

DRIVE

on the right path

COUNTRY REPORT / BELGIUM



DISENGAGEMENT, REHABILITATION AND REINTEGRATION OF FOREIGN TERRORIST FIGHTERS

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Abbreviations

AGMJ	Administration Générale des Maisons de Justice (General Administration of the Houses of Justice)
CAPREV	Centre d'Aide et de Prise en charge de toute personne concernée par les Radicalismes et Extrémismes Violents (Centre for the Assistance of People concerned by any Radicalism or Extremism leading to Violence)
CAW	Centrum Algemeen Welzijnswerk (Centre for General Social Welfare)
CDB	Common Database
CelEx	Cellule Extrémisme (Extremism Unit)
CPAS	Centre Public d'Action Sociale (Public Centre for Social Action)
CPRMV	Centre de prévention de la radicalisation menant à la violence (Centre for the Prevention of Radicalisation Leading to Violence)
CREA	Centre de Ressources Et d'Appui (Resource and Support Centre)
CTIF	Cellule de Traitement des Informations Financières (Cell for the Treatment of Financial Information)
CUTA	Coordination Unit for Threat Analysis
CVE	Countering Violent Extremism
DG EPI	Direction Générale des Etablissements Pénitentiaires (Directorate General of Prison Establishments)
DGD	Direction Gestion de la Détention (Detention Management Directorate)
LCIS	Local Cell for Integral Security
LTF	Local Task Force
MSPI	Mesure de sécurité particulière individuelle (Individual security measure)
NTF	National Task Force
ONEM	Office National de l'Emploi (National Employment Office)
RSPI	Régime de sécurité particulier individuel (Individual security regime)
SGRS	Service Général du Renseignement et de Sécurité (General Intelligence and Security Agency (military intelligence service))
SPS	Service psychosocial (psycho-social service)
TAP	Tribunal de l'Application des Peines (Probation Court)
VSSE	Veiligheid van de Staat/Sûrete d'Etat (State Security Service)

Introduction¹

DRR programmes for extremist offenders appeared only recently in Belgium, in the aftermath of the unprecedented number of Belgian residents who travelled to join a terrorist group in the Levant, and in the wake of a series of terrorist attacks that struck Belgium in 2014-16. Similarly, Belgium had no P/CVE policy in place until the early 2010s, even though such programmes had already been started in Denmark, Netherlands or the UK since the early 2000s. It is under the combined pressure of the mobilization for Jihad in Syria (which put municipal services under pressure, not least as families came to reach out to them for support) and of the attacks in 2014² and early 2015³ that a change of paradigm occurred in Belgium, and P/CVE policies have progressively been developed on the local, regional, and national levels (Renard, 2021).

Even though prisons had been identified as a priority axis of intervention in the 2006 Plan R ('Action Plan Radicalism'), it is largely acknowledged that no structural policy existed to monitor and support extremist offenders throughout the penal system until around 2015. Indeed, in March 2015, the Belgian federal government adopted its "Action Plan against radicalisation in prison" (Plan P), which set clear objectives regarding the prevention of the radicalisation of inmates, and the development of a specialised follow-up process for radicalised inmates (Renard, 2020). The introduction of the plan deems prisons "a potential ground for radicalisation and recruitment", and views detainees as particularly vulnerable to radicalisation, especially due to feelings of injustice towards an increasingly inaccessible society, peer pressure, as well as the desire to find sense and belonging⁴.

As a means of preventing radicalisation in prison, the plan insists, notably, on the importance of efficient information exchange between relevant services, for instance between the civilian intelligence service (VSSE) and the penitentiary administration (DG EPI). Prison directors and other penitentiary personnel have been progressively trained to detect signs of radicalisation since 2015 (in particular to differentiate orthodox religious practice from radicalisation) in penitentiary spaces where intelligence and security services have limited operational capacity. An automatization of links between different existing databases (penitentiary administration, electronic bracelet surveillance coordinators, police forces) was furthermore thought to fluidify information exchange between services. Secondly, it is stressed that a successful fight against radicalisation in prison relies not only on the successful detection of signs, but also on a rigorous selection of individuals who represent a serious threat in terms of the dissemination of radical ideas (Brion, 2019). With these principles in mind, the plan establishes two parallel penitentiary regimes for radicalised and radicalising individuals, drawing on an important distinction between detainees whose process of radicalisation can still be controlled, and those who definitively represent an important risk of radicalisation and engagement in violent action for ideological reasons. The latter are to be placed within separate penitentiary units where they can be managed by specially trained personnel. These core ideas remained some of the cornerstones of subsequent policy developments, and will be discussed throughout this report.

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² The 2014 shooting at the Jewish museum in Brussels was the first attack perpetrated by a returnee from Syria on European soil.

³ The January 2015 Verviers foiled plot involved three returnees from Syria, who belonged to the same cell as those involved in the November 2015 Paris attacks and the March 2016 Brussels attacks.

⁴ Action Plan against radicalisation in prison, 11 March 2015.

It has to be noted that Belgian P/CVE and DRR policies directly reflect the country's institutional complexity stemming from its existence as a federal state. Next to the federal government, the three "Communautés", which represent three linguistic and cultural communities (Dutch-speaking, French-speaking and German-speaking), as well as the three Regions (Flanders, Brussels Region, Walloon Region), bear autonomous competences – some of which are relevant to DRR and P/CVE. Since 2015, these federated entities have all adopted their own strategy against radicalisation, and established structures to deal with it, leading to a shift towards the regionalisation of P/CVE policies (Renard, 2021). In this respect, the sixth reform of the State passed in 2015 equally marks a major shift in the institutional landscape pertaining to DRR practices, notably transferring to the federated entities competences for matters of support and assistance to individuals in and after prison. Thus, while some institutions involved in the management of radicalised individuals still operate at the federal level (the federal government is in charge notably of intelligence and judiciary aspects related to terrorism and radicalisation), others depend from the regional or local levels (federated and municipal entities which are competent mainly in matters of prevention as well as support and assistance to individuals). The present report aims to lay out said complexity, and shed light on challenges and realities of the Belgian institutional organisation.

By the end of 2021, over 130 Belgian nationals (around 30 percent of the departed) had returned from conflict zones in Syria and Iraq. Even though children have been progressively repatriated over the past few years (especially between 2019 and 2021), the active repatriation of adults has remained subject to refusal by the Belgian government until 2021, and remains highly debated. In July 2021 however, an unprecedented repatriation operation has been carried out by Belgian authorities, during which six women and a total of ten children were brought back to Belgium. While FTF have been explicitly monitored on the security level (notably through CUTA's FTF list, and then through the CDB), it can be generally noted that Belgian P/CVE and DRR policies and practices do not differentiate between returnees and other categories of radicalised individuals or terrorist convicts, nor do they adopt a gender-specific approach when it comes to the management of female returnees. A general case-by-case tailored approach prevails, as this report highlights.

I. Collaboration between the institutions

Schematically, the main institutions taking part in P/CVE and DRR practices can be divided into two main "pillars". Some are more security and surveillance driven (such as CUTA, VSSE, DG EPI/CelEx), while others are more social care and support oriented (such as CAPREV, CAW, social care services, municipalities, CSOs). In principle, federal services are more security-oriented and regional and local services are more support-oriented. However, the lines are sometimes slightly blurred between such rigid distinctions, as it will become clearer in this report.

The Extremism and Terrorism Strategy (Strategy TER), previously known as the Action Plan Radicalism (Plan R), is the main coordination mechanism for CT and P/CVE policies in Belgium. It defines core priorities and the general approach to manage violent extremism in all its forms. The National Task Force (NTF) is the main coordination body of the Strategy TER. The members of the NTF are: CUTA, VSSE, SGRS, Federal Police, Foreign Affairs, Asylum Office, Crisis Centre, CTIF, Public Prosecutor's Office, DG EPI, Ministry of Interior's DG Security and Prevention, and the Federated entities. There are a number of working groups coordinated by the NTF, with narrower memberships, which can meet at different frequencies. There is for instance a working group on Prison, established with the aim of "achieving permanent

cooperation and developing relevant expertise” on prisons as a specific vector of radicalisation⁵. This working group has two compositions: the “strategic” working group meets twice a year and allows coordination between the federal security and penitentiary services with the federated entities’ Houses of Justice; the “operational” working group meets twice a month to discuss more concrete measures regarding extremist offenders. Another relevant group for this report under the Strategy TER is the working group on Prevention, which aims at coordinating P/CVE policies between the federal government and the various federated entities.

1.1. Coordination and information-sharing: Highlighting the role of CUTA

The Coordination Unit for Threat Analysis (CUTA or OCAM/OCAD in French/Dutch) was created in 2006 specifically to evaluate terrorist and extremist threats such as it is defined in Belgian laws on intelligence.

Rather than being an intelligence service, CUTA is designed to act as a “fusion centre” aimed at coordinating the flow of information between relevant security services, with a view to produce national and individual threat assessments⁶. In order to do so, CUTA receives relevant information from various support services: VSSE and SGRS, the integrated police, the Ministry of Finance (Customs and Taxes), the Ministry of Interior (Immigration office), the Ministry of Mobility and Transports, the Ministry of Foreign Affairs, the crisis centre, DG EPI, the Ministry of Justice’s service of the cults, and the Ministry of Finance’s treasury service.

As a means of effective information exchange, the Unit manages and exploits the Common Database (CDB), initially established by the Royal Decree of 21 July 2016 and expanded by the Royal Decree of 23 April 2018 creating the categories of “Homegrown Terrorist Fighters” and “Hate Preachers”. In 2019, the CDB was further broadened to encompass “Potentially Violent Extremists” as well as “Convicted Terrorists”. There are therefore legal criteria determining who can be included in the CDB. Although it is technically a database, the CDB operates in fact more as a communication platform through which different instances taking part in CT, P/CVE and DRR practices share relevant non-classified information with one another regarding specific individuals. Different instances (such as intelligence services, integrated police services, CelEx, but also the so-called Justice Houses) are granted different levels of access based on the “need to know” principle, and contribute to, or retrieve information from, this database at various stages of a person’s trajectory within and outside of the criminal justice system. For every individual that is integrated in the CDB, CUTA will make an individual threat assessment, based on the information that it receives from its partner services. It is this individual threat assessment that informs notably risk assessments in prison, but also decisions to offer individuals an early release, as well as security monitoring measures to be implemented upon release.

Although CUTA’s role was traditionally more focussed on CT, it has become more involved in P/CVE over the years. A CVE (Countering Violent Extremism) unit was created within CUTA in 2017, leading to a broader interest for P/CVE, including a strategic communications approach and DRR, and thus to the production of a number of reports/analyses and recommendations on these issues.

⁵ “Le Plan R” - Brochure Radicalisme.

⁶ CUTA does not conduct surveillance itself, but solely relies on information shared by support services within the CDB.

1.2. Platforms of concertation: Highlighting the LTF-LCIS mechanism

Two major multi-agency platforms have been established over the past years in Belgium (essentially around 2014-15), with a view to facilitate the management of radicalised individuals through exchange of information and shared risk-assessment between different services, anchored at the local level.

1.2.1. Local Task Forces (LTF)

On the judiciary district level, the so-called Local Task Forces (LTF, circular GPI 78 of 31 January 2014) gather representatives from relevant security services (intelligence services, CUTA, police and local prosecutors), and facilitate the exchange of information between them. On a monthly basis, these services sit down together to discuss individual cases of violent extremists or potentially violent extremists (whether or not they have been subjected to the penal system). They can share their risk-assessment and decide on tailored measures, mainly from a security point of view. The LTFs are coordinated by the working group LTF under the Strategy TER, therefore ensuring a constant interaction between national and local levels.

1.2.2. Local Cells for Integral Security (LCIS)

On the municipal level, the Local Cells for Integral Security (LCIS) gather local authorities and local socio-prevention services, the Information Officer of the local police, as well as representatives of social institutions and civil society actors (CPAS, ONEM, schools, youth workers, Justice houses, disengagement initiatives, local welfare organisations, etc.), under the chairmanship of the Mayor. The LCIS were created by a federal law according to the requirements of article 458ter of the Penal Code (authorising an exception to the rule of professional secrecy within a concertation structure when public security is threatened, given that this exception is provided by law).

In the context of LCIS, the different stakeholders can discuss individual cases of persons considered to be in a process of radicalisation, or people that are in a process of disengagement or reintegration.⁷ The key role of a LCIS is to ensure a tailor-made socio-preventive follow-up for the individuals that are in a process of radicalisation or disengagement. The driving idea is to ensure that those individuals in need receive help, appropriate cares (notably for cases of mental health issues) and are not left alone by themselves with no support.⁸ The police Information Officer, only partner present in both LTF and LCIS, is in charge of the information flow between the two platforms.

⁷ For instance, if a school director has concerns about a student who shows clear signs of radicalisation, he can explain his concerns to the LCIS. If all the stakeholders arrive to the conclusion that this information should be communicated to security services, the Information Officer will relay it to the LTF which will examine if a security follow up is indeed needed (principle of early detection).

⁸ For instance, if the observation can be made that the main reason why a specific individual is consulting and propagating extremist content is the fact that he is not well integrated in the society and has too much spare time on his hands, and lacking purpose, civil society actors could help him find an appropriate job or guide him to take courses. It all depends on case-by-case situation.

II. Risk Assessment Tools

Belgian authorities involved in the risk management of violent extremist offenders use a variety of risk assessment tools. This implies, among others, that risk is evaluated differently depending on whether the assessment takes place before, during or after an incarceration period.

II.1. CUTA & Root37

CUTA performs different types of threat assessments, ranging from the overall national threat assessment to punctual or individual threat assessments.

According to article 11 of the Royal Decree of 28 November 2006, the four extremist or terrorist threat levels are based on a “description of the gravity and the likeliness of the danger or threat” (art. 11, §6). The exact method of analysis does however not appear explicitly in the laws and executive texts, which only briefly describe these threat levels ranging from “low” (level 1) to “very grave” (level 4).

In 2020, CUTA launched Root37⁹, a new risk assessment tool designed to produce accurate assessments on persons (to be) monitored within the CDB. Root37 was developed to evaluate all individuals in the CDB, which includes therefore FTF still in Syria, returnees, and convicted terrorists (in prison or probation) among others. As such, there is no specific assessment tool for returnees.¹⁰ This is therefore a tool that can span across (before, during and after) the penitentiary space.

Root37 relies on information from multiple and diverse support agencies and partner services (Boelaert, Thys & Van Hoey, 2021). Similarly to widely known risk assessment tool VERA-2R, Root37 uses a hybrid methodology combining qualitative and quantitative analysis, namely structured professional judgment (SPJ) and actuarial methods, applied to operational information available (in the CDB or CUTA’s own database) on each risk indicator. This ensures, on the one hand, that available information is objectivised with a view to creating structured and standardised evaluations, drawing on an individual score calculated from differentially weighted risk indicators. On the other hand, it allows analysts to conduct a more flexible analysis taking into consideration possible situational fluctuations over time. The assessor then assigns one of the four threat levels to the assessed individual, based on the Root37 score (quantitative analysis of the available information, *à charge* as well as *à décharge*). According to interviewed CUTA agents, the numerical outcome of the evaluation through Root37 is important to inform decision on the need for security monitoring or DRR approach. However, the assessment is always motivated and contextualized on the identified risk domains or factors (such as the significance of ideology within a person’s trajectory, social context, presence of psychological factors, etc.)¹¹, which is then shared with partner services

⁹ The design phase of Root37 started in 2018.

¹⁰ There is however one specificity when it comes to individuals still in prison, since the general context of detention is seen as temporarily limiting some risk factors such as violent action capacity.

¹¹ Interview with CUTA, 28 January 2022.

through the CDB.¹² which is crucial to identify the most appropriate measures needed to ensure an effective risk management approach (to be implemented, for instance, by the LCIS or LTF).

Root37 contains 37 risk indicators distributed across five risk domains. Although some of these indicators are very close to those used in VERA-2R, there are some differences. A key aspect of the tool is that every risk indicator has a “bi-directional” dimension, in the sense that it can contain positive (signs of resilience) or negative (signs of vulnerability/risk) information, which together determine whether a risk factor is present or not. According to an interviewed CUTA officer¹³ however, exculpatory information is sometimes harder to collect and therefore lacking to some extent in the database.

Root37 additionally helps analysts to identify information gaps in the CDB, allowing for more targeted intelligence collection¹⁴. The tool equally serves as a means of “validation” and “ventilation” (inclusion and removal) of individuals included in the CDB across its five categories (FTF, HTF, HP, PVE, and TC). The final decision of entry into or removal from the database is made by CUTA itself,¹⁵ in consultation with the relevant LTF, based on the available information.

II.2. VERA-2R

The primary risk assessment tool used by Belgian psycho-social services (SPS) in prison is VERA-2R, an SPJ tool (structured professional judgment) designed to detect a variety of types of radicalisation (right-wing, left-wing, Islamist, etc.) and to allow for targeted, case-by-case intervention with assessed individuals. It features a total of eight sets of items related to 1) beliefs, attitudes and ideology; 2) social context and intention; 3) history, action and capacity; 4) engagement and motivation; 5) protective or risk-mitigating indicators¹⁶; 6) criminal history; 7) personal history and 8) mental disorders, each of which comprise anywhere between 2 and 8 indicators. In Belgium, a large portion of penitentiary psycho-social personnel are trained for the use of VERA-2R. In the Dutch-speaking region, Justice Assistants are equally trained for its use. On the French-speaking side, VERA-2R is not used by the Houses of Justice. However, the use of CPRMV’s “Alvéole” or “Hexagon”, a pedagogical tool designed to assist social workers with analysing cases of radicalisation leading to violence, is deemed potentially fruitful with a specific view to giving informed priority to certain cases¹⁷.

By means of in-prison psycho-social reports, VERA-2R results inform notably penitentiary regime and individual security measures for terrorist convicts, as well as conditional release

¹² Since CUTA analysts use both classified and non-classified information when conducting a Root37 evaluation, the subsequent motivation of the assigned threat level that is submitted to partner services can only contain a limited contextualisation of the result. In fact, the motivation can logically not disclose classified information.

¹³ Focus Group, 17 February 2022.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Some of the items, notably these protective or risk-mitigating indicators, have been added to the tool in 2016. It should be noted that while support programs proposed by organisms such as CAPREV are voluntary on the detainee’s end, non-participation in suggested programs is often viewed as a negative when it comes to evaluating, for instance, the level of extremist or terrorist threat they represent (ex. CCE n°232.191, 2020).

¹⁷ Interview with AGMJ, 27 January 2022.

decisions of the TAP, mainly with regards to the risk of recidivism. VERA-2R evaluations are also used within the monitoring of probation regimes by Flemish Houses of Justice in the case of persons convicted of terrorist offenses, with the goal of structuring and objectivising information available on the detainee and preparing a better-informed guidance¹⁸. Results of the evaluation are included in the reports addressed to the probation court and the Public Prosecutor under judicial mandate, and may also be discussed within the framework of the LCIS¹⁹. It is however noted by the interviewed probation worker that, given the dynamic nature of the instrument, Justice Assistants would need to conduct regular evaluations within a guidance process. Although the tool is considered useful to some extent, this is deemed extremely time-consuming and potentially counterproductive, and has been called into question within a current evaluation process²⁰.

II.3. Locally limited tools

Some assessment tools, such as KOMPAS or Radix Tool Antwerpen (RTA) are locally limited and often only used by one specific security or social service. RTA, as an example, is a Microsoft Excel-based assessment tool created upon the initiative of one social worker active among radicalised or radicalising youth in Antwerp, that focuses on societal vulnerabilities. It was designed to objectivate experiences and intuitions of social workers and bridge the gap between multidisciplinary actors by developing a “common language”. Its use is currently mostly limited to the city of Antwerp.

III. Prison-based approach to DRR

III.1. Detention management

The Belgian prison administration hierarchy is composed of the central penitentiary administration called the Directorate General of Prison Establishments or DG EPI (Direction Générale des Etablissements Pénitentiaires), as well as Regional and Local administrations. On the central level, various specialised Directorates, such as the Detention Management Directorate (DGD), competent for deciding on placement and granting leaves of absence, play a direct role in the management of (radicalised) inmates.

Regarding the in-prison management of radicalised inmates, Belgium has adopted a mixed approach of dispersal and separation, although the dispersal regime is favoured ‘as much as possible’. While terrorist inmates were originally dispersed among a small number of penitentiary facilities called ‘satellite prisons’, where staff had been trained in priority (starting in 2015), extremist offenders are now dispersed across prisons of the entire country (Renard, 2020).

¹⁸ Interview with Flemish House of Justice, 28 January 2022.

¹⁹ Follow-up with Flemish House of Justice, 8 March 2022.

²⁰ The use of VERA-2R by Justice Assistants is currently under evaluation. Interview with Flemish House of Justice, 28 January 2022.

In April 2016, two special sections were opened in the prisons of Ittre and Hasselt for inmates seeking to proactively recruit for violent extremism or propagate their ideology. These so-called 'D-Rad:Ex units' can host up to 40 inmates in total (Renard, 2020). Dispersal however remains the preferred regime of the penitentiary administration, and D-Rad:Ex units thus never reached their full capacity. The Unit in Ittre currently houses a total of 5 inmates, while the Hasselt Unit is empty²¹.

The so-called "special instructions on extremism"²² in prison being identical regardless of their CDB category, incarcerated returnees are in principle not treated differently from other radicalised or radicalising inmates. The necessity to establish individual security measures or to place an inmate within the D-Rad:ex unit, is subject to the Prison Director General's case by case evaluation and motivation based on relevant information provided by the DG EPI's Extremism Unit (CelEx). With the explicit scope of assisting with such evaluation, prison personnel are trained for radicalism-specific observation methods and conform to the special instructions regarding the detection and management of radicalised or potentially radicalising inmates.

According to approximate numbers provided by interviewed agents, the majority of inmates placed within D-Rad:ex units are in fact not returnees/FTF but individuals categorised as either HTF or HP, especially those viewed as highly influential, with a propensity to practice proselytism²³. Returnees and other inmates suspected of radicalisation may be scattered within regular units but subjected to so-called individual security measures (MSPI) or regimes (RSPI) which greatly restrict the inmates' rights and movements (more frequent cell or body searches, restrictions on contacts with external visitors or other inmates).

During the years following the 2015-2016 attacks, inmates would remain within restricted regimes for several months before returning into regular detention. Recent returnees, especially women repatriated from Syria in 2021, seem to remain subjected to individual security measures or regimes for shorter periods of time than their earlier incarcerated male counterparts (around one month²⁴), after which they return to a regular detention regime²⁵. According to disengagement officers²⁶, the (re)integration of inmates into regular regimes greatly facilitates disengagement efforts, since drastic restrictions of rights and movement are often seen as arbitrary or excessive, and thus undermine the process of rebuilding trust and reconnecting with society.

III.2. Intelligence and monitoring

The creation and evolution of the Extremism Unit (Cellule Extrémisme ou CelEx) within the central penitentiary administration (DG EPI) in the wake of the 2015 revision of the Plan R and the following parliamentary inquiry on the 2016 terrorist attacks, responds to the imminent

²¹ Interview with CAW, 25 January 2022 and CelEx, 31 January 2022.

²² These « instructions » are formal rules of penitentiary organisation related to extremism and radicalisation, defined by the DG EPI to the attention of local prison Directors, in implementation of the Plan P(risons).

²³ Interview with CelEx, 31 January 2022.

²⁴ Interview with CAW, 25 January 2022.

²⁵ Interview with CelEx, 31 January 2022.

²⁶ Interview with CAW, 25 January 2022 and CAPREV, 4 February 2022.

necessity to structurally exchange information on and monitor the increasing number of inmates linked to terrorism and radicalisation in Belgian prisons. Originally categorised as a “transversal penitentiary support service” within the DG EPI, CelEx recently became one of two main pillars of the so-called Integral Security Directorate.

CelEx is tasked with centralising all relevant information from prison staff and external partners (police, intelligence services, prosecutor’s office) in order to facilitate the detection or evaluation of radicalised inmates, and to make informed recommendations to the Prison Director General on the management and detention regime of these inmates – including placement in the so-called *D-Rad:Ex* units. Upon detention, and at least once every two months, (potential) extremist offenders are screened, relying on information provided by penitentiary services (e.g. psychosocial services) and partner services (e.g. intelligence agencies) (Renard, 2020). Monitored inmates, formerly known as “CelEx inmates”²⁷, are divided into the same categories legally determined in the CDB: Foreign Terrorist Fighters (FTF), Homegrown Terrorist Fighters (HTF), Hate Propagandists (HP/PH), Terrorist Convicts (TC/CT) and Potentially Violent Extremists (PVE/EPV)²⁸.

Beyond its mission to monitor inmates and provide direct support to local prison administrations, CelEx is also tasked with counselling the central directorate, training penitentiary personnel, and representing the Ministry of Justice within the working groups established by the 2015 Plan R (such as the special working group on prisons).

As a unit centralising all relevant penitentiary information on monitored individuals, CelEx is also a close and important partner to CUTA with extensive rights of access to and entry into the CDB. CelEx thus acts as an intermediary between penitentiary services, such as local prison directors and the in-prison psycho-social service (SPS), and CUTA. Conversely, CelEx heavily relies on threat evaluations from CUTA when it comes to in-prison management of radicalised individuals. Over time, based on the results of close observation and information provided by these services, CelEx may periodically suggest category changes or removal from the CDB for monitored inmates that no longer meet corresponding criteria, through a structurally established review mechanism with CUTA²⁹. Acting as a local support service to CUTA within the implementation of the Plan R – and more recently the Strategy TER – CelEx is furthermore represented within CUTA by a liaison officer.

Another special unit, the CEGP was furthermore created within the State Security Service, with the purpose of intelligence gathering on violent extremism in prisons. It can use all traditional intelligence-gathering techniques, and feeds relevant information to other services, such as CUTA and CelEx, notably through the Strategy TER working group on prisons.

²⁷ Initially known as the “CelEx list”, the list of individuals monitored for radicalisation is now called the “CUTA list”, since all incarcerated individuals included in the CDB are monitored by CelEx, and all individuals monitored by CelEx are included in the CDB.

²⁸ Interview with OCAM, 28 January 2022 and CelEx, 31 January 2022

²⁹ Interview with CelEx, 31 January 2022.

III.3. In-prison disengagement efforts

In the Belgian federal context, the assistance and support to inmates (under which rehabilitation and disengagement programmes fall) is a competence of the federated entities (the ‘communautés’) and not of the federal government (Renard, 2020). Even though there is, thus, no one unique structure providing uniform in-prison disengagement programmes across the country, both Dutch- and French-speaking services share one common understanding of *disengagement* and therefore pursue equal objectives of rebuilding trust, and reintegrating into society. The two main services carrying out in-prison psycho-social guidance are the Centre for the Assistance of People concerned by any Radicalism or Extremism leading to Violence (CAPREV) and a team of disengagement officers within the Centrum Algemeen Welzijnswerk (CAW), operating on either side of the country. In addition to CAPREV and CAW, some social care services (SAD) also offer psycho-social assistance to detainees in prison, most of which are however not radicalisation- or disengagement-specific.

III.3.1. CAPREV & CAW

Within its Plan of Action focusing on the prevention of radicalisation adopted in January 2015, the Federation Wallonia-Brussels (FWB) created the Centre for the Assistance of People concerned by any Radicalism or Extremism leading to Violence (CAPREV), placed under the auspices of the General Administration of the Houses of Justice (AGMJ). CAPREV is part of the Réseau de prise en charge des radicalismes et des extrémismes violents, a network of services and actors tasked with missions related to radicalisation such as CREA (Centre de Ressources Et d’Appui), mobile teaching teams operating in schools, and radicalisation referents active within every administration of the FWB. The service equally takes part in several national and local working groups.

Inspired by existing models such as the Centre de prévention de la radicalisation menant à la violence (CPRMV/CPRLV) in Québec, CAPREV provides support to radicalised individuals in and outside of prison, on the detainees’ demand or within the scope of a judicial mandate. Although radicalised inmates form the bigger part of CAPREV’s audience, the service also offers support to family and professionals³⁰ confronted with (violent) radicalisation, through a hotline as well as in-person interventions. Furthermore, a special protocol on the collaboration with juvenile care services ensures a concerted and coherent approach to both minors and adults.

Operational since 2017, CAPREV progressively adjusted to an already existing web of social care services and their respective missions. According to interviewed CAPREV officers³¹ confidentiality and a neutral professional standpoint are the cornerstones of the service’s working principles, creating a space of trust and neutrality in order to collect the person’s experiences, identify personal factors leading to radical engagement and offer means of elaboration.

³⁰ Using CPRMV-designed tool “Alvéole” (or in English, “Hexagon”), CAPREV is notably in a position to provide front-line workers with specific tools allowing them to step back and gain perspective on situations encountered. Interview with CAPREV, 4 February 2022.

³¹ Interview with CAPREV, 4 February 2022.

In prison, CAPREV only meets with detainees on a voluntary basis³². After a phase of clarification, where a request is formulated by the detainee and the framework for support is set by CAPREV, the service's aim is to meet the detainee's needs in terms of addressing radical engagement while deconstructing the taboo around the topic, and actively preparing for reintegration into society in a way that is specifically catered to the individual. In many cases, individuals supported in prison by CAPREV are offered the possibility to co-produce an assessment of the ongoing guidance as a brief common testimony on their reintegration programme, personal progress regarding radical engagement, and other relevant points. This assessment can, for example, be added to the probation request submitted to the TAP, if the detainee so wishes.

On the Dutch-speaking side, an institutional equivalent of CAPREV does not exist. In fact, Flemish authorities have decided not to create new institutions for the support of radicalised individuals, but to draw on already existing structures, and subsequently ensure that relevant services gather around specific cases in order to exchange information and expertise. Thus, a small team of disengagement officers, formerly embedded within the Flemish administration's Public Health Department, has more recently been operating within CAW ("Centrum Algemeen Welzijnswerk" or Centre for General Social Welfare), a network of Flemish social care services, with the aim of providing specific support to inmates catalogued within the CDB.

Since 2016, the team has been providing continuous support to these inmates from incarceration through the probationary phase, to full reintegration into society after definitive release. When intervening in prison, similarly to CAPREV, CAW only does so on a voluntary basis. CAW operates within a multi-disciplinary and multi-agency system, sharing the space around an individual with social care services, therapists and other relevant instances, and focusing mainly on rebuilding trust and stimulating self-reflection in a non-judgmental environment. This is done, for example, with the help of various media (books, documentaries, etc) emerging within the guidance³³, the content of which is then discussed and processed in a way that is conducive to constructive reflection with the detainee around family and personal history, radical engagement, and perspectives for the future. CAW then cooperates with external social care services in order to help the detainee actively prepare for conditional release (housing, training employment, etc.).

While CAPREV heavily relies on two-person interventions ("co-intervention"), CAW officers generally operate through one-on-one sessions with each detainee. However, since each CAW officer initially specialises in a specific field (Imam, psychologist, etc.) one detainee may meet with different officers throughout the guidance period, according to specific needs at a given moment³⁴.

³² This means that CAPREV only intervenes in prison upon a detainee's demand. Judicial mandates by the TAP only cover the probation period. The same is true for CAW.

³³ In this context, the interviewed CAW officer particularly insisted on the fact that these media are not imposed or even suggested by the supporting officers. Instead, the focus is placed on finding material that is relevant and interesting to the detainees themselves.

³⁴ In contrast with CAPREV, which currently operates with a capacity of 11 officers, the CAW team consists of only 3, with the perspective of taking on one more officer in the near future. Interview with CAW, 25 January 2022 and with CAPREV, 4 February 2022.

Since all of these tailored disengagement programmes are built to meet every inmate's individual needs, a coordinated approach catered specifically to returnees does not exist. Particular issues such as combat-related trauma, are addressed through the joint intervention of social workers and therapists, drawing upon the various competences present within the team or other available actors gravitating around the individual in and outside of prison. Operating through a systemic approach, CAPREV and CAW also work closely with families and close social circle, understanding the individual as part of a coherent system, and can provide support to other professionals working with radicalised individuals.

When voluntary guidance is requested by an inmate during a prison sentence, both CAPREV and CAW assist the detainee through the preparation of leaves of absence and conditional release, conceiving a sensible reintegration plan that can be presented to the TAP and producing brief reports summarising efforts made and progress achieved through in-prison guidance. When early release is granted by the TAP, both services offer to continue guidance through the transition period, even if such guidance has not been made mandatory under early release conditions – this offer is mostly gladly accepted by the detainee³⁵.

Both services' unique feature, however, resides in their competence to intervene across the entirety, respectively, of the FWB and Flanders, which is not the case of other social care services. CAPREV and CAW thus are the only structures to ensure continuous support and guidance in the event of transfer from one prison to another as well as that of conditional release, and are responsible for reconstructing a new network of relevant services around the individual whenever needed. As of today, an External Relations officer within CAPREV is responsible for seeking out different care services corresponding to each individual's needs, including (new) geographical location. Similarly, CAW's guidance efforts include seeking relevant care services, while providing continuous support to the detainee. Finally, in case of prison transfer from one Region to the other, CAPREV and CAW collaborate as closely as possible in order to ensure a smooth transition.

III.3.2. Casus overleg

In Dutch-speaking prisons, a special concertation structure called “casus overleg” or case consultation, is a multi-agency platform that gathers a number of actors and services involved in the management of radicalised inmates, in order to start preparing the individual's reintegration before release. Besides the prison administration and in-prison psycho-social service (SPS), it also includes CelEx, the central psycho-social service, as well as Houses of Justice/Justice Assistants and CAW officers (or other aid services). This type of concertation structure does not exist for any inmates other than those radicalised or in the process of radicalisation. In fact, due to their principles of confidentiality, social care services especially are reluctant to participate in such initiatives, and have only agreed to do so for this specific target group with a view to appropriately prepare for detainees' conditional release.

While concertation within LCIS is provided for by law, casus overleg does not currently have an official legal basis and thus operates under principles of informed consent and a degree of

³⁵ Interview with Flemish House of Justice, 28 January 2022.

shared professional secrecy. The elaboration of an official agreement is currently being discussed³⁶.

Even though such a structure does not (yet) exist in the French-speaking region, the possibility of creating prison-specific LCIS, which would thus be named “PCIS”, with the aim of further structuralising casus overleg and “exporting” it to other parts of the country, is currently being discussed. Some services, such as CAPREV, remain however reluctant regarding these developments, on the basis of their confidentiality and transparency policy toward the detainee.

IV. Preparedness of prison/probation staff

Even though the immediate context of the 2014-2016 attacks has brought about a significant demand for the specialisation of institutions and services involved in the management of radicalised individuals and the building of substantial expertise on the topic³⁷, training efforts specific to terrorism and radicalisation fall under the responsibility of each institution and service, and are thus not coordinated on the federal or even the federated levels.

On the penitentiary level, within the special instructions on terrorism, prison staff are sensitized to observe and detect signs of radicalisation and systematically report these to the prison administration by means of an observation sheet. Subsequently, a dedicated training module based on the « CoPPRa » (Community Policing and the Prevention of Radicalism) model originally initiated for security services³⁸ (Renard, 2021), has been made structurally available to different tiers of penitentiary personnel from 2015-2016. Other continuous training programs on radicalisation for guards as well as in-prison psycho-social agents (SPS) are available on demand, within the DG EPI or other training structures. As for TAP judges, a lack of training offers on radicalisation catered to judges – in contrast, for example, with topics such as sexual violence – has been deplored³⁹.

Houses of Justice and care services, on the other hand, have set up or participated in a rather extensive series of training offers on both the Dutch and French-speaking sides.

As for the Frenchs-speaking side, a special training module on terrorism and radicalisation initiated by a small team of university professors and researchers, has been made mandatory for Justice Assistants within AGMJ. More recently, the Brussels House of Justice has also created a specialised training module on the management of cases involving radicalisation, followed by a seminar led by European specialists. Other non-mandatory training initiatives have been followed by some officers throughout the years, although in a less structured manner.

As for the Flemish side, a “train the trainer” approach has been applied on the level of the Houses of Justice. Thus, a relatively small number of Justice Assistants (10 for a total of around 600 Justice Assistants operating in 14 Houses of Justice in Flanders) have been specially trained

³⁶ Interview with Flemish House of Justice, 28 January 2022.

³⁷ Interview with AGMJ, 27 January 2022.

³⁸ CoPPRa, funded by the European Commission, was initiated in 2010 by the federal police to detect and manage early signs of radicalisation through partnerships with local communities.

³⁹ Focus group, 17 February 2022.

in the topics of terrorism and radicalisation. These trainings include, among others, modules on precisely defined topics such as jihadism or right-wing extremism delivered by VSSE and CUTA, but also a six-day module on behaviour and identity with Muslim youth delivered by Flemish training facility *Vzw Motief*. Justice Assistants are also trained in the use of VERA-2R. These then relay their knowledge through joint intervention with a non-trained officer, or within the framework of more structurally organised presentations or trainings within their respective Houses of Justice, in order to help colleagues detect and manage issues related to radicalisation⁴⁰.

Although overseen by AGMJ, CAPREV does not participate in mandatory training modules specific to Justice Assistants. Thus, no specific external training is currently mandatory for new CAPREV officers. However, these officers regularly participate in external training modules offered by structures such as CPRMV or RAN, and subsequently relay new information to their team⁴¹. As for in-house initiatives, topics related to terrorism and radicalisation have been addressed pre-pandemic in the framework of seminars organised in collaboration with CREA and mobile teaching teams. In addition, CAPREV operates mainly through so-called “co-intervention” (two-person teams), where new officers are trained “on the job”. According to interviewed CAPREV officers, whole-team intervention and debriefing sessions further offer a space for exchange of perspective and knowledge between officers.

The CAW team in its entirety has participated in terrorism-specific training offered by *Nuance door Training & Advies* (NTA), a Dutch training facility specialised in polarisation, radicalisation and extremism. Team members are also being trained in so-called “Socratische gesprekstechnieken” or Socratic communication methods through a training module created by Belgian philosophy professor Kristof van Rossem. Additionally, each team member engages in individual efforts to supplement initial professional education (such as social work or theology), with further knowledge deemed necessary with a view to adequately assist radicalised individuals.

When it comes to security services and coordination platforms such as LTF and LCIS, prevention officers and information officers especially, benefit from continuous training offers in order to equip front-line workers with necessary tools to understand and manage situations pertaining to radicalisation. Thus, different local education and information initiatives (training designed for Imams and Mosque members, social mediators, school staff, etc.) have been emerging in the past years⁴². Lastly, after developing Root37, CUTA has trained its personnel to the use of the tool, and subsequently presented (or is presenting) the tool to its external users (including members of LTF and LCIS) of its end product, namely the threat evaluation.

⁴⁰ Interview with Flemish House of Justice, 28 January 2022.

⁴¹ Interview with CAPREV, 4 February 2022.

⁴² “Prévention des processus de radicalisation pouvant mener à la violence : Guide des initiatives et outils locaux à destination des acteurs de terrain”, SPF Intérieur – Direction générale Sécurité et Prévention, Direction Sécurité locale intégrale, 2018.

V. Re-integration measures

The transitional phase between prison and (conditional) release involves a number of actors ranging from the central and local prison administration and the probation court (Tribunal de l'Application des Peines/TAP), to different security-oriented concertation platforms and care-oriented support services, as well as the Houses of Justice which carry out what is called care-control.

V.1. Conditional release

Within the DG EPI, the administration responsible for detention management (Direction Gestion de la Détention/DGD) is competent for granting detainees two types of temporary leave of absence, either as a one-time favour or a recurrent provision. A “Permission de sortie” entails permission to leave the prison for up to 16 hours within one day, while a “Congé pénitentiaire” allows for the detainee to be absent from prison for up to 36 hours, up to three times per trimester. Subsidiarily, when they appear absolutely necessary within the preparation of a forthcoming conditional release, these favours or provisions may be granted by the TAP according to article 59 of the Law of 17 may 2016.

All other measures, namely conditional release, electronic monitoring or limited detention can be granted by the TAP only, upon evaluation of both risk of recidivism and protective factors. In order to do so, TAP judges collect opinions from the local prison director and the in-prison psycho-social service (SPS), the prosecutor, as well as Justice Assistants who meet with family and assess the environment that will host the detainee during their conditional sentence or probation. Additionally, TAP will take into consideration any other available information, such as CUTA evaluations, plans and agreements relative to reintegration, as well as reports written by services such as CAPREV or CAW regarding an ongoing in-prison guidance. TAP judgements granting early release will list a number of conditions the detainee must comply with, and can thus be revoked in the event of breach of one or several of those conditions. In most cases involving an element of radicalisation, at least one of these conditions refers to guidance with specialised care services during the probation period. Additional conditions such as limitation or prohibition of contact with individuals formerly or currently incarcerated for terrorist offenses or known as radicalised, or travel bans to specific foreign countries, may be of application.

V.2. Probation oversight and reintegration

As previously stated, the assistance and support to inmates falls under the competence of the federated entities. Since 2015, these entities have notably been competent for the management of the so-called Houses of Justice, carrying out probation policies and thus in charge of the support to inmates after prison. Compliance with release conditions is directly overseen by Justice Assistants operating within said Houses of Justice. Additionally, social care services greatly contribute to reintegration efforts. In this respect, the 2015 reorganisation of competences greatly complexified institutional relations. Where social care services and Houses of Justice previously operated on equal levels under the auspices of the Justice

Ministry, the former are now subsidised by the latter, and are therefore accountable to them. According to an interviewed officer⁴³, the financial and institutional subordination of care services to the Houses of Justice has created an artificial distance between the two, significantly obstructing effective collaboration.

V.2.1. Care-control

The mission that rests with Justice Assistants lies somewhere in-between a security-oriented and a care-oriented approach, as these actors provide what is called “care-control” or “care under control” under judicial mandate as part of a conditional sentence or probationary measures. In fact, while assisting the detainee with basic administrative necessities like finding accommodation and employment or applying for professional training, Justice Assistants are also tasked with monitoring compliance with release conditions and reporting directly to the TAP in case of breach, from the date of release to the end of the probation period (“délai d’épreuve”). Even though, since the communautarisation of the Houses of Justice, Justice Assistants no longer operate under the principle of professional secrecy, a principle of discretion still applies. Thus, Justice Assistants only share information through their reports to TAP judges and/or the Public Prosecutor.

According to interviewed officers⁴⁴, while disengagement-specific support proves to be essential in some cases, the primary needs pertaining to rehabilitation and reintegration of radicalised detainees (accommodation, employment, reintegration into family, etc.) do not greatly differ from those of “regular” detainees, and must be addressed in priority⁴⁵. Thus, Houses of Justice on either side of the country predominantly work towards supporting general socio-professional reintegration and individuals’ (re)adherence to social norms, while calling upon specialised partners wherever needed. Similarly, as legal categories of terrorist offenses were progressively expanded, it has been found that support to some offenders (such as those having provided minor financial or logistic contribution to terrorist groups in specific contexts, although technically convicted for terrorism), does not need to systematically involve explicit disengagement efforts. Houses of Justice therefore strive to tailor the guidance to every individual’s context and needs, as much as it is possible within the framework of TAP release conditions. Over time, when certain conditions prove to be inadequate or counterproductive with respect to the detainee’s situation and needs, intervening Justice Assistants may seek the re-evaluation of these conditions with the TAP⁴⁶.

Within the FWB, Houses of Justice are directly managed by the General Administration of the Houses of Justice (AGMJ), which is one of the five administrations composing the Ministry of the Federation. The AGMJ also subsidises the so-called SAD (social care services specific to detainees), providing different types of assistance to detainees on probation according to

⁴³ Interview with AGMJ, 27 January 2022.

⁴⁴ Interview with AGMJ, 27 January 2022 and with Flemish House of Justice, 28 January 2022.

⁴⁵ According to the interviewed AGMJ officer, a significant difference can be perceived between detainees convicted of ordinary offenses and those convicted of terrorist offenses when it comes to access to employment. While it is very challenging to find employment for released convicts of ordinary offenses, finding employment for released terrorist convicts proves to be even more difficult. This is thus perceived as one of the major challenges for Justice Assistants. Interview with AGMJ, 27 January 2022.

⁴⁶ Interview with AGMJ, 27 January 2022.

their needs, as well as CAPREV, which is described as the preferred partner to Houses of Justice for the specific support of radicalised individuals⁴⁷. As part of their duty to report to the TAP, Justice Assistants in the FWB are responsible for collecting certificates from SAD and reports from CAPREV in order to assess the detainee's attendance of agreed upon guidance sessions and the evolution of the reintegration process. In many cases, reports also contain CUTA's threat analysis, which is previously discussed with the detainee⁴⁸. Justice Assistants' reports are also automatically submitted to the Public Prosecutor who, bearing a competence in public security, may sort and redistribute relevant information to security services. In this context, a cooperation protocol between AGMJ and VSSE is currently being developed in order to circumscribe information flow from the Houses of Justice towards security services.

On the Flemish side, Houses of Justice are placed under the auspices of the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism. Flemish Houses of Justice currently subsidise *CEAPIRE* (Centre of Expertise and Advice for Prevention and Intervention of Radicalism and Extremism) which has recently become a preferred partner when it comes to matters of deradicalisation pertaining specifically to ideology⁴⁹.

In Flanders, every radicalised individual is assisted by a team of two Justice Assistants, one of whom is a trained expert in matters of radicalisation. Additionally, Justice Assistants meet monthly with central policy workers operating within their respective Houses of Justice, in order to gather their perspective on specific cases and make informed decisions. In the same way as it is done in the FWB, Flemish Justice Assistants report directly to the TAP and the Public Prosecutor. These reports notably contain CUTA's threat analysis which is discussed with the detainee beforehand. When it comes to radicalised individuals, a few exceptions apply to the general principle of discretion under which Justice Assistants operate in "regular" probation cases. For instance, Flemish Justice Assistants participate in the previously described casus overleg, the framework of which allows care-control officers to be involved in the reintegration process of individuals ahead of their conditional release, which is not the case for other detainees. They also take part in respective LCIS, to which they announce any new mandate related to radicalisation⁵⁰. Besides offering a platform for the effective exchange and contextualisation of information, these structures also allow to effectively map out all instances involved in each detainee's monitoring process. Lastly, in contrast to "regular" probation cases, Flemish Justice Assistants monitoring radicalised individuals are not required to ask for the individual's permission before contacting employers or third-party services with the purpose of evaluating compliance with release conditions.

⁴⁷ Interview with AGMJ, 27 January 2022.

⁴⁸ Although Houses of Justice have a certain degree of access to the CDB, they have decided to rely mainly on CUTA analyses which can be directly discussed with the detainee (in contrast with other information shared through the CDB). This is done in order to align with the principle of transparency towards the individual. However, the use of CUTA evaluations by Justice Assistants is currently being reassessed and may change in the near future. Interview with AGMJ, 27 January 2022.

⁴⁹ Previously, Flemish Houses of Justice collaborated with PVI, the Platform of Flemish Imams for post-detention work related to ideology. According to the interviewed officer, around 10-15 cases are relayed to CEAPIRE every year. Interview with with Flemish House of Justice, 28 January 2022.

⁵⁰ Interview with Flemish House of Justice, 28 January 2022.

V.2.2. Social care services

Previously described care services such as CAPREV, CAW or various SAD (La Touline, S.C.A.P.I., Asbl Après, Dispositif Relais, etc.) also offer guidance through the probation period, on a voluntary basis or within TAP release conditions⁵¹. Similarly to in-prison guidance, both radicalism-specific teams (CAPREV and CAW) heavily rely on cooperation with third-party care services with which they share a comparable working philosophy and principles of professional secrecy and deontology.

In the French-speaking region, when guidance with CAPREV is stated within TAP release conditions related to disengagement, a tripartite agreement is signed between the House of Justice, CAPREV and the detainee, defining the exact framework of the guidance. This agreement requires that CAPREV submit regular reports to the Justice Assistant in charge, and regulates limited information exchange while conforming with CAPREV's confidentiality principle. Conceded information is described by interviewed CAPREV agents as mostly factual, including presence or repeated absence at agreed upon sessions, or potential dangers surrounding or emanating from the individual. In addition, tripartite meeting sessions are organised between Justice Assistants, CAPREV and the detainee, allowing for tailored guidance. When TAP release conditions don't include guidance with CAPREV, the service may still support the individual on a voluntary basis during or after the end of the probation period, as well as in case of release upon end of terms.

In the Dutch-speaking region, the probation court systematically makes guidance with CAW or CEAPIRE, or both, part of probation conditions when the detainee was convicted for a terrorist offense⁵². CEAPIRE does not however qualify as a social care service as such and is mainly specialised in matters related to ideology, and CAW is thus the only service providing continuous support to the detainee from the day of release (or from the detention period, if voluntary guidance has been requested by the detainee previously), throughout the entire probation process. CAW furthermore offers voluntary support to individuals, even in cases where this has not been made mandatory within release conditions. During the probation phase, concertation between Houses of Justice and care services continues according to a so-called draaiboek⁵³ which fixes the framework and principles thereof. While, as previously stated, a structural equivalent of CAPREV does not exist, Justice Assistants closely collaborate with CAW in order to ensure a feasibly smooth transition from prison to probation. While other services cease guidance after the end of terms or at the end of the probation period, CAW may continue to support the individual as long as needed.

⁵¹ Even though guidance with CAPREV or CAW may be part of release conditions set by the TAP, both services insist on the voluntary nature of their involvement. In fact, leaning on a psycho-social approach, successful guiding efforts require the willingness and readiness of the individual, and cannot easily be forced. Interview with CAW, 25 January 2022 and with CAPREV, 4 February 2022.

⁵² Interview with CAW, 25 January 2022.

⁵³ Literally translated as « playbook » or « roadmap » which implies the establishing of a clear framework for these collaborations.

V.2.3. Security monitoring and evaluation

Upon conditional release, other than being monitored by Houses of Justice, most extremist detainees remain under surveillance by the LTF and/or LCIS. Leaning on risk assessments gathered from CelEx and CUTA, available through the CDB for a period of time, these multi-agency platforms evaluate the necessity to continue monitoring conditionally released detainees, and decide on tailored security or socio-preventive measures that could be offered to the individuals and/or their family in order to prevent their radicalisation or facilitate their reintegration. In case of release upon end of terms or at the end of the probation period, Houses of Justice are no longer competent for monitoring individuals but security services (VSSE, CUTA and police, as well as LTF) may continue monitoring the individual as long as he remains in the CDB, and until he is definitively “ventilated” (removed) from the database. Thereafter, a socio-preventive approach through LCIS always remains possible.

VI. Vulnerable categories

VI.1. Women and children

After allowing for the systematic repatriation of children under the age of 10, and a case by case approach to children between the ages of 10 and 18, in 2017, the Belgian government continued to refuse the repatriation of parents up until recently, leaning mainly on reasons related to national security. The overall policy changed in 2021, as the new federal government announced its intention to repatriate all children and their mothers. Six women and their ten children under the age of 12, previously detained at Roj camp in Syria, were repatriated by Belgian authorities in 2021.

VI.1.1. Returning mothers

Different judicial districts approach returning women very diversely⁵⁴, leading notably to disparities between prison sentences. At the time of their arrival, four of the six women repatriated in 2021 had already been sentenced to 5 years in prison by default. Most women have been able to object to default sentences and thus obtain a reduction of their sentence. As a result, they have received on average slightly shorter sentences than earlier incarcerated women⁵⁵.

The interviewed CelEx officer furthermore reported that recent women returnees are subject to increased attention and risk-awareness from prison staff. These women are notably being monitored for their potential propensity to influence other inmates. However, it appears overall that recently returned women have not presented a major challenge to prison security, and have therefore been subjected to shorter periods of individual security measures and regimes than their male counterparts.⁵⁶

⁵⁴ Interview with CAW, 25 January 2022 and CelEx, 31 January 2022.

⁵⁵ Interview with CAPREV, 4 February 2022.

⁵⁶ Interview with CelEx, 31 January 2022.

Recently returned women have been accompanied by services such as CAPREV and CAW, which adopt a tailored approach in and outside of prison, and therefore do not appear to have a gender-specific methodology standardly applied to all women. These services draw upon their significant experience with returnees acquired throughout the past 5-7 years of existence, and take into consideration the specific nature of women's situations and motivations for joining the Islamic State. These motivations and subsequent trauma linked to the reality of detention camps in Syria, are addressed through CAW's and CAPREV's multi-disciplinary and multi-agency approach.

VI.1.2. Returning children

The management of returning children varies slightly between the Dutch-speaking part of the country and the French-speaking part, although some common principles guide this approach. On the federal level, CUTA does conduct extensive risk analysis on all individuals 12 years and older with a link to Belgium (who are included in the CDB and discussed within the Strategy TER), and collects basic information on children under the age of 12 linked to a Belgian FTF. These assessments (or limited versions of it) are shared with relevant authorities ahead of the return/repatriation when possible, and constitute a basis to prepare for the management of returning children in advance of their arrival⁵⁷. Once in Belgium, matters of youth and education are however the competence of the federated entities, which approach the issues related to child returnees through the general prism of "minors in danger".

Upon arrival, children are separated from the mother and temporarily admitted into a hospital or a care service in order to evaluate their physical and mental condition, until definitive placement measures are decided on. As stated by interviewed CelEx and CAW officers, different judges approach returning mothers and children very diversely, creating major discrepancies not only between prison sentences, but also between procedures and waiting times with regards to reuniting children with their mothers – as an example, in some cases, mothers have to wait several weeks before being able to see their children after incarceration, while in others, contact is re-established within a few days⁵⁸.

Children are mainly considered victims and fall under child protection measures. After decision by a youth judge, these children stay with their mothers in prison (up to the age of 3) or are placed within close or extended family (grandparents, etc.) or a childcare institution, and progressively integrated into the school system. However, some minors can be considered both victims and perpetrators, if they committed any wrongdoing, and can thus be subjected to judiciary or security measures and their cases discussed within LTF and LCIS in the same way as adults (Renard & Coolsaet, 2018; Renard, 2021). Youth between ages 16 and 18 may also be prosecuted as adults for terrorist offenses committed after their 16th birthday⁵⁹.

Major administrative challenges in the management and support of these youth include (re-)establishing their legal existence – as identifying documents for these have mostly been lost or have never existed – through recognition in the national registry, which in turn affects

⁵⁷ Interview with CAPREV, 4 February 2022.

⁵⁸ Interview with CelEx, 31 January 2022.

⁵⁹ Ibid.

access to schooling as well as financial support provided to the custodian. The most important challenge however resides in addressing cumulative trauma related to violence, mistreatment, death of relatives, but also to the returning process itself, which notably involves separation from the mother and possibly from siblings, and adapting to unknown environments (often including a new language and unknown relatives such as grandparents the child has never met)⁶⁰. Most youth care professionals are however not specialised in these types of trauma, and there are currently no specific trainings for the management of child returnees in Belgium. In addition, custodians (extended family or foster families) and teachers may equally feel ill-equipped to face the manifestations of these traumas.

On the French-speaking side, CAPREV created a special information paper defining a comprehensive and coherent approach to returning mothers and children within the FWB, in collaboration with juvenile care services and the Délégué Général aux Droits de l'Enfant (General Delegate for Children's Rights). Taking advantage of a multi-disciplinary team, and in collaboration with psycho-social services such as Solentra⁶¹, CAPREV seeks to address specific traumas linked to camp and combat experience, as well as effects of stigma in children as thoroughly as possible. Additionally, a legal advisor within CAPREV assists with the regularisation of returning mothers' and children's administrative situation.

On the Dutch-speaking side, social care services such as CAW actively care for returning women through a case by case approach, while childcare and youth services take charge of the care and placement of children. These services include youth workers specialising in youth radicalisation, and make regular efforts to coordinate and exchange expertise. However, no specific agreement exists between the two, and the latter are thus not always competent to share information with the former, unless it is within a decision of the Public Prosecutor for youth affairs⁶². While bilateral and multilateral concertation structures that operate for adults also address situations of minors in the relation to their parents, an interviewed House of Justice policy worker deplores a lack of effective coordination between both sides when mothers are incarcerated⁶³. At the level of the Flemish Radicalisation Platform (consultative platform of Flemish administrations that follows up on the Flemish Action Plan for Radicalisation and Polarisation) however, work is being done to map out this gap and to take steps towards setting up a coordinated approach⁶⁴.

When children are no longer considered "minor in danger", a number of social and security services keep gravitating around them and their families. These include specialised services offering tailored psycho-social support, mobile teaching teams in schools, as well as multi-agency platforms monitoring radicalisation such as LCIS and LTF.

⁶⁰ Interview with CAPREV, 4 February 2022.

⁶¹ Solentra is a non-profit organisation and part of PAika, the psychiatric unit of the UZ Brussel (Brussels university hospital) for children, specialising notably in mental health care for migrant children and transcultural psychiatry. <https://www.solentra.be/en/>

⁶² Follow-up with Flemish House of Justice, 8 March 2022.

⁶³ Interview with Flemish House of Justice, 28 January 2022.

⁶⁴ Follow-up with Flemish House of Justice, 8 March 2022.

VI.2. Revoked nationality and deportation

It is important to briefly touch on another vulnerable group that can be identified in this context, namely persons whose Belgian nationality was revoked, as well as those of foreign nationality (often born and) living in Belgium, who are in danger or in the process of being deported, as a consequence of a conviction or suspicion of terrorist offenses. On the security level, since the TAP evaluates, among others, risk of escaping justice within a request for conditional release, an uncertain administrative situation can be viewed as a major risk factor and thus block early release perspectives. Important delays in the appeal process against decisions of revocation of nationality and deportation, further intensify the negative impact on access of radicalised detainees to conditional release. According to CAPREV and CAW, these circumstances furthermore greatly hinder psycho-social and reintegration efforts, especially since feelings of injustice toward authorities have been found to play a significant role in matters of radicalisation. On a more practical level regarding the reintegration process, loss of nationality or right of residence equally restrict employment and housing perspectives. Despite these circumstances, Houses of Justice, CAPREV and CAW continue to support the individuals in question as much as possible, working closely with services providing assistance around employment (such as Actiris, Brussels public service for employment), as well as precarity and homelessness.

Conclusion

This report aimed to shed light on P/CVE and DRR practices prevalent in Belgium on the penitentiary and post-penitentiary level. Throughout the different research pillars, we have presented the multi-agency and multi-disciplinary approach to radicalised individuals within the penitentiary system, with a special emphasis on tailored disengagement efforts in and outside of prison.

It can be generally noticed that identified best practices and recommendations relate, for the most part, not to individual practices and proceedings of each service, but more so to information exchange, transparency and training efforts that are relevant to every structure and institution involved in the monitoring and assistance of radicalised individuals in and outside of prison. The idea of “providing the means to implement policy”⁶⁵, raised by an interviewed officer, covers not only financial means, but also logistic and organisational means such as the creation of relevant concertation structures and ensuring transparency toward the detainee.

Generally speaking, the multi-disciplinary and multi-agency approach in place is widely approved by participants⁶⁶, although a broader understanding and respect of mutual competences and professional standing (and therefore a more efficient collaboration) could be achieved according to some officers⁶⁷. Even though social care services, especially on the French-speaking side, remain reluctant to a broader information exchange on radicalised

⁶⁵ Focus group, 17 February 2022.

⁶⁶ Interviews, Op. cit. and Focus group, 17 February 2022.

⁶⁷ This was raised mainly regarding collaboration between security-oriented and care-oriented services. There seems to be a general consensus between French-speaking care and care-control services regarding the importance of limits to information-sharing towards security services. Interview with AGMJ, 27 January 2022 and CAPREV, 4 February 2022.

individuals⁶⁸, in-prison and out-of-prison concertation structures such as the Flemish “casus overleg”, LTF and LCIS seem to be appreciated by participating officers⁶⁹. In fact, these structures allow involved officers to receive contextualised information, and thus form a better and deeper understanding of the individual and the evolution of their trajectory on the social care as well as the security levels. They are therefore seen as beneficial not only to the relationship with the detainee during the guidance (as information shared is previously discussed with the latter), but also to perspectives of conditional release and reintegration, as well as to efficient socio-preventive action outside of prison. Additionally, these structures allow involved services and officers to better understand respective mandates and competences, and thus ensure a more efficient guidance of the individual⁷⁰. Furthermore, the benefits of operating through two-person interventions, as do CAPREV and Flemish Justice Assistants, are highlighted.

Whether it is an in-prison guidance or assistance during the probationary period, transparency towards the assisted individual as the cornerstone of successful guidance gathers consensus from all interviewed social care and care-control workers. Thus, even though a positive evolution has been noticed in the past years, some of these workers continue to deplore a lack of information when it comes to placement of detainees listed in the CDB, which significantly hinders efforts to obtain conditional release and successfully prepare for reintegration. According to the actors, lack of information notably affects the detainee’s right of defence. Social care workers especially, joined by a TAP judge, advocate for a better dialogue with the detainee on reasons for placement on the list, and a quicker removal of outdated information from the CDB⁷¹.

Interviewed CAW and CAPREV officers equally agree that besides transparency and a neutral, holistic professional standpoint, continuity of guidance is crucial to the success of disengagement and reintegration. As previously stated, both CAW and CAPREV have the possibility to start guidance during a prison sentence (on a voluntary basis), and subsequently assist the detainee through conditional release, the probation period (on a voluntary basis or within judicial mandate), but also after definitive release. In the same way, both services ensure continued guidance even in the event of transfer from one prison to another. If transfer occurs from a Flemish prison to one in the FWB, or inversely, CAW and CAPREV make joint efforts in order to enable a smooth transition.

On the social care level still, an important point raised and agreed upon by several officers⁷², relates to the perpetuation of prevention and social care structures created and financed in the early days of 2015-2016 counterterrorism policies. In fact, many of the social care services or units created in those years specifically for the monitoring and assistance of radicalised individuals, have now been restructured, redirected or abandoned, since funds initially allocated to the prevention and countering of terrorism and radicalisation have since been

⁶⁸ Interview with CAPREV, 4 February 2022.

⁶⁹ Interview with Flemish House of Justice, 28 January 2022.

⁷⁰ Lack of clarity on respective mandates and competences has been deplored by CAPREV officers during an interview on 4 February 2022. According to these officers, different services sometimes perform the same tasks (like helping the individual find accommodation, etc.) in parallel without concertation, which is ultimately seen as counterproductive to the individual’s reintegration efforts and perspectives.

⁷¹ Focus group, 17 February 2022.

⁷² Focus group, 17 February 2022.

assigned to other policy priorities. According to social care workers, stability and continuity of relevant structures defines the success of prevention and disengagement efforts.

Similarly, the importance of the perpetuation of training and education efforts for all levels of the system is agreed upon by officers⁷³. On the penitentiary level in particular, security services continue to advocate for appropriate training of personnel, in particular related to qualitative observation methods and a non-emotional response to extremism and radicalisation in prison. On the social care level, participating officers agree on the importance to provide continued financing to relevant training projects, especially on the local levels.

Overall, beyond the main recommendations of transparency, as well as continuity of care and perpetuation of relevant initiatives, the role of the penitentiary system in the process of reintegration is highlighted. Thus, participants agree that a multi-agency approach of existing structures remains crucial in terms of not only disengagement, but the complete and successful reintegration of individuals into society.

⁷³ Focus group, 17 February 2022.

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