

29th CDPPS
24th June 2024
Sofia

RE

A HOLISTIC, RESTORATIVE, AND
GENDERED APPROACH TO GUIDE
RETURNEES TO THEIR HOME COUNTRY

GUIDE

The management of returnees and their families



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CONTEXTUALISATION

- ❑ Since 2011, ± 5,000 European Citizens travelled to the Iraqi Syrian conflict zone

In Belgium, around 500 citizens left and around 30% of them returned

- ❑ Belgium adopted a multi-agency approach (Hardyns & al, 2021)

- ❑ Statements of political authorities and of judicial and security services are ≠

The political's position evolved over time but still differs according to the status of the person (adult *versus* child) and, in the case of adults, their gender (men *versus* women)

The judicial and security's position remained the same: repatriation of all Belgian nationals (men, women and children) for humanitarian reasons but above all for security reasons


- ❑ 3 paths for coming back: autonomous, under control, repatriation

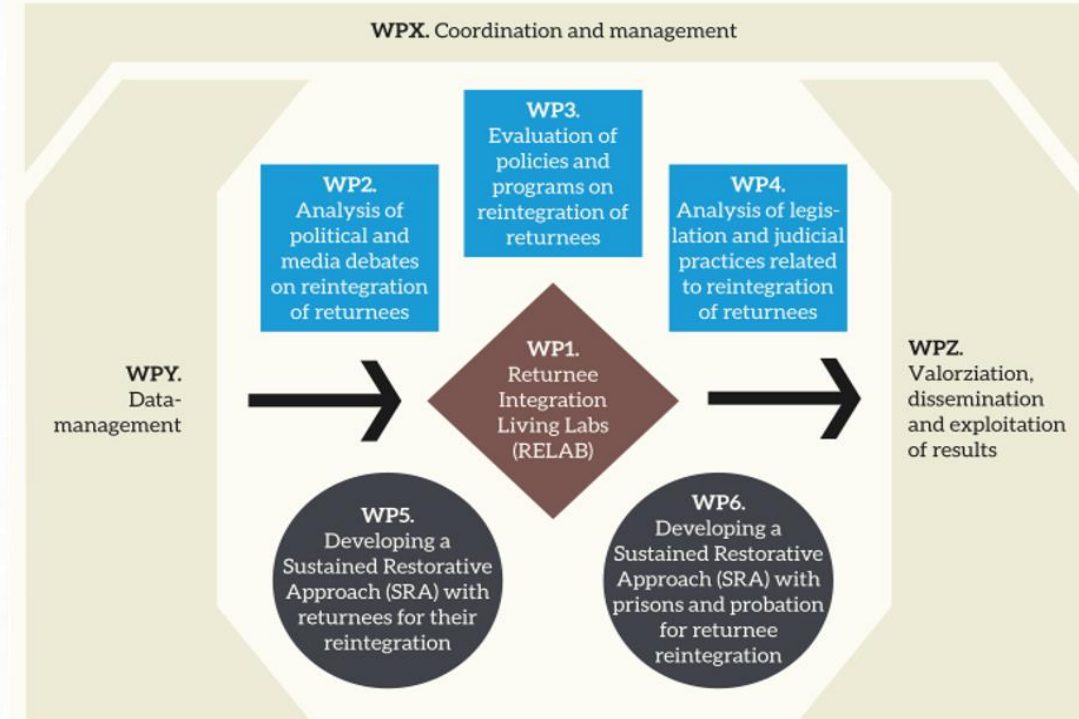
- ❑ Returns pose several challenges in the areas of justice, security, (re)integration and more broadly democracy

REGUIDE PROJECT



REGUIDE project

- ❑ A Holistic, Restorative and Gendered approach to Guide Returnees to their Home country
- ❑ 2021-2025 financed by 
- ❑ Multidisciplinary consortium (anthropology, political science, psychology, media studies, criminology)
- ❑ WP 4 : objective is to identify the positive outcomes and obstacles in the process of reintegration across post-sentencing trajectories of *returnees*
 - at 2 levels of analysis :
 1. in the decision-making processes of criminal justice's actors
 2. in the different spheres of *returnee's* lives



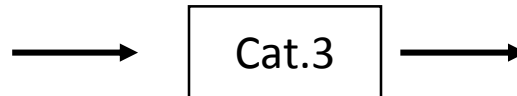
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THE COMMON DATABASE

- Set up in 2016 (after the Paris attack);
- Multiagency approach;
- Dynamic database;

- 5 categories

- TF
 - FTF
 - HTF
- HP
- CT
- EPV



Individuals residing or having resided in Belgium, with or without Belgian nationality, who, with the aim of joining terrorist groups or providing them with active or passive support, find themselves in one of the following situations:

a) they have travelled to a jihadist conflict zone;

b) they have left Belgium to travel to a jihadist conflict zone;

c) they are on their way to Belgium or have returned to Belgium after travelling to a jihadist conflict zone;

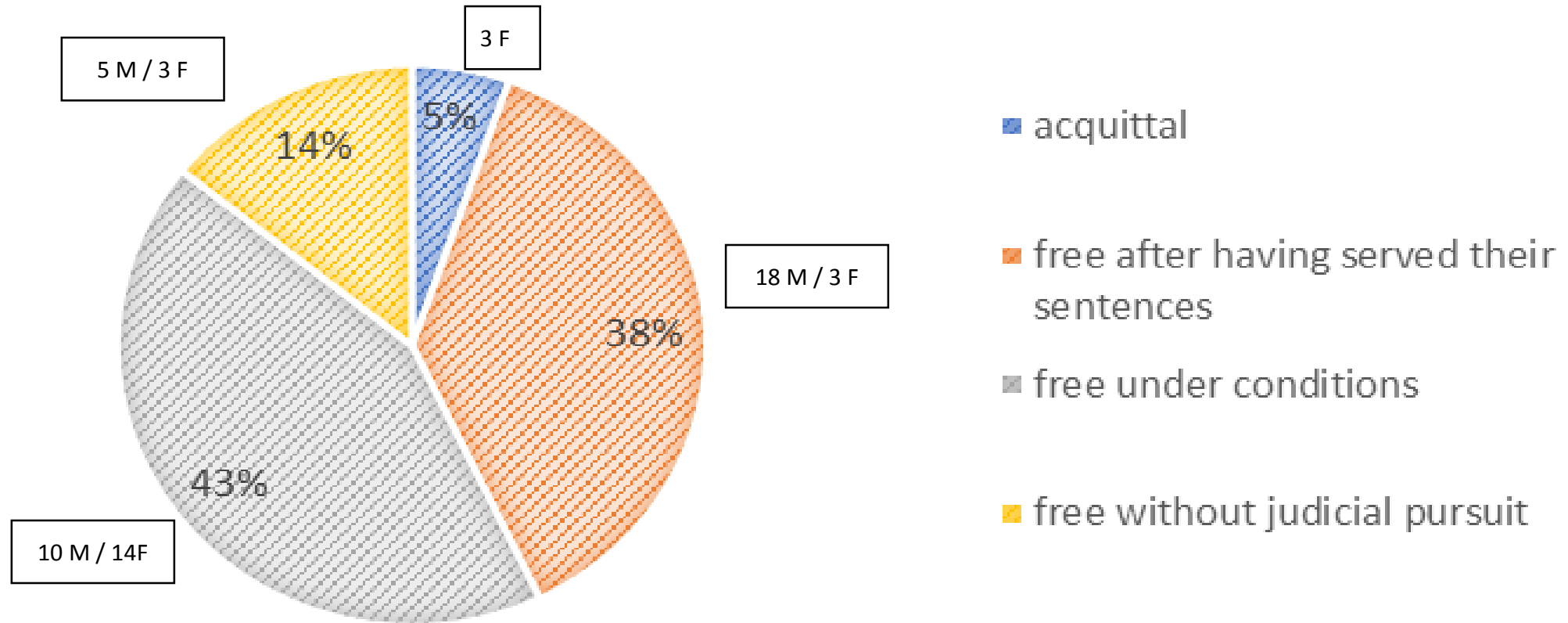
d) they have, voluntarily or involuntarily, been prevented from travelling to a jihadist conflict zone;

e) they intend to travel to a jihadist conflict zone, provided that there are serious indications that they intend to do so;

NTY

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JUDICIAL STATUS OF THE RETURNEES WHO ARE 'FREE'



IN CUSTODY

- 30 individuals are located in a Belgian prison on March 2023
 - 23 to serve their sentences for a terrorist offence;
 - 2 under pre-trial detention;
 - 3 for non-compliance with probation conditions;
 - 2 for other offences ;

- 23 individuals actually in prison to serve their sentences for a terrorist offense:
 - 14 M/ 9 F ; 5 of the 14 men sentenced for participation to the Paris and/or Brussels attacks ;
 - Right to stay in Belgium ?
 - 9 Belgian ;
 - 8 dismissed Belgian nationality;
 - 6 with no right to stay in Belgium;

PROBATION ASSISTANTS' FILES – PROFILES

**Profiles from
probation
assistants' files
N = 21**



**10 Dutch
11 French**



**11 ♂
10 ♀**



27 years median age



19 Belgians



**10 prison sentences
9 probationary suspended prison sentences
2 probationary suspension of sentencing**



**11 between 2011-2015
5 between 2016-2019
5 between 2019-2021**



FIRST FINDINGS

□ About the decision-making processes of criminal justice's actors

- Singularities in the socio-judicial pathways BUT logical trajectories according to the timing of returns
- Returnees' socio-judicial pathways take different routes depending on the linguistic role/professional culture
- Tensions between judicial and executive authorities in granting temporary releases
- Gradual approach (progressivity) of the judicial process, with the underlying idea of avoiding “une sortie à fond de peine” and providing intensive supervision on release
- Stakeholders' synergy and implications +++

FIRST FINDINGS

□ About the different spheres of returnee's lives

- Families = very supportive
- Health problems (PTSD) and criminal records are identified as obstacles
- Related administrative procedures that have an impact on the reintegration process (loss of nationality, loss of right of residence, freezing of financial assets,...)
- Psychological support = a systematic condition → not always a good experience
- The conditions are generally very well respected

PERSPECTIVES

- Significant human and financial resources for a small number of individuals
- Laboratory for good care
- The social reintegration of the *returnees* is proceeding well BUT other procedures undermine the reintegration process → willingness *versus* the possibility to reintegrate
- What about the meaning of punishment?
- Dissonance between an injunction to reintegrate (both for the stakeholders and the returnees) and the fear of reintegrating people who are not in line with European democratic values

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THANK YOU FOR YOUR ATTENTION !

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<https://reguide.be/>



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