deradicalization programmes. Gielen notices that the success of an exit program is dependent on the extent to which the programme is integral and holistic, and addresses ideological, social, and practical issues (Gielen, 2018, p.461). However, the question of 'how to measure success?' comes up. The evaluation of deradicalization programmes is difficult (Abbas, 2020, p.51), as there is lack of data on baselines, outcomes, counterfactuals, and lack of consensus on how to measure

success (Turkington & Christien, 2018, p.2). Moreover, as a researcher, it is difficult to gain access to sensitive information (Van der Heide & Schuurman, 2018, p.202), which results in a lack of transparency. The best practices for reintegration efforts, as concluded by Van der Heide & Schuurman (2018, p.203) includes:

- Extensive post-release care
- Surveillance and deterrence capabilities
- Including family members in reintegration
- Ensuring sufficient public support for reintegration programs
- Using independent clerics to conduct religious deradicalization interventions
- Dialogue-based interventions to challenge extremist convictions
- Potential to use financial incentives to instigate and ensure continued resistance.

This is a more general challenge amongst CVE practitioners, however, it can be analyzed through a gender lens as well. How could we decide if a deradicalization programme is gender-sensitive? Gender-sensitive approaches call for exit programmes to address gender, both women and men, assumptions about roles, motivations and experiences in VE (Brown, 2019, p.11). One could analyze the presence of gender-respective policies and measures to accommodate this understanding of gendered motivations and roles in VE. And continuing on the ripple effect, if a women returnee would not go through the judicial process, then she would not get access to deradicalization and rehabilitation programmes, based on the socially constructed gender assumption that as a woman, she is no threat and needs no assistance. Following the trail, she will reintegrate into society with the same personal/societal/religious issues and her chances of re-radicalization would grow higher (UNCTED, 2019, p.2). Therefore, programs should include ideological, social and practical dimensions in order to address the push and pull factors leading up to radicalization (Van der Heide & Schuurman, 2018, p.199). Overall, gender-biased assumptions lead to inadequate deradicalization programmes (Turkington & Christien, 2018, p.3), which will lead to inadequate reintegration to society, and potential spread of extremism. RAN's recent manual on rehabilitation to practitioners is mentioning gender as a cross-cutting issue. The manual recognizes seven chronological phases in the rehabilitation process (Walkenhorst et al., 2020, p.17):

1. Pretrial detention
2. Reception in prison
3. Serving the sentence
4. Preparation for release
5. The first months after the release
6. Reintegration
7. Stabilisation

“Criminal behaviour differs along gender lines, therefore, gender-specific measures should be applied. There must be an ongoing and continual process of reviewing and reconsidering gender-based assumptions about offenders” (Walkenhorst et al., 2020, p.7).

The table below is presenting the discovered gendered issues in the returnee process.

<u>Table 5 - Discovered gendered issues in the returnee process</u>	
<i>Physical Process</i>	<ol style="list-style-type: none"> 1. Fewer women are returning than men. 2. Women face more challenges when returning.
<i>Judicial Process</i>	<ol style="list-style-type: none"> 1. Women were not convicted of terrorism, due to misunderstanding their roles in VE. 2. Women exploit victim narratives to avoid prosecution 3. Returnees are prosecuted under criminal law.
<i>Rehabilitation Process</i>	<ol style="list-style-type: none"> 1. Women cannot participate in deradicalization programs 2. Deradicalization programs are not gender-sensitive. 3. Measurement of success in DR programmes. 4. Women face more challenges when reintegrating.

3. Research Design / Methodology

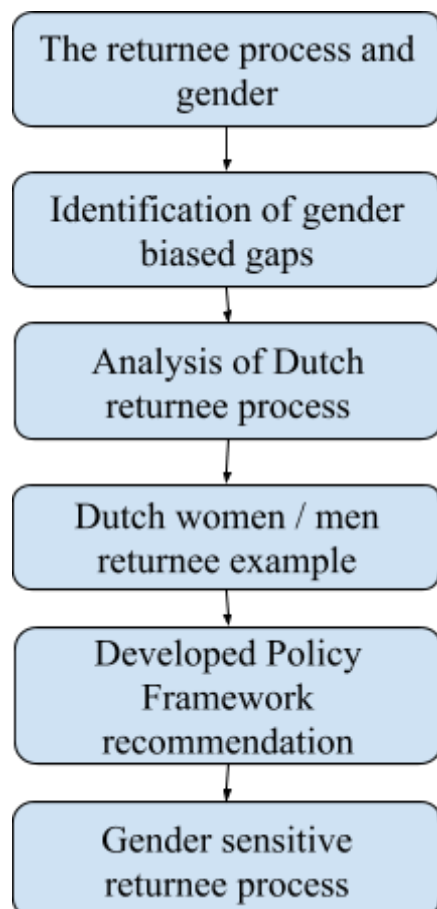
The research method is mixed between qualitative and quantitative to address the gender-biased gaps in the returnee process and analyze those on the framework of the Netherlands. The case study is a single one and it is small-N research without supporting case study, as there is no other existing data or research on the gender approach of the returnee

process, except Schmidt's UK analysis (2020). Separate parts of the process have been analyzed by researchers, such as the reintegration process by Abbas (2020). After developing the research question that is looking to answer the gaps in the existing literature, the paper is going to illustrate the types of multi-method data collection. Through analyzing the Dutch returnee process on a step-by-step basis, the analysis is going to show the experiences of returnee women and men, in order to conclude whether there is gender-biased systematic management. The end results should reveal the presence or the lack of security gaps, created by socially constructed gender norms, in the Dutch returnee process.

3.1 The Research Question

The developed research question has been created by respecting relevant contextual conditions of the returnee process, analysing it through a gender lens, and projecting it to the case study of the Netherlands as a relevant and measurable supporting example. Therefore, the research questions stand as followed:

- *What issues are socially constructed gender stereotypes creating in the returnee process in the Netherlands?*



3.2 Operationalization of Terms

The in-depth, qualitative analysis is going to highlight the gender bias gaps in the returnee process, due to socially constructed gender stereotypes. The dependent variable is the returnee process and the independent variable is gender, resulting in the outcome of a positive outcome (+ gender-sensitive) or a negative outcome (- gender-blind) approach of the process. The dependent variable is affected by the gendered roles in VE, CT policies and societal gender stereotypes, which are expected feminine and masculine behaviour, defined by ones' sex and gender. The independent variable, gender, can result in two distinguishable examples: the man and woman experience. Again, this is affected by the dependent

variable, returnee process, as roles in VE, CT policies and gender stereotypes are resulting in the different experience of the two genders. The chart above is describing the flow of research through visual means. First, the analysis of the returnee process and gender was done in the literature review part. By doing so, the identification of gender-biased gaps was discovered. Then these gaps were analysed on the Dutch CT framework, through the examples of Dutch returnee women and men. This analysis is resulting in a developed policy framework recommendation to address the gaps.

3.3 Case Study

The case study of this research is the Netherlands. The case selection criteria were dependent on the number of departees and returnees, with a significant amount of gender differentiation in numbers. The Netherlands is a relevant example as it has one of the highest numbers of females (EP, 2018, p.34) who left to join ISIS and returned to their home (Cook and Vale, 2019a, p.20). The second criteria were that the country must have a returnee process and framework of policies in effect, therefore, the phenomena are present. Moreover, the Netherlands has active counter-terrorism measures and frameworks in all steps of the returnee process: physical, judicial and reintegration steps. Also, it is relevant to analyze the Netherlands as the country has a big jihadi network and home-grown extremists count as a security issue as well. The research is going to use story-telling style examples of Dutch female and male returnees at the end of each chapter on the returnee process. This in-depth analysis is in place to highlight the different experiences of women and men in VE. Moreover, the gender-based comparison side-to-side helps us to understand whether there is differentiated management in the Dutch system.

In order to justify the specific case study example within the separate process steps, the paper is analyzing relevant individual cases. The [1.example](#) is the case of Krista van Tankeren, which is describing the pressured burden of a female departee in a detention camp in Syria. The [2.example](#) is the comparative case of Amber and Abdussalam, that is showing the gendered challenges of the physical process of returning. The [3.example](#) of the Anonymous returnee woman and Oussama Achraf Akhlafa is showing the use of social media to prove terrorism-related offences. The [4.example](#) is the case of Shukri F. and Maher H., who were

one of the first returnees to be prosecuted and it is showing the gender biases in the judicial process. The [5.example](#) is the case of Laura Angela Hansen, who was the first female returnee to be convicted for terrorism-related offences in the Netherlands. Her example is high-profile and her experience is published in a book as well. The rehabilitation issues are argued through scholar research of the Dutch example, as individual examples are not available. The reasons for non-existent data is that most returnees are in the judicial process or spending their prison time. Another reason is that public exploitation is not helping the reintegration process of returnees.

3.4 Data Collection and Analysis

The paper is going to use a mix of sources for data collection. Collected through online library databases, the research is dependent on primarily peer-reviewed scholarly articles, due to the reliability and validity of the information. The use of social media has been excluded from data collection, because of the potential bias of personal opinion and perception. Information from social media platforms cannot be checked for validity and the probability of misinformation is high. Data on the independent variable which is gender, derived from official documents from the Dutch government, especially the National Coordinator for Security and Counterterrorism (NCTV), the Dutch General Intelligence and Security Service (AIVD) and Europol reports. These include the Europol Terrorism and Situation Reports (TESAT), the NCTV Terrorist Threat Assessment for the Netherlands (DTN) reports and the AIVD's annual reports. Data on the dependent variable, returnee process, is collected from scholar articles, Dutch official documents and organization reports, such as RAN reports and manuals. Moreover, secondary sources, such as media outlets, have been used to prove the points of arguments through individual story-telling. These stories of returnee individuals are believed to be valid, as they appear in the Europol TESAT and NCTV DTN reports as well (reference attached to them).

4. Analysis

4.1 Terrorism in the Netherlands

The presence of the jihadist movement in the Netherlands is an important national security point (NCTV, 2020, p.3). The current terrorist threat level of the Netherlands is on 3, which is considerable, meaning that an attack is likely to happen (NCTV, 2020, p.1). The jihadist movements in the Netherlands are larger now than it was before the war in Syria 2011, with over 500 members to spread the jihadist Salafist ideology (AIVD, 2019, p.13; NCTV, 2020, p.6). Known extremists Dutch groups are Pegida, Forepost, Right-wing Resistance and Hofstad Group (Europol TESAT, 2019, p.61). These groups function without a hierarchy and interrelated through social links. Activities include propaganda production and dissemination, fundraising and travelling to conflict areas (NCTV, 2020, p.6).

In 2019, the Netherlands had 2 jihadi terrorist attacks (one foiled, one completed) out of 21 in the EU (Europol, 2020, p.84), and 27 (in 2019, and 49 in 2018 - Europol, 2019, p.15) arrests were carried out for jihadist terrorism (Europol, 2020, p.34). Returnees are at risk of re-radicalization in these organized networks if faced with an improper returnee process (NCTV, 2019a, p.14). Moreover, the threat of female returnees inspiring the Dutch jihadist movement is present (NCTV, 2020, p.4). NCTV confirmed that Dutch female returnees may pose a threat of violence (NCTV, 2020, p.6), as next to performing ancillary tasks such as recruitment and facilitation, many received weapons training (AIVD, 2017, p.4).

Table 6 - Terrorism in the Netherlands				
	<i>2016¹⁵</i>	<i>2017¹⁶</i>	<i>2018</i>	<i>2019</i>
Jihadi terrorist attacks	0	0	4	2
Jihadi terrorism arrests	36	28	45	27
Court proceedings for terrorist offences	42	46 ¹⁷	37 ¹⁸	56

¹⁵ Europol, 2017, p.49-53.

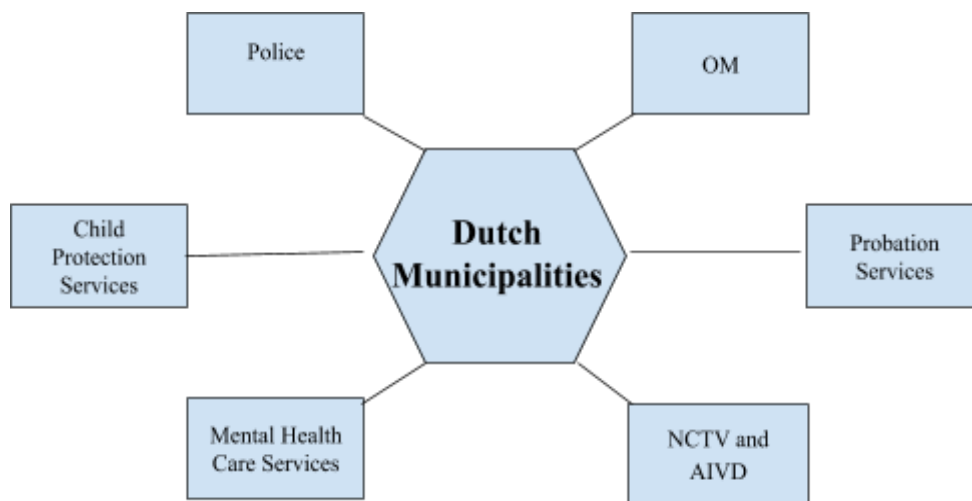
¹⁶ Europol, 2018, p.54-59.

¹⁷ In 2017, 66 female defendants in the EU.

¹⁸ In 2018, 94 female defendants in the EU.

Verdicts	42	37 ¹⁹	32 ²⁰	49
Convictions	39	32	32	43
Acquittals	3	14	5	13

In the Dutch approach of CVE, municipalities are responsible for handling these individuals (Gielen, 2018, p.455). Their approach is a tailor-made and multi-agency effort to deradicalize and disengage departees and returnees. While Dutch municipalities can involve the probation services, child protection services and the exit programmes, they are always responsible for the individual and the type of management they receive. All 390 municipalities have different approaches, and it is dependent on the number of departees and returnees, but their measures are mostly legal and administrative (Gielen, 2018, p.455). The chart below is visualizing the cooperation between the municipalities and other relevant actors.



Although sometimes it can be a holistic approach, including religious counselling, psychological and psychiatric support as well. One of the cornerstones of the Dutch CVE approach is the involvement of the local level (Gielen, 2018, p.461). It is not compulsory to have CVE measures in municipalities, therefore, many did not implement any as they have not yet been confronted with cases of violent extremism. And when departees left to join ISIS, many were overwhelmed to respond properly. Case management of extremists and potential extremists is done in a multi-agency approach. The municipality works with the

¹⁹ In 2017, 42 female defendants were tried in the EU.

²⁰ In 2018, 64 female defendants were tried in the EU.

police, the (OM), child protection services, the probation services, mental health care services, NCTV to do a risk assessment and decide on the best course of further actions (Gielen, 2018, p.462).

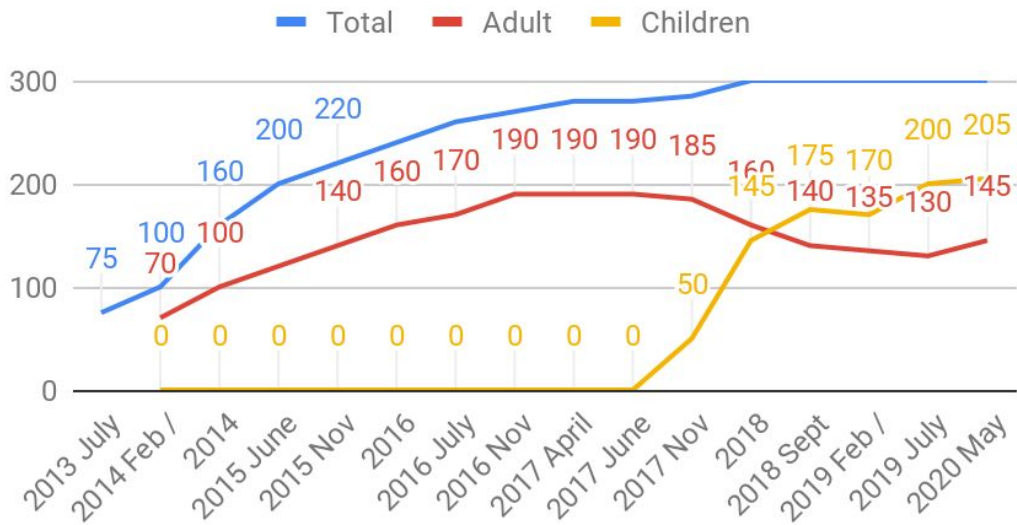
The past returnee management of the Netherlands Has included stripping nationality away in absentia, in the case of dual-citizenship such as Outhmane Bouchenafa (Pieters, 2019a), and the request to convict Dutch departees in Iraq or in Syria (Dutch News, 2019). The criminal tribunal would serve the purpose of convicting dangerous individuals abroad and it would prevent them from returning to the Netherlands (Pieters, 2019b), however, departees have the right to a fair trial (EP, 2018, p.55). Moreover, fundamental right concerns arose as the death penalty is in practice in Iraq while it is against EU and international principles (EP, 2018, p.8).

4.2 Departee and Returnee Numbers

Individuals who have travelled to the conflict zone in Syria and Iraq with jihadist intentions, and for whom it has been ascertained that they reached the conflict zone and are now returning to the Netherlands (AIVD, 2017, p.2). As of July 2019, 52.808 foreigners have been confirmed as ISIS affiliates globally with the share of 6.902 foreign women (Cook and Vale, 2019, p.1). European departees totaled approximately 6,613-6,633, including 1,023-1,105 women (EPRS, 2018). **Chart 1** below is showing the growing number of departees from the Netherlands between 2013 and 2020²¹. An increasing number of departees can be noted after the 2014 proclamation of the ‘caliphate’, that motivated and mobilized many to leave for Syria. More than 100 Dutch women left to join ISIS (AIVD, 2017).

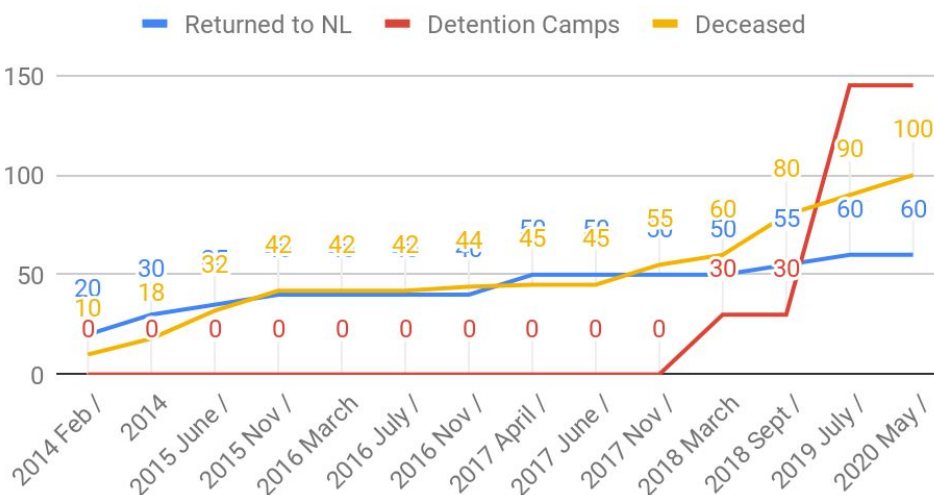
²¹ Sources of data: NCTV DTN Report 32 - 51 (2013 - 2020).

Dutch Departees



Regarding the number of returnees, out of the 8.202 returnees worldwide, only 7-8% were women (Cook and Vale, 2019b). Women departees have been repatriated globally at a lower level than men (Schmidt, 2020, p.2). As of May 2020, around 60 have returned to the Netherlands, while 145 Dutch are still in Syria and Turkey: 90 children and 50 adults (AIVD, 2020). **Chart 2 below** is showing the number of Dutch returnees between 2014 and 2020²².

Dutch Returnees



²² Sources of data: NCTV DTN Report 32 - 51 (2013 - 2020).

Gendered datasets are scarce generally (David, 2020, p.6; UNDP, 2019, p.43), and if the data is separated by groups, women are usually included in the ‘migrants’, ‘family’ (ICSR, 2018 Diaspora, p.13) or “women and children” category (David, 2020, p.1), as passive followers rather than active supporters (ISD, 2019, p.8), or excluded completely (Cook and Vale, 2018, p.5). The exclusion of women from numbers and analysis creates a language gap (UNDP, 2019, p.30), which can indicate the irrelevance of female involvement (Schmidt, 2020, p.2). Moreover, using these merged categories support gender stereotypes by defining women through their association with men and minors (UNDP, 2019, p.30), not as active participants.

The reason for past analysis is in order to prepare, develop and implement a gender-conscious returnee process for the new waves of arrivals in the future. The first wave of returnees happened in 2013-2014, which was prior to the declaration of the so-called, Islamic State caliphate in June 2014 (Abbas, 2020, p.52). The second wave struck in 2015, with around 50 out of 280 returnees in the Netherlands - once again the data does not include gender differentiation (EPRS, 2018, p.31). With the territorial loss and physical collapse of the IS caliphate in March 2019, returnee numbers are expected to rise (Abbas, 2020, p.52), including European and Dutch returnees as well (EPRS, 2018, p.5). The first generation of returnees is more prone to disillusionment and less violent, while the second generation is supposed to be more battle-hardened and ideologically committed with potential violent motives (EPRS, 2018, p.36). A correlation can be recognized between the amount of time spent in the battle zones and the level of individual threat upon return: the more time one spent abroad involved with violent extremism, the higher chance of risk they pose as returnees due to the bigger possibility of completion of arms training, involvement in violent acts, preparation of those acts and more. Future returnees are expected to be even more ideologically hardened, battle-trained with existing jihadi networks (AIVD, 2017, p.5; Abbas, 2020, p.53).

4.3 Physical Process - Disengagement & Return

Returnees can arrive back to the Netherlands through a legal or an illegal way. In order to come back to the country legally, departees need to reach a Dutch embassy abroad (either in Turkey or in Iraq) without any assistance (Abbas, 2020, p.53). Most returnees took this way by smuggling themselves to Turkey from Syria or Iraq. As expected due to the ongoing humanitarian crisis in detention camps (NCTV, 2019a, p.13), a bigger number of Dutch women and children (minimum ten; Het Parool, 2020) escaped the Syrian detention camp in June 2020 and hid in Idlib, in order to escape to Turkey. Once they appeal at the Dutch embassy in Turkey, they would be brought back by the Royal Dutch Military Police, arrest them upon return and put them on trial (Dutch News, 2020). 6 individuals returned this way in 2019 (Europol, 2020, p.44). The Netherlands has warned the European community before, that the deteriorating humanitarian situation would increase the risk of escaping the camps (Europol, 2020, p.48).

The approach of the Netherlands is described as a combination of preparation and denial (Clingendael, 2020, section 5). The new wave of Dutch returnees, around 150 (Chart 2) are currently in detention camps in Syria and Iraq and expected to arrive back soon. The Dutch government is preparing for the potential returnees, although the political attitude reflects a denial of responsibility. Lack of policy coherence and clarity within and between countries in the treatment of women returnees. The key challenge is to provide human rights to those in need of rehabilitation while ensuring the security of the receiving communities and respecting the rights of victims of violent extremism (UNDP, 2019, p.37). Moreover, the ratio of women to men returning to their countries of origin varies by country, but women are returning at a lower rate because they are unable to attain citizenship status or custody (UNDP, 2019, p.13).

When women are trying to return home, it is a complex legal situation (Schmidt, 2020, p.2). Another administrative and legal issue with returning home is the loss of identification. This is due to the measures of ISIS, as they have requested from joining members to burn their passport in order to prove their belonging to the caliphate (Malik, 2014). If not burned, passports were collected by ISIS to potentially use when sending ISIS agents to Europe

(Europol, 2020, p.44). Since March 2017, the minister of Justice and Security can withdraw Dutch citizenship in the interest of national security on the basis of the Revocation of Dutch Nationality Act (IND, 2020). This is possible if someone is 16 years old or older, has dual nationality, is outside of the country and shows the behaviour of joining a terrorist organization.

The Statelessness act, part of the International Human Rights Law, cannot let anyone to not have minimum one citizenship, therefore, this measure is only available in the case of dual-citizenships (UNDP, 2019, p.41). However, this strict method is controversial as article 3 of the Fourth Protocol to the European Convention on Human Rights (ECHR) states, that “No one shall be deprived of the right to enter the territory of the State of which he is a national” (ECHR, 2010, p.37). Overall, legislation exists to prevent and counter violent extremism, however, it is inadequate or counter-productive for reintegration. The reason behind the judgement is that no law has taken account of the gendered difference in VE: women’s and men’s experiences (UNDP, 2019, p.39).

1.Example: Krista van Tankeren^{23 24 25 26 27}

She is still in Syria, al-Hol camp.

→ Before she left the Netherlands

Krista is a Dutch, around 30 years old female, who converted to Islam at age 16. She claimed that she never intended to go to Syria, but that her husband, an ISIS fighter called Outhmane B., lured her into a holiday in Turkey. When questioned about her departure, she replied: “*But what do you want me to do? Run hard in the middle of the night?*”. She also claimed that she has never noticed any signs of radicalization in her husband, by justifying it with physical attributes: “*He didn’t even have a beard, for example*”.

²³ Trouw, 2019a

²⁴ Government Gazette of the Kingdom of the Netherlands (2017)

²⁵ EenVandaag, 2019

²⁶ De Volkskrant, 2019

²⁷ Dutch News, 2019d

Krista travelled to Syria, with her husband and two children, in the summer of 2014.

→ *During her stay in Syria*

Krista and her family, Outhmane and their 4 children, have lived under ISIS for 5 years. After the collapse of the non-state actor, they tried to escape and Outhmane was shot dead. When questioned about her time with ISIS, she denied accusations that she was part of the physical fighting, but she admitted that she fulfilled other supporting roles for them. Krista and Outhmane both are on the Dutch National Terrorist List since 2016.

Moreover, Outhmane has been convicted in absentia for 6 years in prison and lost his Dutch nationality²⁸. Meanwhile, no judicial case has been done on Krista, which could include a threat assessment and potential further steps of repatriation, detention and reintegration. She stated that *“I don't understand what the Netherlands is waiting for to take us back if we go to prison anyway”*.

- Ideology:

Krista claimed that she is not a radical Muslim, however, she believes in the Sharia law. She is against violence but supports the fundamental idea of ISIS.

→ **Analysis of the Physical Process Issues**

1. *Fewer women are returning than men.*

In theory, these departees would have the right to enter their country of nationality, based on the European Convention on Human Rights (ECHR). However, it is also possible to deny entry officially, due to the Revocation of Dutch Nationality Act. Then the question arises - so *where should they be?*

Detention camps are temporary solutions, however, they might have to stay longer. The Syrian Al-Hol and Al-Roj detention camps are especially for women and kids.

²⁸ AD, 2019a

In November 2019, the Hague court ruled that the Dutch government “*must make all possible efforts*” to repatriate around 55 Dutch children from detention camps²⁹ However, they are not required to bring back their mothers - around 23 females. These women have gone to court to force the Netherlands to repatriate them³⁰ :

- Amber
- Hafida H³¹
- Chadia B.
- Meryam el G
- Ilham³²
- Danielle
- Mandy
- Nawal

2. *Women face more challenges when returning.*

- The challenge of the family union:

The repatriation of women is harder as they have the burden of caring and upbringing their child too. In this case, they have the responsibility to keep their family together - either in a detention camp in Syria or back in their home country.

Krista is widowed and has 4 children to take care of. She has given interviews to Dutch newspapers to catch attention and repatriate her children, even without her. However, dealing with young children is difficult as she said that “*my 3-years-old does not want to go back without Mom*”. International human rights law also gives the right for family and family union, thus against the separation of families³³.

²⁹ NCTV, 2019, p.13.

³⁰ AD, 2019b

³¹AD, 2019c

³² AD, 2017a

³³ Dutch News, 2019d

Moreover, the state of detention camps is not favourable environments for children either, as they are behind their education. Also, Krista mentioned that *“since we have been here, my kids are only getting worse. My son sits outside all day, he does not listen, he constantly argues and throws rocks”*. This ripple effect of negligence towards repatriation could further radicalize even young children. NCTV also agreed that *“not bringing back these children carries more security risks within”*³⁴.

- The challenge of finances:

Krista has confirmed that Dutch women have fled the camps, however, it costs \$12.500. This high amount of money is unattainable, especially that she is not allowed to get in contact with anyone from home. Moreover, funding her escape would be a criminal offence in the Netherlands.

2.Example: Amber ³⁵ and Abdussalam S. ^{36 37}

The comparative example of Amber, around 25 years old, and Abdussalam, around 25 years old, is possible on the basis of their similar experiences. They were not together nor related, but solely their stories are comparable to show gender differences in the physical process.

→ *Before they left the Netherlands*

They both had a troubled upbringing. Abdussalam felt *“less and less at home in the Netherlands”* and Amber is a Muslim convert.

- Motivation to leave

³⁴ Dutch News, 2019d

³⁵ Trouw, 2019b

³⁶ Trouw, 2019c

³⁷ Gelderlander, 2017

Amber (female experience)	Abdussalam (male experience)
To help by working at the Turkish IHH aid organization in the hospital.	To help and do <i>“a great good deed”</i> in a war-torn country.

**They both have travelled to Syria after the establishment of the caliphate in 2014.
Amber left by herself in 2015 and Abdussalam left in August 2014.**

→ *During their stay in Syria*

- Involvement

<i>Amber (female experience)</i>	<i>Abdussalam (male experience)</i>
She was not accepted as a single woman, thus she had to get married. She married a Dutch ISIS fighter, called Redouan D (who is known to be in Kurdish prison). She claimed that <i>“my intention was to go to the caliphate, not to ISIS”</i> .	He denied the participation in the fighting and killing: <i>“I am generally against killing anyone who is innocent”</i> .

Amber escaped in January 2018 and Abdussalam escaped in the summer of 2017.

→ *After they escaped ISIS*

<i>Amber (female experience)</i>	<i>Abdussalam (male experience)</i>
She is in a Kurdish detention camp in Syria - for 1,5 years (as of 2019).	He is in Kurdish prison in Syria - for 1,5 years (as of 2019).

→ The gendered differentiation comes up, as male ex-members are considered to be more dangerous, therefore they are being placed in guard-protected prisons. On the opposite side, female ex-members are in detention camps that are not that well contained or secured. The

option to escape is high and it is well known to the inhabitants how to get out of the facility.

→ *Judicial Process*

<i>Amber (female experience)</i>	<i>Abdussalam (male experience)</i>
<p>-</p> <p>She is aware of the potential prison sentence, if or when she would return to the Netherlands. However, there is no ongoing investigation against her. She stated that <i>“I cannot force the netherlands to bring us back. And i can't blame them either”</i>.</p>	<p>He has been sentenced in absentia for:</p> <ul style="list-style-type: none"> - Being a member of a terrorist organization - Preparing for terrorist offences. <p>→ He has been on the Dutch National Terrorist List since 2016.</p> <p>- <u>Sentence</u>: 6 years imprisonment. Plus, his Dutch citizenship might get stripped (as he is also a Moroccan national).</p> <p>He did not agree with the punishment: <i>“For someone who has made a wrong choice, it is a major punishment”</i>.</p>

→ The gendered difference shows in the judicial process as well. Yet none of these departees have returned, the male example shows prosecution in absentia, which could further the process of repatriation, detention and potential reintegration. However, the female example is questionable as there is no official cooperation from authorities or ongoing case against her. They have spent a similar amount of time in ISIS and both of them lack evidence. However, gender assumptions lead to role expectations - women as mothers and men as fighters.

- Ideology

They both claimed that they are not dangerous nor radical. Moreover, they are both open to starting a new life in the Netherlands. Amber wants to finish her nurse training and Abdussalam wants to live *“a normal quiet life”*.

Amber (female experience)	Abdussalam (male experience)
<i>“I am not dangerous, nor are the women I know here in the camp. We are women, primarily mothers”.</i>	<i>“I am not radical. I am a practicing Muslim. But I do not have the belief of ISIS. I do not follow orders from ISIS”.</i>

4.4 Judicial Process - Conviction & Detention

The next step in the returnee process is the judicial process: conviction and potential detention. The European Parliament has accepted that until recently, women were treated with more clemency in court, based on (often false) gendered assumptions about their agency (Turkington & Christien, 2018), but they claimed that this has come to an end (EP, 2018, P.46). However, there is no statistical data on gender bias, or the lack of it, but evolving threat perceptions are beginning to influence criminal justice responses to female returnees. As wider roles of females are accepted and the Criminal Code was updated to criminalize wider terrorism related offences, the gender bias seems to be addressed. Returnees are also facing a ‘legal limbo’: as a citizen, they have the right to nationality as well as to enter their country of nationality, however, terrorism related offences can enable nationality stripping (UNDP, 2019, p.42). Recently, the use of social media by courts have become popular as pictures, messages and status updates could prove the departee’s location and involvement in violent acts, thus providing evidence (Europol, 2020, p.30). The Dutch examples for this concept are presented.

3. Example: Anonymous returnee woman and Oussama Achraf Akhlafa
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<i>→ After their return to the Netherlands</i>
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<i>Anonymous returnee woman</i> ^{38 39 40 41 42}	<i>Oussama Achraf Akhlafa</i> ^{43 44 45}
<p><u>Sentenced for:</u> 18 months imprisonment, 6 conditioned and 3 years probation → Detained for two weeks.</p> <p><u>Charges:</u></p> <ul style="list-style-type: none"> - Participation in a terrorist organization, - Preparation for terrorist acts, - Recruitment for terrorism. <p>→ These charges were against her when she returned, however, she was detained for two weeks for propaganda sharing.</p> <p><u>Evidence:</u></p> <ul style="list-style-type: none"> - Messages: <ul style="list-style-type: none"> - She was the admin of the ISIS supporter messaging platform, Telegram, the ‘GreenBirds’ group. - Photo: <ul style="list-style-type: none"> - She posted a photo on social media of a Dutch church in flames and threatened the non-muslims. This act was a reaction for the Netherlands so-called ‘burqa-ban’ in 2019 (Europol, 2019, p.43; NCTV, 2019a, p.30). - Objects: <ul style="list-style-type: none"> - The police found an ISIS flag and a gun in her house. 	<p><u>Sentenced for:</u> 6,5 years imprisonment.</p> <p><u>Charges:</u></p> <ul style="list-style-type: none"> - Participation in a terrorist organization, - Preparation for terrorist acts, - Committing war crime: violation of the personal dignity of the deceased. <p>However, he stated: <i>“I am being portrayed as a terrorist, madam, but I returned voluntarily and I want to do good.”</i></p> <p><u>Evidence:</u></p> <ul style="list-style-type: none"> - Photo: <ul style="list-style-type: none"> - he disseminated a photo on social media, in which he posed beside a crucified man. - he posted photos in combat clothing and armed with guns. - Document: <ul style="list-style-type: none"> - ISIS Registration form: sniper
<p style="text-align: right;">→ <i>Analysis</i></p> <p>They both had evidence of their involvement and support for ISIS, however, their sentence was very different. The male returnee received more and the female returnee received less.</p>	

³⁸ Dutch News, 2019c

³⁹ NCTV, 2020, p.7

⁴⁰ TESAT, 2020, p.43

⁴¹ NHNieuws, 2019

⁴² AD, 2019d

⁴³ Lingsma, 2019

⁴⁴ NCTV, 2019, p.11

⁴⁵ TESAT, 2020, p.29

They are proven to be violently radical and they both have left and returned to the Netherlands. It is understandable that the male example is receiving more punishment, as he is charged with committing war crimes, however, the gap between their sentences is too big. The underestimation of the anonymous woman's ideological commitment is clearly showing through her re-joining jihadi networks after returning back home and sharing propaganda. Gender stereotypes can be noticed as she is not labelled as a threat, regardless of the mounting evidence against her.

The Dutch de-centralized approach to returnees is a case-by-case multidisciplinary one, involving the municipality, national police, public prosecutor and other local and national parties (RAN, 2017, p.27). The gender-biased judicial decision is present in the Netherlands as women are not being charged, furthermore oftentimes completely acquitted, for the same offences as men (Garms et al, 2019, p.44). The exclusion of women from the judicial process is resulting in the exclusion of the remaining parts of the returnee process (UNSC-CTED, 2019, p.2).

The table below is describing the Dutch official measures and responses to returnees:

Table 7 - Dutch official measures and responses to returnees⁴⁶	
1. Legislation	Criminal law is in line with UNSCR 2178 + EU Directives (2017/542 and 2017/541), Dutch Penal Code section 134a and 140a
2. Investigation and Prosecution	<ul style="list-style-type: none"> - Criminal investigation starts <i>in absentia</i> - Prosecution carried out <i>in absentia</i> - Systematic policy of intervention if citizens sentenced to death in Iraq - Criminal investigation opened automatically when returnee arrives (men and women)

⁴⁶ EP, 2018, p.50.

3. Administrative measures	<ul style="list-style-type: none"> - Deprivation of citizenship without criminal conviction - Departees and returnees have been deprived of citizenship - Travel bans - Powers to withdraw and refuse to issue passports
4. Prison and Probation	<ul style="list-style-type: none"> - Prison Model for terrorism-related suspects and offenders: Containment approach - Specific rehabilitation and reintegration programmes for terrorism-related suspects and offenders
5. Non-custodial measures	<ul style="list-style-type: none"> - Rehabilitation and reintegration programmes applicable to returnees - Family support tools

Table 8 - Average sentence for terrorism related offences in the Netherlands⁴⁷			
2016 ⁴⁸	2017 ⁴⁹	2018	2019
3 years	3 years	3 years	4 years

After the prosecution, the offender can either get convicted and spend prison time or get acquitted. When imprisoned, returnees are held in specialized prison facilities for violent extremist offenders in the Netherlands, called ‘terrorist ward’ (AIVD, 2017, p.46). This detainment model is called centralized containment and it involves female offenders as well. The detention system is under pressure due to the high influx of prisoners and returnees. Moreover, it is increasingly difficult to monitor each individual and to prevent networking or potential further radicalization (NCTV 2020 p.8). Yet still, conditions for detention of women accused or convicted of terrorism related offences must accommodate gender-specific

⁴⁷ Europol, 2019, p.27; Europol, 2020, p.31.

⁴⁸ Europol, 2017, p.20.

⁴⁹ Europol, 2018, p.20.

prosecution (OSCE, 2018, p.45). Moreover, there is a lack of female personnel who would work with female prisoners (Walkenhorst et al., 2020, p.19).

The Dutch experience shows that convicted jihadists often return to their former jihadist networks after their release. Even if they no longer commit crimes, they can play an important role in those networks; for example as a teacher, example, inspirator or connector. The degree of recidivism is therefore not a clear indicator of success in combating terrorism (NCTV, 2020, p.9). The negative side of the containment model is that returnees in prison have the potential to create new network or radicalize others, which may strengthen the jihadist community upon their release locally and globally (Europol, 2020, p.13). However, deradicalization and rehabilitation programmes are also taking place in prison (EP, 2018, p.25).

4. Example: Shukri F.^{50 51 52 53 54 55} & Maher H.^{56 57 58 59}

→ *Before they left the Netherlands*

Shukri F., Dutch female and around 25 years old, and Maher H., Dutch male and around 25 years old, met on the social media platform called Instagram. Allegedly (as there is no solid evidence to prove), Shukri F. has recruited her divorced husband, who has left to Syria to fight, and her current partner, Maher H. Next to encouraging man to join jihad, through text messages warning for “*the scorn of Allah*” if the person will not fight, she has also allegedly recruited women to be jihadi brides. Maher’s turning point was due to trauma, as he had lost three family members before radicalization - “*If I were to die during*

⁵⁰ TESAT, 2015, p.15

⁵¹ International Crime Database, 2016

⁵² NOS, 2014

⁵³ NOS, 2016

⁵⁴ Rechtspraak, 2016a

⁵⁵ Rechtspraak, 2016b

⁵⁶ TESAT, 2015, p.15

⁵⁷ International Crime Database, 2014

⁵⁸ NOS, 2014

⁵⁹ NOS, 2016

jihad, then so be it". A few days before they left for Syria in July 2013, they got married under Islamic law.⁶⁰

They travelled to Syria, via Amsterdam - Dusseldorf - Istanbul, in July 2013.

→ During their stay in Syria

<i>Shukri F (female experience)</i>	<i>Maher H (male experience)</i>
Shukri is believed to have incited and mentally prepared others to commit terrorist crimes. She was also involved in recruitment of both men and women.	Maher is believed to have received weapons training and participated in the fight in Syria.

They returned in February 2014, before the establishment of the ISIS Caliphate.

→ After returning to the Netherlands

Judicial Process

<i>Shukri F. (female experience)</i>	<i>Maher H. (male experience)</i>
	* He was the first Dutch returnee to be convicted in the Netherlands for terrorism related offences *
<p><u>Court charges:</u></p> <ol style="list-style-type: none"> 1. Recruitment of people to join the armed struggle in Syria. 2. Incitement to commit terrorist crimes and dissemination of and collecting inciting material. <p><u>Evidence:</u></p>	<p><u>Court charges:</u></p> <ol style="list-style-type: none"> 1. Preparing to commit terrorist crimes, including murder and manslaughter. 2. Dissemination of inciting videos, pictures and a document. 3. Membership of a terrorist organization in Syria.

⁶⁰ It is worth noting that Maher's before / during / after departure was discussed in detail in his court case, however, Shukri's background was not. This could belittle her agency and involvement in VE.

<p>- Text messages about:</p> <ul style="list-style-type: none"> - Encouragement to participate in jihad: both women as brides and men as fighters. <p>- Videos:</p> <ul style="list-style-type: none"> - On Twitter, described as “unbearable and militant”. - Shukri gave lectures about Islam. <p><u>Sentence:</u> OM required 4 years’ of imprisonment → Acquitted, due to lack of evidence. → <u>Appeal (2016):</u> suspended 6 months prison, plus a probation period of 2 years.</p> <p>→ Shukri denied and showed no guilt.</p>	<p><u>Evidence:</u></p> <ul style="list-style-type: none"> - Photos: <ul style="list-style-type: none"> - Facebook profile picture of him and a kalashnikov in Syria - Facebook cover and profile picture: ISIS flag (after return) - Text messages about: <ul style="list-style-type: none"> - Travelling to Syria. - Membership of ISIS. - Battlefield experience. - Encouragement to participate. - Wi-Fi connection: “Islamic-Front / 2” - Laptop: Photos, videos, documents. <p><u>Sentence (December 2014):</u> OM required 4 years’ of imprisonment → 3 years’ of imprisonment. → <u>Appeal (2016):</u> - 4 years in prison, 2 years probation - Ban on travelling. - <u>Acquitted:</u> conspiring to commit a terrorist offence (lack of evidence) → Maher has denied and showed no guilt - “I provided help in Syria”.</p>
<i>Reintegration Process</i>	
<i>Shukri F. (female experience)</i>	<i>Maher H. (male experience)</i>

Ideology: the court believed that Shukri followed violent extremism.

- She has shown no guilt, and also denied everything.
- Her case included no information on deradicalization programmes, despite the fact that she was known to be an extreme radical.
- Also, no signs of reintegration help.

Motivation:

- Her motivation to leave or to return was not specified in the official court decision, while her husband's was.

Ideology: Maher is a supporter of the religious sharia law and he agrees with the foundation of the caliphate. However, not the way ISIS was managing it.

- He has shown no guilt, and also denied everything.
- He has shown interest in participating in a deradicalization programme.

→ 2016 Appeal: the court found it disturbing that he still has jihadi-salafist ideology.

Motivation:

- Leave: help an aid organization and live in a country with a strong Islamic culture.
- Return: disillusioned of ISIS.

→ **Analysis of the Judicial Process Issues**

1. *Issue: Women were not convicted, due to underestimation of gendered roles in VE.*

Shukri is believed to recruit and encourage people to join the fight in Syria. She has given lectures about militant Islam and mentally prepared for the participation. There is no sign that she would have directly participated in the armed struggle, however, that does not mean that her agency and motivation should be underestimated. As argued before, the ideological commitment to VE can be just as dangerous as physical participation. The OM believed these misinterpreted gendered roles, hence they required the same sentence for both individuals. They stated that “*women make men ideologically ready for the violent jihad*”.

However, the Court acquitted her first, and reasoned with the lack of evidence to be proven guilty and also considered that “*she is a pregnant woman who also cares for a young family*”. Moreover, the court does not consider the support of jihadi fighters as punishable: *We look at that differently*”⁶¹. A Dutch MP Lilian Helder stated that “*{Shukri’s} acquittal is incomprehensible: jihadi brides are not going to Syria to do archeological research, but are indeed going to provide support to jihadi fighters and thus to the armed struggle*”. Overall, the couple spent exactly the same amount of time in the conflict zone and fulfilled equally important tasks in the VE organization, yet they have been convicted differently.

2. *Issue: Women can exploit victim narratives to avoid prosecution.*

Shukri has shown no guilt of travelling to Syria, participation, recruitment or spreading propaganda. Moreover, she is believed to have jihadi extremist views. Yet still, she has been acquitted of charges, mostly based on gender stereotypes. She has neither agreed or denied when the court has used gender biased assumptions about her agency in VE and acquitted her based on the fact that she is a pregnant woman, caring for a family. On the opposite side in the case of her husband, the factor of his child and family caring was not a factor when deciding on the punishment, as it is not a masculine gender expectation from a man.

3. *Issue: Returnees are prosecuted under criminal law, that is evidence based.*

This issue is more relevant again to the female side, as physical participation can be proven easier, such as through photos and registration forms as in the case of Maher, who have appeared in combat clothing on multiple pictures. Therefore, the direct involvement could be established. However, it is much harder to prove an ideological commitment, recruitment or indoctrination. Even though all available evidence is pointing to Shukri as a facilitator for recruitment, there is no solid evidence to prove anything, but encouragement to join and depart.

⁶¹ Trouw, 2014

Another example of the first female returnee to be convicted for terrorism related offences in the Netherlands is the example of Laura Angela Hansen. As of 2020 July, there is no case where a female returnee would have been convicted for membership of a terrorist organization.

5.Example: Laura Angela Hansen^{62 63 64 65 66}

The first female returnee to be convicted for terrorism offences in the Netherlands.

→ Before she left the Netherlands

Laura is a Dutch female, who is around 25 years old. She converted to Islam at a young age.

She got married to the Palestinian - Dutch Ibrahim H. in two weeks and they started a family.

Motivation to leave:

She stated that *“I was not on my way to war, I was on my way to another country to live in, a new beginning and a new start.”*

Laura, her husband and their 2 children, travelled to Syria in September 2015.

→ During her stay in Syria

She suffered domestic violence by being abused daily by her husband, Ibrahim. She also appeared on Kurdish television in July 2016. She gave an interview to catch the attention of the Dutch officials.

⁶² AD, 2017b

⁶³ NU, 2017

⁶⁴ Eenvandaag, 2018

⁶⁵ Trouw, 2017

⁶⁶ Europol, 2018, p.19.

Motivation to return:

She became disillusioned and as she put it: the “*caliphate is hell on Earth*”.

Laura escaped Syria to Iraqi Kurdistan. Her husband, Ibrahim, died in the escape. Her father paid for her escape. She came back to the Netherlands in August 2016.

→ *After her return to the Netherlands*

Judicial Process

Sentenced for:

- 24 months imprisonment and 13 months suspended.
→ convicted for 11 months imprisonment, however, she spent a year in pre-trial detention in Vught prison, therefore, she left as a free person.

Charged for:

- Preparatory acts for committing terrorist crimes.
→ acquitted of membership in a terrorist organization.

- Ideology

She claimed that “*I am not dangerous*”, however, she supported beheadings and the sharia law. Her father stood up for her and stated that she is “*absolutely no danger to society*”. Moreover, he addressed that she is doing great and takes good care of her children.

→ *Analysis*: This statement describes her through motherhood and female gender expectations of being a good mother. Being a good mother equals with doing great.

4.5 Rehabilitation Process - Deradicalization & Reintegration

Exit programmes to deradicalize, disengage, reintegrate or rehabilitate are part of a broader programme of CVE, and part of the Dutch National Security Strategy (NCTV, 2019b, p.28). The Dutch government included the investment in deradicalization, rehabilitation and judicial

strategy to boost resilience against VE, especially because of the returnees. The Dutch General Intelligence and Security Service (AIVD) and the National Coordinator for Security and Counterterrorism (NCTV) report that most returnees remain active in the jihadist network upon return (Gielen, 2018, p.460), which makes it difficult to reintegrate a returnee to society as it raises re-radicalization problems.

The Netherlands is utilizing the Safety House (in Dutch *Veiligheidshuis*) model to prevent and counter VE at a local level through networking that brings together representatives from three core partners: police, prosecution and municipality (Colliver et. al, 2019, p.45). Next to facilitating the Safety Houses (EP, 2018, p.16), Team TER (Terrorists, Extremists and Radicals) is working with people suspected or convicted of involvement in terrorism-related o, as a part of RN (Van der Heide & Schuurman, 2018, p.204). Their two primary tasks are 1) assessing and reporting on radicalization risk with suggested strategies to minimize the risk and 2) supervising clients to put these mitigation strategies into practice (Van der Heide & Schuurman, 2018, p.205). Team TER aims to deradicalize from violent extremism by using a tailor-made probation approach, in order to influence their behaviour. Push and pull factors are used to promote behavioural change and stimulate the process of reintegration into society. Team TER cooperates with judicial, police and municipal authorities, and is also supported by psychological and theological experts (European Commission, 2020).

In 2012, NCTV and RN developed a plan to improve the reintegration of extremist offenders, under Team TER (Van der Heide & Schuurman, 2018, p.204). These efforts included:

1. Reintegration of terrorist prisoners while in detention;
2. Providing aftercare upon their release;
3. Creating a central and coordinated approach for future reference.

→ Analysis of the rehabilitation process

1. Issue - Women cannot participate in deradicalization programs.

The individual example for the rehabilitation process is not possible, as the information is not publicly enclosed. Most of the ISIS returnees are still spending their imprisonment times and

probably in the process of in-prison deradicalization programmes. Moreover, even if there would be data on deradicalization programmes, as disclosed as issues number 1, *women cannot participate in deradicalization programs*. That is the result of not being treated as a threat, and not receiving a conviction, thus prison sentence where these programs would happen. Moreover, none of the above-mentioned examples included any kind of ideology related information, even though most returnees stated that they would like to try again in life and have another chance.

2. Issue - Deradicalization programs are not gender-sensitive.

Following the line of thought, even if women are included in deradicalization programmes, titled as issue number 2, *they are not gender-sensitive, by not accepting gendered realities*. While conducting the research, discussions happened on the topic with various researchers. When questioning Bart Schuurman, who has concluded the research with Van der Heide on the Team TER rehabilitation programme, he stated that *“gender-specific approach is not a major factor in the Dutch reintegration work, that is carried out by the RN {Team TER}. Why? Because it {reintegration work} consists of professionals who bring years of ‘regular’ reintegration work experience to the work of the extremism-focused specific task force”*. He has also agreed that gender was not a factor that they covered as part of the multi-year evaluation of the Team TER rehabilitation programme. The Dutch National Security Strategy also includes the investment in and the support of deradicalization and rehabilitation programmes, however, it does not mention anything about gender or gender-respect CVE or CT measures (NCTV, 2019b, p.28).

3. Issue - Measurement of success in DR programmes.

Evaluations and data are scarce on these programmes, especially a gendered analysis. The existing one suggests that the rehabilitation initiative is based on a sound understanding of how and why individuals may deradicalize or disengage from terrorism behaviorally, but it faces serious challenges, such as the measurement of success (Van der Heide & Schuurman, 2018).

To justify the above-mentioned assessment, the table below shows the Team TER numbers.

Table 9 - Team TER, numbers of individuals⁶⁷					
<i>2018</i>	<i>2017</i>	<i>2016</i>	<i>2015</i>	<i>2014</i>	<i>2013</i>
24	39	53	32	32	5
Total: 189 → 87% male and 13% female					

Only 14% of 189 individuals were returnees (Van der Heide & Schuurman, 2018, p.207), which would indicate a close to 0% of female involvement in the reintegration programme.

4.Issue - Women face more challenges when reintegrating.

Returning women get social stigma for their time abroad (Cook and Vale, 2019, p.5; Walkenhorst et al., 2020, p.7), distrust, hostility or isolation - the same factors one have radicalized in the first place (Kanhai & Abbas, 2020, p.55). These challenges require an official response, such as housing, job placement, education or family support. Plus women can face economic consequences (Brown, 2019, p.9), as most women are widowed and need to earn income while single-handedly caring for their children (UNDP, 2019, p.49).

Table 10 - Gender specific challenges for rehabilitation⁶⁸	
<i>Female returnee</i>	<i>Male returnee</i>
<ul style="list-style-type: none"> - Likely to have experienced trauma. - May be responsible for children → mother-child prison programmes are necessary. - High media exposure → greater obstacles to later (re)integration into social and functional contexts. - Tend to have the potential for radicalization and violence underestimated. 	<ul style="list-style-type: none"> - Likely to have experienced trauma. - Often assessed as highly dangerous to law enforcement and intelligence agencies → intense surveillance and stricter prison conditions. - Subject to increased distrust from society and communities.

⁶⁷ Van der Heide & Schuurman, 2018, p.206

⁶⁸ Walkenhorst, 2020, p.14

In order to successfully reintegrate a female returnee in the Netherlands, research shows that it needs to include an emotionally supportive social network, community support and acceptance (Kanhai & Abbas, 2020, p.50). RAN also included community engagement and empowerment as an important factor in preventing VE, as returnees need to be accepted as full members of society again. If the Dutch muslim community is receptive of returnees, the inclusion of society can lower the risks of re-radicalization and re-joining VE networks in the Netherlands.

Focusing on the female side of the Dutch muslim community, their support and help play a crucial role in the deradicalization of female returnees. They receive female returnees in sympathetic, but also cautious, terms and believe that female returnees deserve a second chance to be part of their community and Dutch society again (Kanhai & Abbas, 2020, p.70). The interview based research amongst the Dutch muslim community has shown a gendered difference when Dutch muslim women were more forgiving towards female than male returnees (Kanhai & Abbas, 2020, p.71). The distinction can be reasoned by the acceptance of the different realities, motivations and roles in VE (Van der Heide & Schuurman, 2018).

5. Conclusion

The topic of returnees and their management is also a politically controversial one, as much as in the Netherlands as in other countries facing the challenge. The Prime Minister of the Netherlands, Mark Rutte, has spoken out about the topic in 2015 and stated that “*jihadist being dead is better than back in the Netherlands*” (Dutch News, 2015).

The current research is contributing to the existing work on VE and the management of the Netherlands. As many scholars found, gender-respective approaches to the returnee management is essential in order to successfully reintegrate returnees (Colliver, 2019, p.9; David, 2020, p.21; UNDP, 2020, p.16; OSCE, 2018, p.53; Mazurana, 2002, p.120; Brown, 2019, p.1; UNDP, 2019, p.43). As Brown put it, gender informs their motives for joining, their experiences and reasons for leaving, as well as their post violent extremism needs and identity formation (Brown, 2019, p.1).

Once more, repeating the developed research question in order to directly provide answers:
What issues are socially constructed gender stereotypes creating in the returnee process in the Netherlands?

The answers are summarized in Table 5 on page 22, which is duplicated here for clarification.

<u>Copy of Table 5 - Discovered gendered issues in the returnee process</u>	
<i>Physical Process</i>	<ol style="list-style-type: none"> 1. Less women are returning than men. 2. Women face more challenges when returning.
<i>Judicial Process</i>	<ol style="list-style-type: none"> 1. Women were not convicted of terrorism, due to misunderstanding their roles in VE. 2. Women exploit victim narratives to avoid prosecution. 3. Returnees are prosecuted under criminal law.
<i>Rehabilitation Process</i>	<ol style="list-style-type: none"> 1. Women cannot participate in deradicalization programs 2. Deradicalization programs are not gender-sensitive. 3. Measurement of success in DR programmes. 4. Women face more challenges when reintegrating.

The case study offered supporting examples for each issue in the Netherlands. By doing so, it is justifying the existing gaps in the system. The examples were individual and qualitative, therefore, it would be overexaggeration to generalize these gaps in the system. Further research could be concluded with inside information by working with practitioners and policy-makers. The research included limitations, such as the lack of gendered data and the lack of accessible, open-source information. However it is understandable that personal data is classified, as it is protecting personal safety, this meant that the research could not fully realize the realities of the returnees included in the examples. Further research could be carried out by using the method of returnee process tracing in other countries to address the gender gaps elsewhere as well.

5.1 Policy Recommendations

The policy recommendations are in place to create a gender-sensitive returnee process. Multiple gender and security scholars have concluded concrete and applicable policy recommendations.

Firstly, the justice sector should review legislation on sentencing and be aware of how gendered narratives that influence terrorism cases (Turkington & Christien, 2018, p.7). Secondly, exit programmes should recognize grievances that drive women and men to join VE groups, including addressing all the social/political/economical factors. Moreover, they should ensure that returning radicalized women are taken seriously as possible security risks, including female CVE practitioners, to strengthen the security sector. Young women should also participate in designing and implementing exit programs (Turkington & Christien, 2018, p.7).

The UNDP has also offered a solution, through their Global Solutions Exchange (GSX) mechanism, that connects government representatives with independent civil society organizations that are working on CVE, in order to embrace the whole society approach. The UN’s plan of ‘Action to Prevent Violent Extremism’ (UN, 2016) included gender as a factor and called for gender compliant reintegration strategies:

- Point 2/7: Introduce disengagement, rehabilitation and counseling programmes for persons engaged in violent extremism which are gender-sensitive.
- Point 2/5: Accountability mechanisms should have relevant gender expertise.
- Point 5/2: Invest in gender-sensitive research and data collection on women’s role in extremism.

The RAN Manual also included recommendation for gender (Walkenhorst et al., 2020, p.19):

1. Female radicalized or terrorist offenders should not be underestimated and victimized as ‘jihadi brides’, they have often made these choices consciously
2. Train staff in all actor groups in gender-related aspects and differences of radicalization, extremism and terrorism
3. Employ specialized personnel to work with female prisoners.

Table 11 - Policy Recommendation⁶⁹

1. The development/implementation of gender awareness training for counter-terrorism practitioners and the development of tools and policies to support intelligence and evidence collection based on threat, and not just gender.
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⁶⁹ David, 2020,p.2

2. The development of standardized threat assessment tools that incorporate, but do not rely solely on, gender.

3. The analysis of prior counter-terrorism investigations potentially impacted by gender bias and identification of lessons learned.
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4. The development of media training and guidelines for reporting on women / gender in terrorism.

5. The commitment from policy advocates and practitioners to assess and treat women and children separately, in terms of their criminal responsibility and potential threat.
--

RAN Manual has also included useful questions for policy-makers (Brown, 2019, p.12). They all should decide ‘How different is it for women/men?’ and ‘How much gender influence?’:

1. What differing explanations do participants give you for joining and leaving VE?
2. What barriers do participants describe when attempting to disengage from VE?
3. What obstacles do participants face when seeking to reintegrate into their communities?
4. What facilities and improves participants’ chances of successful exit?
5. What services do participants in exit need from authorities or civil society to facilitate their initial disengagement?
6. What does ‘best practitioners’ (as opposed to best practice) mean for exit work?

As another example, the Institute for Strategic Dialogue (ISD) has developed a toolkit to address the gender gaps by providing evidence based guidance for policymakers and practitioners (Colliver et. al, 2019, p.37-40)

1. Recognizing the importance of gender dynamics in extremism
2. Avoiding assumptions about female radicalization
3. Ensuring the response to radicalized women and girls is multifaceted.
 - a. Female empowerment within the context of islam
 - b. Working with traumatised women
 - c. Tactics and tools that deal with self worth and self-esteem
4. Building necessary capacity to handle the increasing number of cases involving women and girls.

5. Prioritizing the development of a strong and trusted relationship between the intervention provider and the candidate.
6. Developing trust in the system
7. Developing and applying consistency in responses to returnees: policy makers need to ensure they accommodate the specific and complex experiences of women and girls returning from ISIS territory.

As the final note, let us visualize a scenario for better understanding. Let us say that the gender (whatever an individual is identifying as, important not to forget the difference between biological sex and gender identification) is non-existent. Or at least, not in the eye of the judge in court, who is prosecuting a returnee for terrorism related offences. Or in the perception of a counter-terrorism practitioner, who is completing a threat assessment on the returning individual. Or in the mind of a rehabilitation professional, who is building their tailored approach of exiting violent extremism. In order to conclude the best judgement of the individual, the judge considers factors. These include indicators such as (AIVD, 2017, p.4):

- Length of time spent in conflict zones
- Behaviour before, during and after they travelled
- Gained experience and actions committed abroad
- Motivations behind departing from the Netherlands, leaving the group and returning
- Up-to-date knowledge on behaviour, convictions and intentions
- Cooperation with the judge and potential regret - reintegration

These factors are evidence-based and they should decide whether a returnee is guilty or not. The only factor that can be considered a flexible one, is cooperation and personal opinion. Gender does not play a factor here and it should not hinder the outcome of the judgement.

The scenario does not mean that gender should not all be considered as a factor. While concluding research on the action committed, motivations and roles involved, gender can differentiate woman and man, as much as it can equal them. While women have taken up physical fighting, supporting roles and family management, men have been involved only in fighting. It is important to understand the different gendered roles and it should be considered

while judging a returnee, but a physical trait such as gender, should not result in socially constructed biases towards women when judging a psychological ideology's consequences.

How is it possible to judge someone's psychological commitment to an ideology, based on their physical attributes categorized into a type of biological sex, let alone their gender identification? The answer is that it is not possible and it should not be done in the future.

6. Tables

1. Table - Push and Pull factors of radicalization, p.11-12.
2. Table - Reasons for returning, p. 15.
3. Table - Women arrestees suspected of jihadi terrorism in the EU, p.17-18.
4. Table - Female defendants in court proceedings for terrorist offences in the EU, p.18.
5. Table - Discovered gendered issues in the returnee process, p.22.
6. Table - Terrorism in the Netherlands, p.26.
7. Table - Dutch official measures and responses to returnees., p. 39-40.
8. Table - Average sentence for terrorism related offences in the Netherlands, p.40
9. Table - Team TER number, p.49.
10. Table - Gender specific challenges for rehabilitation, p.49-50.
11. Table - Policy Recommendations, p.53.

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