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– Three years and three months of imprisonment for membership in a foreign terrorist organization

24.01.2024 Oberlandesgericht Frankfurt am Main

Pressemitteilung

Nadja R.

## Three years and three months of imprisonment for membership in a foreign terrorist organization

🕒 6 Minuten      

No 05/2024

Higher Regional Court Frankfurt/Main sentences Nadja R. to three years and three months of imprisonment for membership in a foreign terrorist organization (“IS”) and war crimes against property

The 5th Senate for Criminal Matters (State Security Senate [Staatschutzsenat]) of the Higher Regional Court (OLG) Frankfurt/Main today found 39-year-old Nadja R. guilty of three counts of participating as a member in a foreign terrorist organization, in two cases in coincidence with war crimes against property, and sentenced her to a total of three years and three months’ imprisonment.

In the main hearing held on fourteen days, the Senate established the following:

The defendant holds both German and Lebanese citizenship. She suffered traumatic experiences in her childhood such as being abducted by her own father to Lebanon at the age of six and later being forced into marriage with a Lebanese cousin at the age of 14. By 2009 at the latest, she turned to an Islamist-Salafist or jihadist faith. Since 2011 at the latest, she harbored the desire to leave for a jihadist combat zone and to lead a life under Sharia law.

In July 2014, she traveled from Frankfurt/Main to Raqqa (Syria) to join the terrorist organization "Islamic State" ("IS"). Shortly after her arrival in Raqqa, she married the separately prosecuted Cem K. according to Islamic rituals, who had promised her a life of faith in the caliphate of "IS". Cem K. is a jihadist from Hamburg who had traveled to Syria in February 2014 and joined "IS" as a fighter. The defendant and Cem K. got to know each other via Facebook two months prior to their Islamic wedding.

Immediately after arriving in Raqqa and marrying Cem K., the defendant integrated herself into the life of the terrorist organization and henceforth led a marriage alongside Cem K. in accordance with the "IS" model of marriage in the occupied territories.

The defendant endorsed Cem K.'s combat activities and supported him by running the household and providing for him. In this way, she enabled him to concentrate on his activities as a fighter for the organization. After Cem K. lost a leg in combat operations in February 2015, the defendant took extensive care of him and helped to restore his ability to work for the organization, thus enabling Cem K. to work as a radio scout for "IS" from summer 2015 onwards. The couple lived off benefits from the terrorist organization, which included protection from enemies and the provision of free housing as well as the payment of a monthly salary for Cem K. and the defendant.

The defendant also engaged in the recruitment of further "IS"

members by posting a message on her Facebook page in August 2014 addressing women willing to get married and offering them her support with leaving Germany and/or Europe for the "IS" combat zone.

In October 2014 Cem K.'s combat unit was transferred from Raqqa (Syria) to Tal Afar (Iraq). There, between October 2014 and September 2016, the accused and Cem K. subsequently occupied two houses assigned to them by the terrorist organization, whose legal residents had fled from the approaching "IS" troops.

When the attacks by the "anti-IS" coalition on "IS" in the region around Tal Afar increased significantly, the defendant and Cem K. withdrew with their son, born in 2015, at the end of September 2016 in a general flight of "IS" members to Raqqa (Syria), which at that time was not so heavily contested. As the fighting and airstrikes by the

"anti-IS" coalition against "IS" also increased significantly in Raqqa over the course of 2017, the defendant attempted to leave the "IS" combat zone for Turkey in June 2017 with her children - another son having been born in 2017.

While trying to escape, she was arrested by units of the Kurdish People's Protection Units. Cem K., who was one of the last remaining "IS" fighters in Raqqa, surrendered to the Kurdish People's Protection Units in October 2017 and has been in Kurdish custody since.

After a brief stay in the Ayn Issa camp complex, the defendant lived in camp Roj with her sons from February 2018 until October 2022. From there she was returned to Germany on October 5, 2022, and arrested upon arrival at Frankfurt Airport on October 6, 2022. She has been continuously in pre-trial detention since then. The Senate has ordered the continuation of her pre-trial detention.

Despite the weight of the offences, the Senate found that her full and unsparing confession had to be taken into account considerably in the defendant's favor when sentencing her. The fact that the

defendant has no previous convictions and that there was a period of six and a half years between the end of the crimes and today's pronouncement of the verdict also had a significant mitigating effect in sentencing. The long period of her involuntary stay in the camps o Ayn Issa and Roj, totaling more than five years, also had a considerable mitigating effect in the defendant's favor.

The judgment is final since all parties have waived their right to appeal.

Higher Regional Court Frankfurt/Main, judgment of January 24, 2024, 5 St 1/23

*English version: dep. press spokeswoman Dr. Kerstin Wierse*

## Pressesprecherin



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