



# WHEN AM I GOING TO START TO LIVE?



**Save the Children**

The urgent need to repatriate foreign children trapped in Al Hol and Roj Camps

## Acknowledgements

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All names have been changed to protect the identities of the children and families featured in this paper, unless otherwise stated.

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Cover photo: A child in her tent in Al Hol. Photo credit: Save the Children

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# 1. INTRODUCTION

Al Hol and Roj camps in North East Syria (NES) are home to over 60,000 people, the vast majority of them women and children. 50% of Al Hol's population and 55% of Roj's population are under the age of 12. Their populations are made up of Syrians and Iraqis – many of whom arrived in the camp fleeing from violence and conflict caused by ISIS- as well as women and children from some other 60 countries across the world (known as Third Country Nationals, or TCNs), who lived in areas controlled by ISIS and were moved to the camps after military campaigns to dislodge ISIS in from 2017 into early 2019.

Those campaigns led to the rapid displacement of thousands of people. TCNs displaced during the Raqqa offensive in 2017 were largely sent to Roj and Ain Issa camps. Operations in Hajin and Baghouz in Deir Ez Zor governorate led to the rapid displacement of more than 64,000 people, largely to Al Hol. While men and some boys were taken to prisons, the women and children were taken to these camps to join thousands of others that had fled from violence and conflict, including from ISIS. Many children became orphaned or separated from their families during the years of the conflict and the offensives, and are now living in interim care centres inside the camps, or with other caregivers.

Fleeing these final offensives, these women and children made arduous journeys to the camps. Many children arrived in critical condition suffering from hypothermia and malnutrition, and over the course of the next year many died in the

camps.<sup>1</sup> Many children arrived in the camps with pre-existing medical conditions, including conflict-related injuries, which have not been treated or have exacerbated over time.

Conditions in the camps, particularly in Al Hol, are dire. Al Hol is severely overcrowded and an unsuitable place for children to grow up in. Services are limited and critically overstretched and shelter is inadequate. The scale of the violence, hardship, deprivation and trauma that children living in these camps experience every day cannot be overstated.

This paper sets out the conditions that all children in the camps- Syrian, Iraqi or from elsewhere in the world- are forced to endure every day, including the impact on their safety, their access to education and their psychological well-being. It sets out the major obstacles for Iraqi and TCN children to be able to return to their home countries, and the importance that these obstacles are addressed by their governments. Too few governments have been willing to accept their international legal obligations and take responsibility for the plight of their nationals. The paper makes a series of recommendations for the safe and dignified return of children and their families to their places of origin, as well as for an expanded humanitarian response in the camps that is better equipped to respond to the needs of foreign children while they await repatriation, as well as for the Syrian children who may remain in the camps for some time to come.

Annelise is 14 years old and originally from Trinidad and Tobago. She has been living in Al Hol for more than two years. She told Save the Children that she has nothing to do in the camp, and worries that her life is simply wasting away. She wants to go home because there is so much she wants to do and achieve in her life. "When am I going to start to live?" she asked.

Save the Children demands that all governments with nationals in the camps take responsibility and bring children and their families home. Every day that foreign children and their families are failed by their governments, every day they are denied the opportunity to return to their home, denied the specialised services they so desperately need and denied the right to live in safety and recover from their experiences is a day too many.

**Hajer\*, 10, Tajikistan**

**Hajer has three brothers and one sister. She is living with her mother in the Al Hol Annex. She has been living in the camp for nearly two years.**

"We were in Baghouz before we came to the camp. I cannot forget the noise of the airplanes and bombing. The house beside our house was destroyed due to bombing. I never knew the meaning of fear before that. There was no food to eat, no water to drink, no shelter to hide in. We were sleeping in the open and eating only lentils. That is why I hate eating lentils. There was only one bottle of water so we weren't to drink a lot, we were just wetting our lips.

All I remember is that we walked a lot till we reached a mountain. It was very dark and we could not see anything. While walking I was falling a lot and injured my knees. A man was riding a bicycle and had a light with him. He turned the light on so we could see the road and walk.

I saw some soldiers after we walked behind the mountain. They gave us water and food. I drank a lot of water till I felt pain in my stomach. After that they brought us to the camp. The life here is very difficult. One day we woke up early in the morning to see all of our belongings were wet because of rain. The tent had fallen on us. We slept that night in our neighbour's tent.

Life within the camp is the same. I wake up in the morning, wash my face, pray, eat breakfast with my brothers and sister. Sometimes I become sad because my mother can't buy us clothes and fruits. I want to become a dressmaker and make clothes for myself. I no longer want to live in a tent. I want to live like every normal person".

## 2. CONTEXT

### NORTH EAST SYRIA

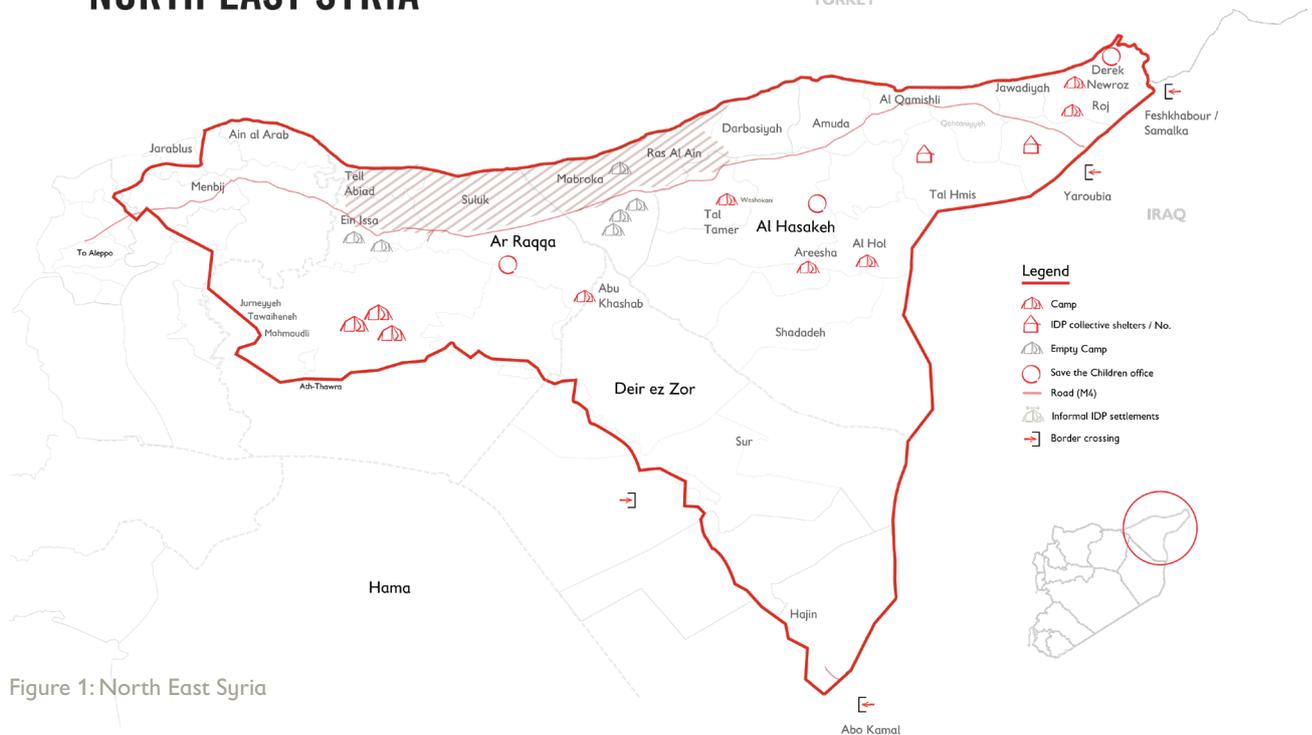


Figure 1: North East Syria

Home to over 60,000 people, including around 40,000 children, Al Hol and Roj camps are no place for children to grow up. The camps remain overcrowded, with services critically overstretched and shelter inadequate. There are high levels of tension and violence. Children face early and forced marriage, domestic violence and other forms of mental or psychological abuse.<sup>2</sup>

Women and children in the camps are often portrayed in the media as monolithic adherents to ISIS ideologies and their children described as “ISIS children.” In reality, the population of the camps is diverse and many of their personal histories are complex.

Many of the Syrians and Iraqis living in both Al Hol and Roj camps fled from ISIS and now find themselves living and mixing with people who lived- willingly and unwillingly- under ISIS rule. Amongst the population of Iraqis in Al Hol

are potentially hundreds of Yazidi women and children- as many as 400 according to the Office for the Rescue of the Kidnapped Yezidi-, who were captured and enslaved by ISIS as part of a genocide against the ethno-religious group.<sup>3</sup>

Some women found themselves under ISIS control through ‘misapprehension, circumstance or coercion’, with some following husbands and male family members. Some children and young adults were also victims of grooming and matched with fighters for marriage before reaching a legal age.<sup>4</sup> Other women were themselves victimized by individual ISIS fighters they were forced to marry. These tactics amount in some cases to trafficking. Investigations by Reprieve revealed, for example, that at least 63% of British women currently located in North East Syria are victims of trafficking, including that they were subject to sexual and other forms of exploitation, were under 18 when they travelled, were coerced into

travelling or kept and moved inside Syria against their will.<sup>5</sup> Some women are thought to have sworn allegiance as a strategic move due to the funds that ISIS were able to provide to followers. It was reported that ISIS provided between USD \$1,000-\$2,000 per month per family.<sup>6</sup>

A number of foreign women in Roj are openly

disdainful of ISIS and many women have shared stories of how they attempted to flee ISIS-controlled areas. Although there may be women who still adhere to ISIS ideologies in the camp, they do not have the opportunity or ability to act as ISIS enforcers.<sup>7</sup> In contrast, in Al Hol the actions of a small number of ideologically committed women create a constant sense of danger.

## SAVE THE CHILDREN LOCATIONS IN AL HOL

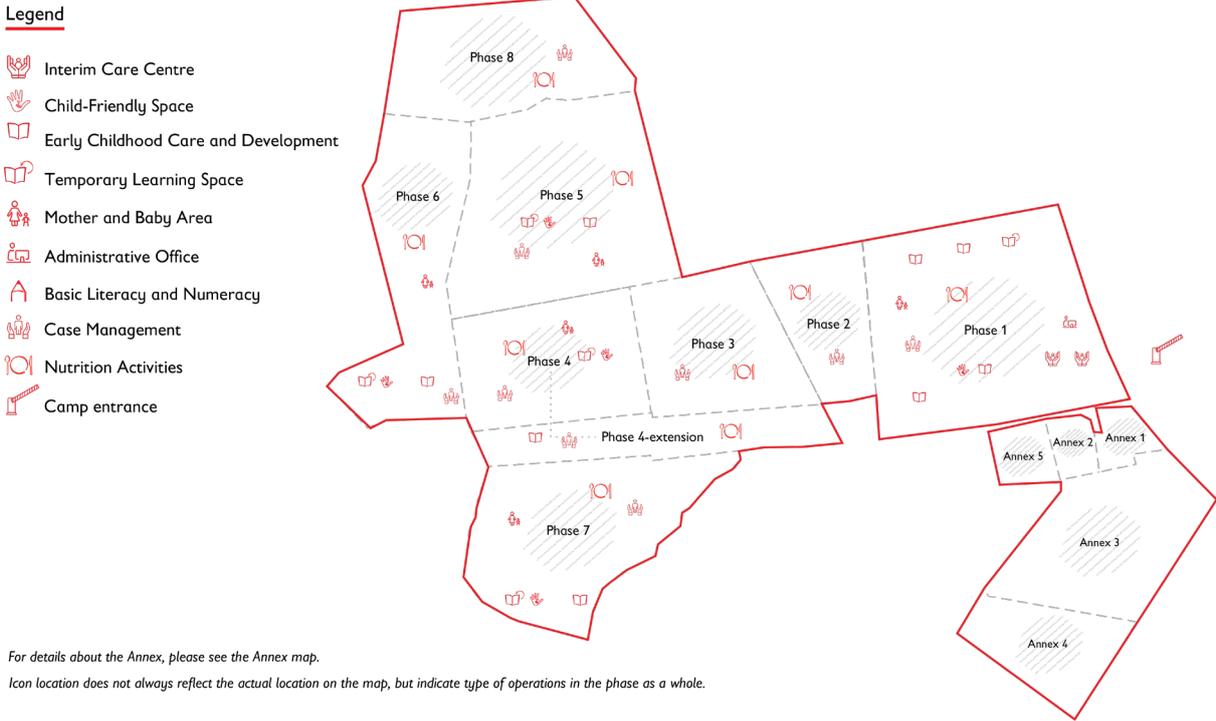
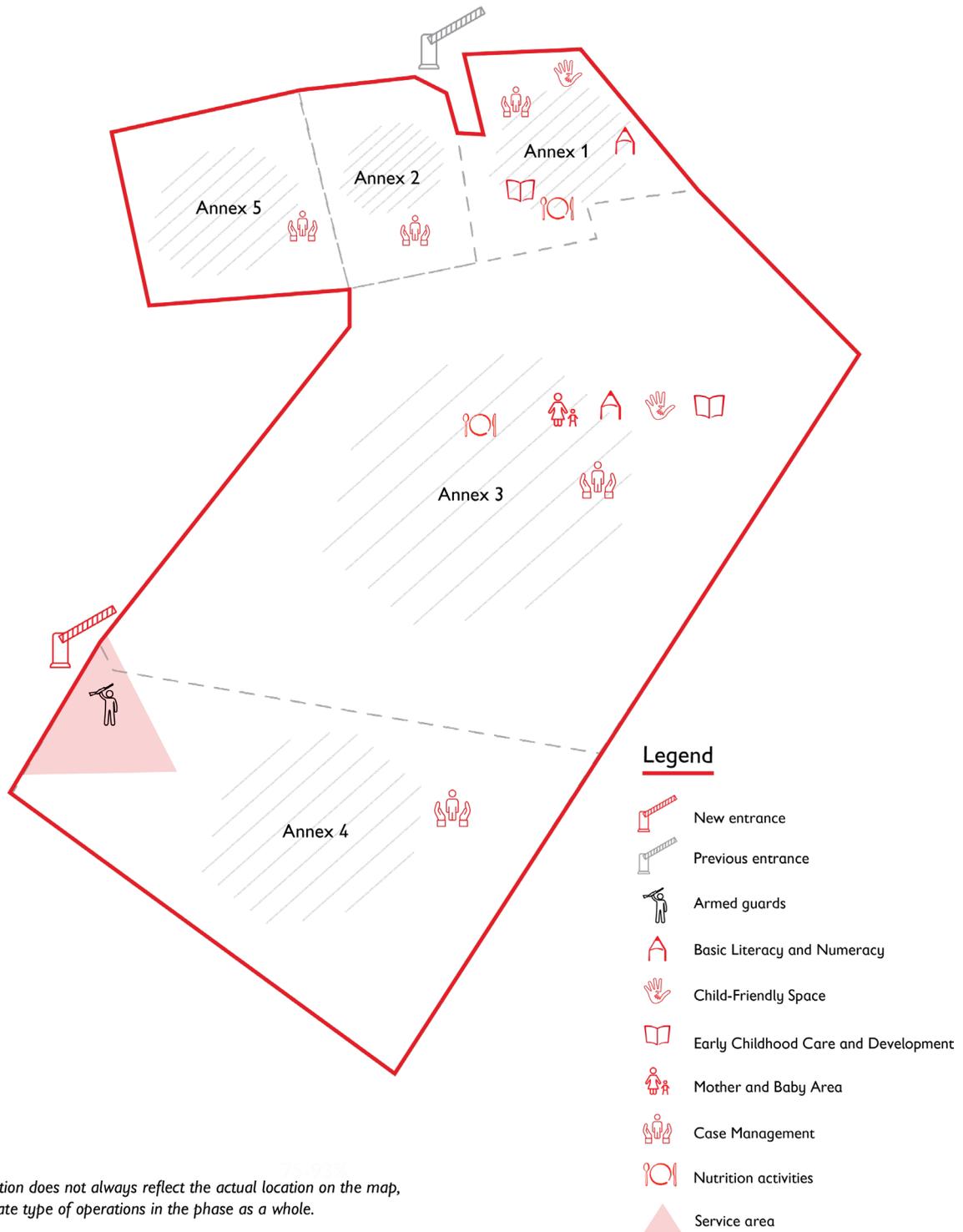


Figure 2: Map of Al Hol camp. Legend indicates Save the Children services only, and does not include services provided by other organisations.

# AL HOL ANNEX



Icon location does not always reflect the actual location on the map, but indicate type of operations in the phase as a whole.

Figure 3: Al Hol Annex. Legend indicates Save the Children services only, and does not include services provided by other organisations.

Al Hol camp is separated into eight phases and an Annex, which is further separated into five phases. In the Main Camp, Syrian and Iraqi nationals live in different phases, though there is no formal demarcation between these areas. TCN women and children reside in the Annex (where there is also no demarcation between the five different phases). While there are men living in the Main Camp, there are no men living in the Annex. There is fencing between the Main Camp and the Annex and little/no movement is permitted between these areas. The entire camp is guarded by security forces.

The camp was originally established for Iraqi refugees in early 1991 during the Gulf war and was reopened by UNHCR in early 2003 to host Iraqi refugees fleeing the Iraq War. It was opened again in 2016, when anti-ISIS operations began in Iraq, and between 2016-2018, the Syrian population increased with the arrival of new IDPs, mainly from Deir Ez Zor Governorate. From December 2018 to April 2019, with the fall of ISIS, the population of Al Hol skyrocketed from approximately 9,800 to 73,393 people, of which roughly 11,000 people were TCNs.<sup>8</sup>



A child in front of his tent in Al Hol camp on 1 April 2020. Photo credit: Save the Children.

## ROJ CAMP AND EXTENSION SERVICES MAP FOR RESIDENTS

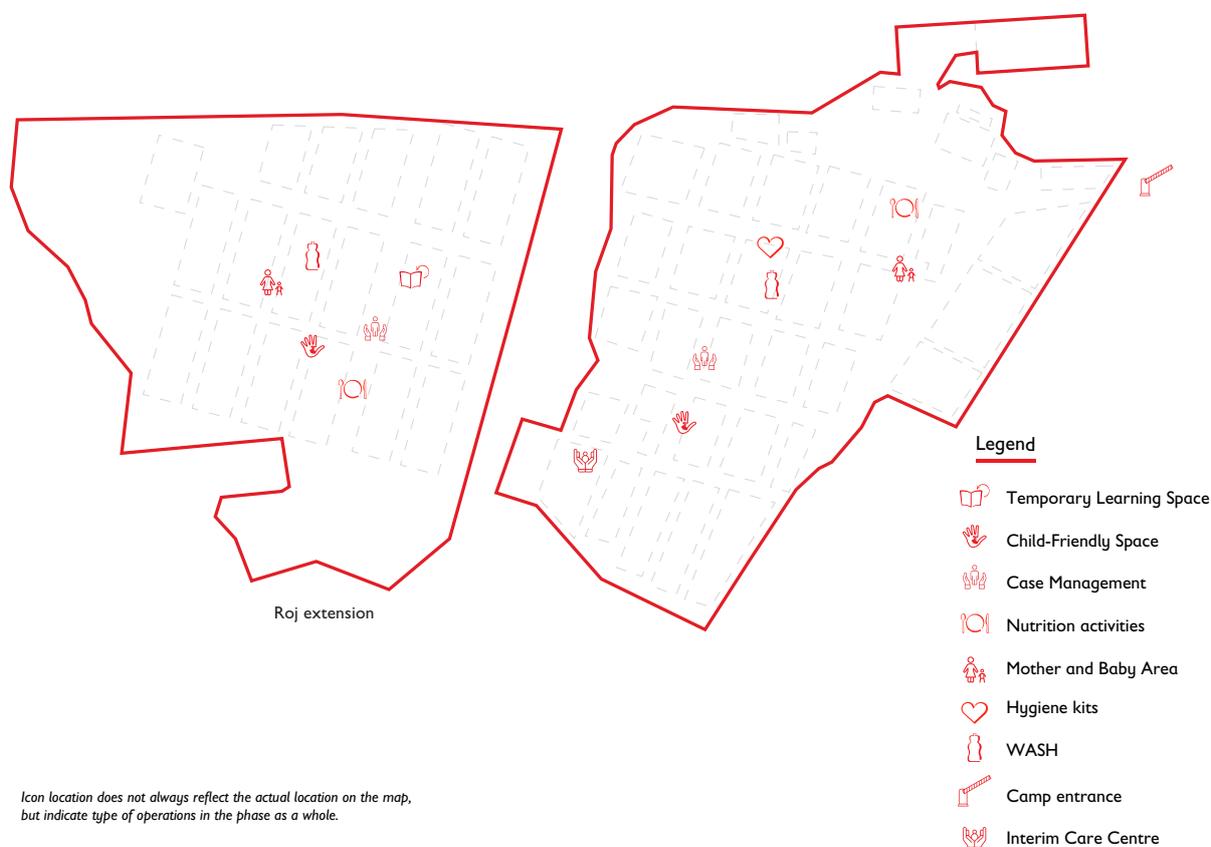


Figure 4: Map of Roj. Legend indicates Save the Children services only, and does not include services provided by other organisations.

Located close to the Iraqi border, Roj camp is home to over 2,500 people, including 1,710 children. Of these- 2,150 people are TCNs including 1,475 children. The camp is divided into two areas- a Main Camp and an Extension area which was built in 2020 to accommodate an additional 400 households. The Extension is further divided into individual and smaller fenced-off sections, with no freedom of movement between sections. Women and children from prison facilities and Al Hol Annex are in the process of being moved to this camp, though the criteria used to determine which families move is unclear. Residents of the Main Camp and the Extension are separated by fencing, and do not have any contact with each other. A new Extension area behind the Main Camp is currently being planned to accommodate another 150 households.

Security conditions are generally perceived as being better in Roj camp, with fewer incidents of violence and insecurity. This is due to stringent measures put in place by the Camp Administration; the camp is smaller and has more fences and guard positions than Al Hol per capita.

For unaccompanied TCN children, alternative care options are constrained and so they predominantly live in interim care centres, as opposed to in family or community-based care arrangements.<sup>9</sup>

COVID-19 has posed new threats for people across North East Syria, including those living in Al Hol and Roj. There have been 327 confirmed cases across the two camps, and 13 reported deaths (in Al Hol only), though the number is likely to be higher than these official figures.<sup>10</sup>

# RETURNS TO IRAQ

Over 30,000 Iraqi nationals live in Al Hol, and all arrived at the camp at different stages of the conflict. The first group crossed into North East Syria from Iraq in 2016, fleeing from ISIS advances. The last arrived in March 2019 from Baghouz.

While there were some returns prior to 2019 which were largely informal in nature, further returns from Al Hol to Iraq were publicly announced and planned for nearly two years. The returns were repeatedly delayed as a result of local and community opposition, indicative of the stigma and perception of Iraqis in Al Hol, many of whom are perceived to be associated with ISIS regardless of their personal stories.<sup>11</sup> The first group of Iraqis, 381 individuals, returned from Al Hol in May 2021 to Jeddah 1 camp, where they still remain, waiting to return to their homes.

Displaced people in Iraq who are perceived to be associated with ISIS face discrimination, denials of security clearance required to obtain IDs, birth certificates and other civil documentation, undermining children's right to education and their family's freedom of movement.<sup>12</sup>

There is an understandable fear amongst the Iraqis in Al Hol that they will face discrimination and potential acts of revenge upon return to their home country.<sup>13</sup> According to a survey of Iraqis in Al Hol carried out in August 2019, their key concerns about returning to Iraq included whether there would be guarantees

of safety (83%), protection of civil rights (72%) and the ability to return to their old house or apartment (66%).<sup>14</sup> 43% were worried that a member of their household would face rejection by the community in areas of return.

Initial anecdotal information from residents of Jeddah 1 camp, however, do present a more optimistic picture about the potential for further returns. Many residents reported better conditions than they had faced in Al Hol and were eager to find ways to communicate with family and friends who had remained behind to encourage them to return.<sup>15</sup>

Yazidi women from Iraq and their children in Al Hol face particular challenges. Yazidi women were abducted, raped and forced to have children, as part of a genocide and crimes against humanity committed against their community by ISIS. However, the Iraqi legal code stipulates that children of Muslim fathers must be registered as Muslim, rather than Yazidi, and this does not consider cases where children are born as a result of enslavement and rape.<sup>16</sup> Yazidi religious texts also stipulate that children born to Muslim fathers can never be Yazidi because conversion is not permitted. Yazidi women have had to face the impossible choice of either giving up their children, or staying with them and being unable to return to their homes and families.<sup>17</sup> Further consideration of their circumstances and the support they need, including local integration or resettlement to a third country, will be required.

# 3. UNSAFE AND UNDERSERVED: CONDITIONS IN AL HOL AND ROJ

## 3.1 No place for a child to grow up: violence and threats to children in camps

Vast displacement camps in a conflict zone are no place for a child to grow up. Al Hol in particular is unsuitable, with limited basic services and insecurity, despite the fact that it is predominately inhabited by children. Children see and experience violence on a regular basis. They consistently tell Save the Children staff that they feel unsafe when they walk around the camp, when visiting the market or using latrines and bathing facilities. Murders, attempted murders, assaults and deliberate arson are also common.<sup>18</sup>

In 2021 to mid-August, 163 people have died in Al Hol, 62 of them children.<sup>19</sup> 79 of the 163 were murdered, including three children who were shot to death. This includes 58 Iraqis and 21 Syrians living in the Main Camp. There have been ten attempted murders.

Three Russian children have been killed by vehicles in Al Hol since November 2020, in separate incidents, including by water tankers that provide the sole source of water in the camp. Ten-year-old Bushra\* from Turkey said, "I fear living in the camp. The people here keep fighting. I close my ears with my hands whenever I hear them fight. I don't even let my mother go outside as they will draw knives at each other. They also swear at and threaten each other, saying 'I will rip your face, I will cut your head'." Nine-year-old Ameen\* from Tajikistan has been in Al Hol for four years and says he is scared of some of the women: "They

*call us infidels and non-believers and pelt us with stones whenever they see us. Once they beat my mother and myself and broke my face bones and caused us injuries."*

These killings and attacks are understood to take place for a number of reasons, including for retribution, revenge or as a tool to regulate behaviour. In the Main Camp in Al Hol, Syrian and Iraqi populations are mixed between those who lived under ISIS and those who fled ISIS. A small number of women who remain loyal to ISIS ideologies have formed the *Hisba*, loosely translated as "moral police" and are known to punish those who engage in what they perceive as forbidden acts or behaviours. These punishments can include killings, arson of tents, stabbings and other assault.

Camp authorities have periodically attempted to address violence within the Al Hol camp, including a screening and registration of all people in the camp in June 2020, and a comprehensive search and arrest operation in early April 2021 in which 125 people, mostly men from the Main Camp, were arrested. More than 5,000 military and security personnel participated in the operation which lasted for six days, during which time all humanitarian services were suspended in the camp except for life-saving assistance, and biometric data were collected, raising concerns from a number of UN human rights experts.<sup>20</sup> However, violence has continued, with 32 people killed and ten attempted murders since the April 2021 operation.

The risk of fire, including deliberate arson, is a central risk in children's lives in Al Hol. Fire-related injuries is the most common recorded cause of death for children in Al Hol, leading to the deaths of 13 children from January to September 2021.<sup>21</sup> Children that Save the Children spoke to in July 2020 raised fires in their tents as a concern, saying that they felt the risk was being ignored. Fires are a particularly acute risk in winter, where cold and wet weather means people who live in tents use heaters to try to keep warm, as well as a risk from stoves used in tents to prepare food.

Samiya\*, an 11-year-old girl from Tajikistan who has been living in the Annex for two years with her mother and four siblings, told Save the Children that one evening *"we heard voices of people screaming all of sudden. A fire had broken out in our section. The tents started to burn one after*

*the other. They melted completely. All children were running away, screaming and crying. The mothers rushed to put out the fire. The fire fighters came after one hour. A lot of tents got burned. We watched the fire go from one tent to another. Our tent was burned as well. My new clothes which my mother had bought for me got burned. My toys and hair ribbon, all the sweets for Eid, everything got burned. Now we are sleeping in the kitchen and waiting for our new tent."*

The fire that Samiya witnessed damaged or destroyed 75 tents. In Roj, the risk of fire also remains a constant threat. In 2020, three children died and two were critically injured in two separate incidents after heaters exploded and started fires.<sup>22</sup>



A general view of Al Hol on 6 September 2021. Photo Credit: Muhannad Khaled/ Save the Children

### 3.2 No Freedom of Movement

There is very little freedom of movement in Al Hol and Roj camps, and the UN Secretary General and human rights groups have stated that this effectively means that people living there are detained.<sup>23</sup>

Most residents can only leave the camp in the event that permissions are secured to allow them to return home- and leave the camp permanently, or else in the case of a medical emergency.<sup>24</sup> Freedom of movement is most severely curtailed for Iraqi and TCNs in Al Hol and Roj.

This has reduced the world children inhabit in the Main Camp of Al Hol to just 3.1km<sup>2</sup>, and just 0.5km<sup>2</sup> in the Annex. In Roj, it is limited to 0.07km<sup>2</sup> in the Main Camp and 0.09km<sup>2</sup> in the Extension.

Restrictions on freedom of movement have a significant impact on people's ability to access humanitarian services. Only a limited number of humanitarian actors are granted varying though

limited degrees of access. The pervasive violence and insecurity in the camps, and sense of fear that it causes, compounds the existing access problems caused by bureaucratic restrictions on NGOs, COVID-19 and the lack of available resources. For example, all non-lifesaving activities were suspended for the duration of the security operation in March-April 2021, which also saw three of Save the Children's centres vandalized and looted by camp residents as guards were not allowed to be present at the centres on the first day of the operation.

The insecurity also informs parents and caregivers decisions. In a July 2020 assessment, parents and caregivers consistently highlighted that their fear for their children affects their decisions around education and health. A caregiver from Al Hol told Save the Children that *"Schools are not far, but when they go out, I have to wait for them at the school door due to frequent kidnappings in the area and there are many cars on the roads."*



Children walking to school in Roj on 20 December 2020. Photo credit: Save the Children

### 3.3 Inadequate education

*“Schools didn’t exist in the places we used to live in.”<sup>25</sup>*

Like children everywhere, children in camps in North East Syria are enthusiastic learners and desperate to go to school. Every single caregiver who participated in a Save the Children education and well-being study in Al Hol who arrived to the camps from ISIS-controlled areas stated that there was no school or education system for their children prior to coming to the camps. Children themselves told us that there *“was no school before”* and educational activities appear to have been largely limited to religious studies, including learning the Qur’an and the Hadith, before they arrived to the camps.

Both children and their parents or caregivers place a high value on their children’s schooling and want to see their children receive a good quality education. School can provide a safe place for children, and respite from the grim conditions in which they are living. Nabeel\*, 6, the son of a Syrian father and an Indian mother says *“I wake up in the early morning and keep asking my mother about the time and which day is it. I wash my face and drink tea in a hurry. I wait for the teacher of the Child Friendly Space to come and open the door... When I grow up I want to become a teacher”*.<sup>26</sup>

However, there are a number of barriers limiting children’s access to education. These include a prohibition on children receiving a formal education, meaning that education providers can only teach children non-formally and a limited number of subjects. There are also too few spaces for children to learn given the population size. One child asked Save the Children, *“Why do we leave early and do not spend more time [at school]?”*

Other barriers include bullying and harassment by other students. For some TCN children, language skills are a critical barrier because they do not speak Arabic, which is the main language of instruction in the education facilities. Children who do speak Arabic often end up serving as informal translators for their peers.

Only 40% of children between the ages of 3-17 in Al Hol are currently receiving education. School attendance in Roj camp is higher 60%, but child labour remains an acute concern in both camps. In Roj, 55% of households reported that they were aware of child labour among children under the age of 11,<sup>27</sup> while in Al Hol, children under 11 are also reported to be working in markets and engaged in domestic labour.<sup>28</sup>



Two boys pushing a cart towards the marketplace in Al Hol Annex. Photo credit: Save the Children

### Non-formal education

Save the Children is currently the only actor providing education support in the Al Hol Annex, and is one of several education actors providing services in the Main Camp, including to Iraqi children. Education at these centres is non-formal, focusing either on basic literacy and numeracy or following a curriculum which covers Arabic, English, Maths and Science. Some caregivers have requested that their children see images of life outside of the camp, including of animals and everyday objects, so their children's understanding of the world can be expanded beyond the confines of the camps.

Caregivers in the Annex care about quality literacy and numeracy education, and emphasise their children's ability to learn languages. Iraqi caregivers also express hopes that their children will be able to receive recognised certificates from their education in the camp, so they can sit for national exams and/or transition to a more formal education pathway in the future.<sup>29</sup>

Maryam\* from Lebanon was 11-years-old when she told Save the Children in May 2021 that *"I cannot endure this life anymore. We do nothing but wait... The only place where I come and can do different things is this site [Save the Children's]. Sometimes Hasan\* [her four year old nephew] and I beg my mother to pretend that she is ill so we can go the hospital and play with seesaws and slides. It is the only place out of this siege. I wanted to continue my education. I did not have the chance to study*

*while living under IS. I want to be an English teacher in the future. All I want is to be enrolled in the school. Sometimes they do not allow us to enter because of corona. I get upset when they do not allow us in. The lesson is only one hour in the day and that is not enough for us."*

Maryam was reportedly killed, her mother injured, and Hasan reported missing during an unsuccessful escape attempt from the Annex in a water truck.

### 3.4 Lack of water and unsanitary conditions

There is a widespread rubbish and waste management problem in Al Hol, coupled with a lack of access to water and adequate sanitation. In focus group discussions, children regularly complain about the state of latrines, including the lack of lighting and safety measures as well as the smell in the camps. Adults surveyed by Save the Children mentioned that quality and quantity of the water and food in the camp is very poor, and the available WASH infrastructure is inadequate for the number of people in the camp.

Children under five years old are 20 times more likely to die from diarrhoeal diseases than direct violence in countries with protracted conflict, and three times more likely when they are aged between 6- 15 years of age, according to UNICEF research.<sup>30</sup>

Alouk water station, which provides direct and indirect water to almost a million people in Syria, including in Al Hol, is located in Turkish controlled areas of NES, and has experienced regular disruptions to its functioning and access delays to humanitarian teams to conduct maintenance and repairs. There have been 24 cuts and service disruptions since October 2019,<sup>31</sup> amounting to 181 days of water disruptions cumulatively. Al Hol, along with Areesha, al-Tale'e and Tweina camps have been "disproportionately affected by disruptions to essential services, including for reasons due to dependence on camp services, lack of resources to pay for safe alternatives,

and other factors including overcrowded environments."<sup>32</sup> Residents in several phases of the Main Camp reported not receiving drinking water for days, and inadequate water provision to learning centres and other activities has threatened their suspension. There have also been reported increased cases of intestinal worms and acute diarrhoea cases. The UN has also found that "the percentage rate for malnourished children in Al Hol has increased from 3 per cent to 4.5 per cent".<sup>33</sup>

The challenges with Alouk's functionality have also been compounded by the broader water crisis issues in North East Syria. Historically low rainfall, a reduction in the water flow from the Euphrates into Syria,<sup>34</sup> and damaged and aging water infrastructure is continuing to exacerbate the situation, which all threaten regular water provision.

Salam\*, aged 11, from Morocco was four years old when she came with her mother to Syria to live with her father who had joined ISIS. She told Save the Children "when I wake up in the early morning, the first thing that I do with my little sister and brothers is to bring water to drink, wash our clothes, wash our dishes and cups. Every day I carry about ten litres of water. I only take a bath on Fridays because it is difficult to go and bring water."



A child in Al Hol holding a plastic basin over his head for protection from the sun. Photo Credit: Muhannad Khaled/ Save the Children

### 3.5 Access to Healthcare

Children have also died from preventable diseases, including eight children aged under five who died within five days of each other in Al Hol in 2020 after reduced humanitarian access to the camps over 2020 combined with fears of a COVID-19 outbreak reduced the capacity of health services by 40%.<sup>35</sup> Their deaths were linked to conditions including heart failure, internal bleeding and severe malnutrition and could have been treated.<sup>36</sup> The impacts of children living with treatable or preventable health conditions can last well beyond their childhood. In addition to the increased risk that they will die from their conditions, when treatment is delayed or denied, this can have profound impacts on children's physical and cognitive development and on their life outcomes.

There have been 329 COVID-19 cases in Roj and Al Hol, and 12 deaths in Al Hol.<sup>37</sup> Only 193 people (including 87 health workers) have received the first dose of the vaccine in Al Hol and just 50 in Roj.<sup>38</sup> There are concerns that there is general reluctance by people to take the vaccine, leading to low levels of uptake.

In Al Hol, there are limited medical and dental services (which is available in the Main Camp at cost to residents). The International Committee of the Red Cross (ICRC) has identified outstanding gaps including in mother and child health care, paediatrics, surgery, physical rehabilitation and mental health services.<sup>39</sup> In Roj, there is one medical unit with basic services including gynaecological and internal services, an ophthalmologist, dentist and a lab. Paramedic services are available and further paediatric services available via a nutrition mobile clinic.

If children need urgent, emergency treatment that is not available in Al Hol or Roj camps, they are referred to hospitals in the vicinity of the camp and permitted to leave with authorisation from the camp authorities. It is often difficult and time-consuming to obtain such authorisation. TCN children have died due to lack of access to hospital care. In 2020 an eight-year old girl from Azerbaijan died as she was not able to obtain regular kidney dialysis from a nearby hospital.



Children playing next to a puddle in Al Hol Annex on 4 January 2021. Photo Credit: Save the Children

### 3.5.1 The Psychological Impacts of Traumatic Experiences and Severe Adversity

Bushra\* is ten years old. She was five when she was brought to Syria from Turkey. *“I was very afraid in Baghouz. I cannot remember a good day there. The sky was full with airplanes and they were always bombing. Once we did not eat anything for two days. We had a very little amount of water. We didn’t have a shower for weeks. We ate wheat all the time. We were afraid of eating grass, because it might be poisoned. I was always vomiting. My brother Kamal\* was injured in his foot. We took him out of Baghouz by wheelchair. My father did not come with us. At winter when I hear the sound of thunder, I get scared and I hug my mother.”*

Children in Al Hol and Roj camps have experienced severe levels of violence, displacement and deprivation, including in their everyday lives while living in the camps. They have lived through bombardments, lost loved ones, been denied access to basic services including education, and experienced neglect. This has taken- and continues to impose- a severe psychological toll on them.

47% of caregivers that Save the Children spoke to in Al Hol camp said that their children are always, or usually, upset, and 37% said that their children are always or usually angry. In Roj camp, one in three households report at least one member suffers from psychological distress.<sup>40</sup> One caregiver told Save the Children that her son *“is quiet in general, but sometimes gets very angry. He wakes up at night and says ‘I’m scared,’ maybe he sees nightmares because of what had happened to him previously.”*<sup>41</sup>

In addition, the insecurity and fear they experience in the camp and the uncertainty about what their future holds is exacerbating children’s anxiety and depression. This exposes them to prolonged periods of toxic stress. Limited spaces to safely play, the absence of psychosocial support and constant fear multiplies stressors for children, with negative impact on their wellbeing.<sup>42</sup>

Bushra continued that she *“fear[s] living in the camp. The people here keep fighting. I close my ears with my hands whenever I hear them fight. I don’t even let my mother go outside as they draw knives at each other.”*



A child playing in Save the Children’s Early Childhood Care and Development center’s playground in Al Hol. Photo credit: Save the Children

### 3.6 Boys and girls: different risks

Child protection risks in the camps are rampant: the risks that boys and girls face in the camps, and their experiences more broadly, are different. In Al Hol, many adolescent girls are not allowed to leave their tents, despite the fact that their parents and caregivers acknowledge that being locked at home is negatively affecting them and creating barriers to them accessing services.<sup>43</sup> One caregiver in the Annex told Save the Children, “Boys need less wellbeing [activities] than girls because they can go out anytime they want.” The adults felt the girls need special places to meet and learn skills that would benefit them such as learning how to sew and draw, as well as girls-only sports activities in the Annex. While some girls-only sessions are provided, there continues to be demand for more. Girls seem to

be more involved in housework – fetching water, preparing food, caring for younger siblings - whereas some of the boys have to work outdoors or in the market. Several children mentioned that some girls want to learn reading and writing but cannot access the education facilities due to restrictions over their mobility by their parents, and both children and adults mentioned that the lack of gender-segregated areas for girls and boys to play was a barrier for girls. Children themselves noted that girls are harassed and abused, and their parents limit their movement to protect them. Both girls and boys are lacking safe, accessible and tailored activities they need to foster peer support, develop life and coping skills and gain knowledge and learning to prepare and help them to hold on to hope for the future.



Two boys in a class held in Save the Children's Early Childhood Care and development in Al Hol. Photo credit: Save the Children

### 3.6.1 Removal of boys from camps

Boys also face the risk of separation from their families once they reach adolescence, and detention owing to the perception of security concerns about their gender and age. Several hundred boys are already understood to be arbitrarily detained, many for prolonged periods of time in very poor conditions in separate detention facilities and prisons in North East Syria, with many held in adult prisons.<sup>44</sup> Some of these boys have been held in detention since they left Baghouz. The vast majority of these children are believed to have family members in Al Hol and Roj camps. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism has raised serious concerns about how perceptions of masculinity are fuelling this pattern, stating that "certain male children in this conflict setting [are viewed] as being inherently unworthy of the status of civilian, child or victim status, and [are] presumed by virtue of gender (male), religious affiliation (Muslim) and geography (Syria) to be a 'non-child' for the purposes of international law protection."<sup>45</sup>

The conditions in the facilities are often extremely poor, and the children detained are malnourished, suffering from scabies and other skin diseases, and facing serious health concerns such as HIV as well as tuberculosis<sup>46</sup>.

The Autonomous Administration of North East Syria (AANES, the governance structure in place in North East Syria) has been quoted in local media confirming the detention of male children after they turn 12, with the Co-Chair of the Foreign Relations Department reportedly stating that "Those children are now in temporary centres until rehabilitation and integration centres are prepared for them." He was further quoted as saying "The solution of the

dilemma of those children is, first, to return to them to their homelands.<sup>47</sup>

In the Houry Centre in Tel Maruf, boys are housed in a children-only facility with no freedom of movement outside of the Centre. Although Syrian boys in the Centre go through a local judicial process, serve a fixed sentence and then are released to their families, no such process exists for Iraqi or boys from other countries. It is unclear the extent to which the boys are informed about the charges against them, have access to a lawyer or are provided the range of guarantees necessarily to respect their right to a fair trial and to justify their detention as children as a measure of last resort after all other options have been exhausted, as provided under international human rights law and standards.

### Khadija\*, 12, Tunisia

Khadija, who is Tunisian, was taken by her father to Syria from Qatar without her mother.

“I was eight when my father was killed. We became orphans in a place where we knew no one. We lost all connection with my mother because my father’s mobile phone was buried under the ruins.

I forgot my mother’s voice. I even cannot remember her face. All I remember is that she had a short hair and was wearing hijab outside. Sometimes, I look at my face in the mirror and wonder if I look like my mother. I also remember my mother liked jasmine a lot. I wish I could grow jasmine here. Maybe one day my mother would come to the camp and my jasmine will draw her attention.

When we left Qatar, I was wearing a t-shirt and pants that my mother had bought for me. I wore that t-shirt for years hoping that one day my mother will come and recognize me through that t-shirt. I am now more than 12 and it no longer fits me.

After my father died, we lived with [another woman]. She was taking care of [my brother] Ali\* and myself. I studied till the 4th grade in Raqqa. I left school due to the bombing. The city was about to be attacked when the woman told us that we should leave. I saw a lot of people killed in the streets, beheaded, and their body parts cut off. I saw many destroyed buildings. I saw streets full of blood.

The woman decided that we should leave the Islamic State and pursue another life, but the soldiers arrested us and took us to prison when we fled. All the way to the jail I was holding Ali’s hand because I had no one else. We stayed three months in the jail. It was full of women and children. It was so dirty. I got sick in the jail because of the dirt. I got diarrhoea. Another child lost his life because he fell on the ground. Four people were sleeping in one bed.

After about three months they brought us to the camp. The woman who was taking care of us gave my brother to another woman. So, both of us are living in the same camp but in two different tents. Whenever I’m given something to eat, like a biscuit, I divide it into two for me and my brother.

The soldiers do not allow young boys who are more than 15 to live in the camp. They take them to another place. Once they took Ali but released him again. I am so afraid to lose my brother too.

I am tired of the camp life but the playground here makes us happy and breaks the routine.

I want to become a teacher when I grow up.”

# 4. REPATRIATION: THE ONLY LONG-TERM SOLUTION

Since 2017 there have been 63 repatriation operations from Syria, both from Government of Syria (GoS) held areas as well as repatriations from North East Syria, with 1,163 children repatriated.<sup>48</sup> The vast majority of these - 29 operations and almost 59% of the children - were in 2019, with a decrease in 2020 that can be partially attributed to COVID-19 restrictive measures. As of 3 September 2021, at least 14 repatriations have taken place in 2021.<sup>49</sup>

The majority of repatriations have been of children. 83% of repatriation operations have been to Uzbekistan, Kosovo, Kazakhstan and Russia. Kazakhstan alone accounts for 36% of repatriations, and over three times more than all EU countries, UK, Norway, Canada, Australia and the US combined (145 citizens repatriated).<sup>50</sup>

Snapshot of repatriations <sup>51</sup>					
	Women and children total population in NES	Total number of children in NES	Number of people repatriated or returned <sup>52</sup>	Number of children returned	Number of children repatriated
Australia	67	47 <sup>53</sup>	8		8 <sup>54</sup>
Belgium <sup>55</sup>	44	22	42	25	17
Canada	46	25	5 <sup>56</sup>	2	2
Denmark	26	19			2
Finland	18	13	27	21	8
France		270-320 <sup>57</sup>			35 <sup>58</sup>
Germany <sup>59</sup>	~180	~100	45	13	19
Italy					At least 4 <sup>60</sup>
Netherlands	120	75	7	2	5
Norway	8	4	8		7
Spain	20*	17*			
Sweden <sup>61</sup>	26 confirmed, 15 unconfirmed	18 confirmed, 6 unconfirmed	33	24	13
United Kingdom		Estimated 60 <sup>62</sup>			4 <sup>63</sup>
United States					17
Uzbekistan					250
Russia					225
Kazakhstan					413
Kosovo					80

In the last six months an increased number of Syrians have been able to leave al Hol camp, following the decision in October 2020 by the AANES to ease restrictions on Syrians who wish to return home. A total of 18 groups of families have been able to leave the camps, including a departure on 17 September of 92 families who returned to Al Raqqa city and rural areas near the city. In May 2021, 94 Iraqi families had their return to the country facilitated in an organised movement from Al Hol camp, and are now staying in the Jeddah 1 camp waiting to return to their homes.

Despite UN guidance and best practice, and despite evidence from other governments that it is possible to repatriate children and their families, many states have either refused or been reluctant to repatriate children out of Al Hol and Roj, despite the conditions in which they live, particularly when these children are still living with their mothers. This is because many states are not willing to support the return of adult citizens, meaning that the majority of returns have been orphaned children, children separated from their caregivers, or in some instances, children whose mothers have agreed to have them return alone.

The following sections outline why repatriation is the only pathway to try to ensure foreign children's rights are protected and upheld, and sets out some of the primary barriers to repatriation to date.

#### **4.1 The case for repatriation: protecting the best interests of the child**

All children in the camps are first and foremost victims of the conflict. They have lived through war, bombardment and acute deprivation and need specialised help to recover from their experiences and begin to return to a normal life- completely impossible in the camps of North East Syria at this time and unlikely to ever become available at the level that children require.

The best interest of the child is one of the four

general principles of the UN Convention on the Rights of the Child (CRC) and set out in Article 3(1). The Committee on the Rights of the Child sets out the three-fold nature of the concept: that it is a substantial right of children to have their best interests assessed and taken as the primary consideration in decision-making; a fundamental legal principle, meaning that in the case of legal ambiguity, any provision should be read in a manner that best serves their best interest; and a rule of procedure so that all decision-making must include an evaluation of the possible impact of a decision on a child or group of children.<sup>64</sup>

A holistic approach, which prioritizes multi-layered social services that respond to a child's individual needs is proven to not only be the most effective and humane approach, but reflects a child's right and recognizes them as a victim of grave crimes and violations. The absence of knowledge and data regarding children who lived in ISIS-controlled territories pose challenges in developing appropriate rehabilitation and reintegration responses upon their return. However, this will remain highly individualised based on children's personal circumstances, including their age, any active familial role in ISIS, their exposure to indoctrination and violence and their experiences in the camps. These interventions are likely to be long term.

Studies from other conflict-affected children show that experiences with discrimination, rejection and stigmatization are related to less favourable life outcomes. Better outcomes in terms of transitioning away from life in conflict are generally reached when the child is able to have positive connections to peers, family and the community, where dependable relationships are established.

## Maintaining Family Unity

Many families in Al Hol and Roj are not biologically related, but they have formed a family unit, built connections and are the primary relationships in children's lives. Others live in family units which are combination of some full and partial biological families, for example, half siblings and full siblings living together with a biological aunt of some or all of the children. There is no universally recognised definition of a family, nor is this recognised solely in biological terms. Despite this, several governments have resorted to DNA testing to "prove" that children are indeed nationals of their country by way of genetic relationships to individuals in their home countries. This in some instances has led to children being separated from siblings- both genetic and otherwise- often against the best interest of the child, who has known no other caregiver or family, in some cases for their entire lives. Other states have been willing to repatriate family units regardless of biological connections, recognising the importance of maintaining family unity and the role that this will play in supporting children to reintegrate, process their experiences and rebuild their lives with their families. These child-caregiver dynamics can pose challenges for states. In the instance of one European child who travelled with her Sudanese caregiver to Sudan, the child's national government has raised concerns about the move. It is vital that there is a pre-emptive sustained dialogue between states to agree a path forward for mixed nationality families that takes into consideration the best interest of the child, including their right to a family life.<sup>65</sup>

Recognising the family units that exist in the camps is particularly important because children's support ecosystems in the camps are extremely limited, and

largely confined to caregivers and other close family members, friends and facilitators. Syrian, Iraqi and TCN children that we spoke to listed their caregiver as the most important and supportive relationship in their lives. Caregivers tend to be actively engaged and involved in their children's education and well-being, telling Save the Children how they support their children to get ready for school, talking about school and helping with their homework, as well as providing emotional support when they are upset.<sup>66</sup>

For TCN children, their caregiver relationship is likely to be even more central to their lives because of the lack of fathers or older male relatives. There are no adult males in the Annex- men were separately detained when families were transferred to the camps, and adolescent boys are also at risk of being removed into detention facilities (see above, section 3.7.1). This means children effectively lack a male role model or father figure. One caregiver told Save the Children "*My eldest son is crying because he misses his father, and if he sees a man inside the camp, he calls him Baba*".<sup>67</sup> In speaking about their aspirations for their children's future, several female caregivers said that they hoped their children would be able to see their fathers in the future and be reunited with other family members.<sup>68</sup>

Ten-year-old Bushra\* told us, "*When I come to Save the Children's Child Friendly Space, the teacher gives us papers to draw on. I draw on a corner and leave the rest empty and once I reach the tent, I use them to write letters to my Dad and Grandmother.*" Bushra's Grandmother is now in Turkey, her father's whereabouts are unknown.

The Committee on the Rights of the Child has reiterated that "The term "family" must be interpreted in a broad sense to include biological,

adoptive or foster parents or, where applicable, the members of the extended family or custom as provided for by local custom” going on to state that in cases of children separated from one or both caregivers, they are entitled to maintain personal relationships with their parents unless against their best interest and that this right “also extends to any person holding custody rights, legal or customary primary caregivers, foster parents and persons with whom the child has a strong personal relationship.”

Types of proof other than DNA can and should be used to establish family ties. This includes photographs, oral evidence and questionnaires of caregivers and within the wider community.<sup>69</sup> Only in exceptional circumstances where these have been examined and other avenues exhausted, and DNA testing is considered imperative to family reunification, then states should establish and communicate clear criteria for testing, with informed consent from all parties and associated support including counselling, provided.



Children posing for the camera in front of their tent in Al Hol on 1 April 2020. Photo credit: Save the Children

### Families advocating for repatriation

The distress experienced in the camps in North East Syria spreads far beyond the borders of Syria. Families of those trapped in camps, often frustrated by their government's actions and inactions, are also suffering.

Kamalle Daboussy, who lives in Sydney, Australia, has a daughter named Mariam in Roj camp along with his three grandchildren aged 7, 5 and 2. The youngest child is the result of a forced marriage with an Iraqi man after her first husband was killed.

He told Save the Children his first news about Syria was a knock on the door by the Australian government saying his daughter had been forced to Syria; *"They have been trafficked and are at risk of being trafficked again."* Kamalle said his daughter tried to escape from IS but was captured. There was a period of 17 months when he had no news of his daughter and he thought she had died; *"I can't wish that on anyone."*

He is both proud of and worried for his family. He says that his daughter has helped to organise the other Australian women: *"She refuses to be a victim. She works for those around her and will never stop that"*. But she is *"stressed, often depressed, has lost a lot of weight"*. Kamalle says the children are *"resilient but suffering"*. He continued that the oldest is very intelligent, and aware of the situation she is in. *"She'll have a very bright future if she gets back in time"*, but has sometimes asked *"why is it worth living here"* and has *"expressed suicidal thoughts"*.

Kamalle points out the irony that while no Australian women have returned to Australia from Syria, 40 men have, and the government has repatriated unaccompanied minors. *"The government's refusal to bring her home has been*

*devastating. They are playing politics. It is gut wrenching and soul destroying"*. Despite the years of distress and disappointments, Kamalle is a persistent advocate and says he remains optimistic: *"Otherwise, I wouldn't get out of bed in the morning."*

Sara, from a European country, was similarly shocked and "terrified" when her daughter called her and told her she was in Syria. It is now seven years since she received that phone call, and Sara told Save the Children that *"my struggle to get her back home has lasted ever since. She has been struggling to survive both physically and mentally. At one point, I felt that I could actually give my daughter and her children hope of returning home. That there was a political opportunity. And I could feel their expectations, gratitude, and joy. We started planning a trip to the zoo and talking about going on a picnic. But the political winds turned, and suddenly the hope was completely extinguished."*

Since then, her grandchildren's physical and mental health has deteriorated and her daughter's situation has also worsened. She said that the *"The stigmatization that has been taking place in Europe has had enormous consequences... To be accused of something and not have the opportunity to defend yourself; it is devastating."* She fears that her daughter and grandchildren will be separated and that she *"sincerely hopes that the children will not be taken away from their mother"*. Like the families in Australia, she says that her confidence in the system is weakened but that *"if they return home, I will be able to help them and fight for them. I can speak more freely, and there is a legal system here. I hope for justice."*

## 4.2 The legal considerations for repatriation

UN Human Rights experts have repeatedly stated that the return and repatriation of foreign fighters and their families is “the only international law-compliant response to the increasingly complex and precarious human rights, humanitarian and security situation faced by those women, men and children who are detained in inhumane conditions in overcrowded camps, prisons, or elsewhere in the northern Syrian Arab Republic and Iraq.”<sup>70</sup>

The UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and Special Rapporteur on extrajudicial, summary or arbitrary executions in 2020 stated that “States are in the best position to ensure the protection of human rights for children and their guardians in camps in the northern Syrian Arab Republic. In the absence of their engagement and acceptance of legal responsibility, children face death, starvation, and extreme physical and emotional harm, as do their mothers. In this context, they note that in the very specific circumstances of these camps in the northern Syrian Arab Republic it is undeniable that the State of nationality for citizens have the only tenable legal claim to protect their citizens, and the capacity to make such claims materialize.”<sup>71</sup>

This includes children’s rights articulated in the Convention on the Rights of the Child, including the utmost importance of decisions made in their best interest, articulates their rights to a family life, and nationality. The CRC requires States “to take all appropriate measures to promote physical and psychological recovery and social integration of a child” who is a victim of “any form of neglect, exploitation or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts.” For children who are alleged to have been members of ISIS, article 38 of the CRC requires states to respect and ensure

respect for the “rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child”, including under the Geneva Conventions; their rights are also protected under the Optional Protocol on the Convention on the Rights of the Child on the involvement of children in armed conflict, and supported by the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (the “Paris Principles”). UN Security Council Resolution 2396 (2017) further binds all states, stresses the importance of assisting children and women “associated with foreign terrorist fighters who may be victims of terrorism”, calling on Member States to take action, including considering rehabilitation and reintegration measures, and recognises the importance of providing timely and appropriate reintegration and rehabilitation assistance to children returning from conflict zones.<sup>72</sup>

This body of human rights law is recognised in a number of counter-terrorism strategies and documents which outline the importance of ensuring that children are treated in accordance with applicable international law, including the CRC. This includes the UN Global Counter-Terrorism Strategy, which was renewed in 2021 and the 2018 Addendum to the Madrid Guiding Principles.<sup>73</sup>

However, several governments- European ones in particular- have rejected arguments regarding their extra-territorial legal obligations to their citizens in the camps. Sweden, for example, has stated that it is “under no legal obligation to repatriate its citizens in al Hol and Roj camps...the women in the camps may have committed serious crimes, including associating with Daesh. Under these circumstances, the Government is not under any obligation to explore the possibilities to repatriate the women”.<sup>74</sup> The Government of Sweden reported that AANES expelled a number of Swedish women and children from North East Syria and say that AANES have signalled their intention to expel more. Sweden has

stated that in this case it does have an obligation to accept its citizens. It sent officials to North East Syria to receive the women and children and accompany them back to Sweden.

The Government of Denmark, in its response to a letter sent by UN Special Procedures, stated that “foreign terrorist fighters – both women and men who have left Denmark in order to join the Islamic State- are not welcome in Denmark and will not be evacuated. The children of foreign fighters are facing difficult conditions due solely to the actions of the parents and under their responsibility.<sup>75</sup> In May 2021, the Government of Denmark signalled a change in this position, when they announced that they had decided to repatriate three women and their 14 children, all of whom have Danish citizenship.<sup>76</sup> However, the actual repatriation has not yet taken place and no timeline has been communicated.

The Government of Australia has “accepted that its human rights obligations extend outside Australian territory where it exercises ‘effective control’. Consistent with this position and noting that Australia does not administer the Al Hol and Roj camps, the Australian Government does not accept it exercises jurisdiction over the conditions of Australian nationals in those camps such as to engage the extraterritorial application of Australia’s

international human rights obligations.”<sup>77</sup>

These arguments have continued to be rejected by human rights experts, who argue that states have a legal responsibility and a moral and humanitarian imperative to respect and protect children’s rights, including under the CRC, through repatriation. In February 2021, the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and Special Rapporteur on extrajudicial, summary or arbitrary executions and other human rights experts wrote to 57 states believed to have nationals in the camps calling for urgent repatriation, saying “States have a primary responsibility to act with due diligence and take positive steps and effective measures to protect individuals in vulnerable situations, notably women and children, located outside of their territory where they are at risk of serious human rights violations or abuses, where States’ actions or omissions can positively impact on these individuals’ human rights.”<sup>78</sup> In July 2021, the UN Secretary-General reiterated his call to Member States to repatriate individuals, particularly women and children, stating that conditions in the camps were “a reminder that inaction is not an option to ensure either human rights, security or accountability.”<sup>79</sup>



A child looking from behind his tent in Al Hol on 8 September 2021. Photo Credit: Muhannad Khaled/ Save the Children

In a case at the Committee on the Rights of the Child, in which family members of French children argued that their continued presence in the camps had its “unique origin” in the decision of France not to repatriate them, the Committee found that their complaint was admissible- that France had jurisdiction under the Convention of the Rights of the Child and the capability and power to protect the rights of French children through repatriation or other consular assistance.<sup>80</sup>

In Europe, the Council of Europe Commissioner for Human Rights, in a third party intervention to the European Court of Human Rights stated that nationals of states which are party to the European Convention on Human Rights (ECHR) fell under the jurisdiction of their states, because the health and security situation in the camps was incompatible with Article 3 of the ECHR (Prohibition of torture No one shall be subjected to torture or to inhuman or degrading treatment or punishment) and that the Court’s established case-law “places a positive obligation on States Parties to the Convention to take measures to prevent persons under their jurisdiction from being subject to treatment contrary to Article 3 of the Convention and that the only way to fulfil this obligation in respect of European nationals detained in the camps in North-East Syria is for the States Parties to repatriate them”.<sup>81</sup> The Commissioner also argued that the refusal of states to repatriate nationals interfered with their rights to respect for private and family life, and that the situation posed a threat to the rights of children under the CRC.

Other groups, including the Open Society Initiative (OSI) has also provided guidance on the scope of obligations under European and International law, stating that- in relation to extra-territorial obligations- the best interest of the child and the right to be free from discrimination, that “In the context of children’s detention in the camps in

northeast Syria, the effective protection of these rights creates an obligation to proactively repatriate children with their primary caregivers,” going on to note that “proactive repatriation means that States must arrange for the repatriation of all of their child nationals, in accordance with the principle of ‘the child’s best interest.’”<sup>82</sup>

Save the Children’s position is that the UN Convention on the Rights of the Child is a legally-binding international agreement that applies to every child. Furthermore, that States are simply using legal obfuscation to delay or refuse repatriation, despite the fact it remains the only way that the rights of TCN children living in the camps can be protected and upheld.

Ultimately, the Convention on the Rights of the Child is designed to protect children, including in conflict settings and is the guidance that provides a vital means to preserve the humanity and dignity of all children, including those in Al Hol and Roj. By failing to be led by the Convention and other human rights laws and standards, States risk contributing to the continued denial and further erosion of the rights of these children, and children worldwide. They must repatriate without delay.

### 4.3 Barriers to Repatriation

Despite strong legal and moral arguments for the repatriation of children, there continue to be a number of barriers that prevent states to commit to repatriate their citizens – many of which originate from the policies and practices of governments themselves. This includes a lack of transparency on the part of many states on the extent of their contact with children and families in the camps as well as consular and other assistance they may be providing to ensure children’s wellbeing. Ultimately, for many states, political considerations and media optics are simply overriding children’s rights. If these children and their families are not repatriated, they risk languishing in the camps indefinitely, exposed to risks of violence, disease, and lacking a full education, the psychosocial support they urgently require and the chance to rebuild their lives. States cannot simply play politics with the lives of these children. They must respect children’s rights and meet their urgent humanitarian needs. The only way to do this is through repatriation without any further delay.

#### 4.3.1 Barriers to repatriation: Removal of citizenship

Efforts to prevent return include stripping individuals of their citizenship. Australia, for example, has enacted laws to strip citizenship of foreign fighters with dual nationality arguing they would not be stateless as they can fall back on their ‘other’ citizenship rights.<sup>83</sup> However, these measures fail to take full consideration of the best interest of the children, including their care, protection and safety and do not outline steps that the decision maker will take to prevent them becoming stateless. Germany has also introduced removal of citizenship laws it can be ascertained an individual is a dual citizen and that they have been active in combat for a terrorist group. When citizenship is removed or revoked, the citizenship of the entire family can be affected, relegating the status of innocent family members

to one of statelessness. Three Danish women in the camps have had their citizenship stripped. They have five children. The repatriation of these children depends now on whether the Danish government will respect the rights of these children to a family life and repatriate them with their mothers, or whether their mothers will face the unimaginable decision of having to allow their children to go to Denmark, while they remain behind in the camps.

In a high-profile case in the UK, Shamima Begum- who was 15 years old when she was groomed and recruited to join ISIS with two of her friends- was stripped of her British citizenship. In doing so, the UK Government claimed she could obtain citizenship through Bangladesh given her familial history, though this claim is disputed by the Government of Bangladesh. The UK Court of Appeal subsequently determined that Begum did not have access to a fair and effective appeal of her citizenship stripping from the camp – as she was could not take part in any meaningful way - and concluded a fair appeal would only be possible should she to be permitted to return to the UK.<sup>84</sup> However, the UK Supreme Court then ruled that the appeal be stayed ‘until Ms Begum is in a position to play an effective part in it without the safety of the public being compromised’.

Shamima Begum’s case highlights issues that are likely to be faced by many of those currently detained in the camps who were children upon arrival in Syria. That is, whether Begum and other women like her - now adults - will be treated primarily as victims given the fact that they were children at the time of joining ISIS.

These actions by European governments risk “rendering people stateless”<sup>85</sup> which “is never an acceptable option”. Children who are stateless are often deprived of basic rights and elements of dignity, including their right to access education, access to health care and other basic services. To inflict statelessness on children who have already suffered

so much is an act of irresponsible cruelty.

There have also been moves to persuade or otherwise have mothers agree that their children can return to their home countries without them. Their mothers are faced with a choice of separating from them- potentially permanently, given the lack of appetite to return women to their homes- or have their children grow up in the camps. Neither of these options, which are the direct result of government policy, are in the best interest of the child. Other complexities, including those related to how orphans and the children born in Syria to foreign mothers will be treated, will become even more difficult to resolve if their mothers have been stripped of citizenship, with their children effectively left stateless.

In the instances where there is credible evidence that the women have committed crimes while members of, or affiliated to, ISIS, preventing their return runs directly counter to UN Security Council Resolutions (UNSCR) including UNSCR 2178 (2014) and UNSCR 2396 (2017) which impose a legal obligation on States to bring terrorists to justice, develop and implement appropriate prosecution, rehabilitation and reintegration strategies. Accountability and security objectives and the best interests of the child are not met by administrative actions such as removal of citizenship. Save the Children urges states to cease the practice of citizenship revocation without delay.



A girl and her younger brother posing for the camera outside of their tent in Al Hol. Photo credit: Save the Children

### 4.3.2 Barriers to repatriation: Attempts to separate children from their caregivers

An additional issue affecting repatriation efforts is that many governments do not want to accept or facilitate the repatriation of caregivers alongside their children. As a result, many of the children that have been repatriated by reluctant western states have been orphaned or otherwise separated children, where there is no issue of associated family or adult repatriation.

There have been efforts from a number of countries, including Belgium, Denmark, France and others to request that mothers' "consent" to the return of their children without them. In March 2021, for example, a four-year-old Canadian girl was returned home (with the support of a former US diplomat, rather than the formal engagement of the Canadian government, who provided consular assistance for the child's travel from Iraq to Canada<sup>86</sup>) without her mother, who subsequently told Human Rights Watch; *"If I had to choose again, I don't know if I would have done it... It's the hardest sacrifice for a mother to make."*<sup>87</sup> In the conditions that adults and caregivers face in the camps, there are serious questions about whether such consent could ever be freely and voluntarily given. Given the position of many states that men and women nationals should never be repatriated, as well as efforts to strip them of citizenship, there are very real risks that they will never see their children again.

There are circumstances in which the best interest of the child would be served by separation from their parents, including if in remaining with their parents, they would be continually denied their basic rights and access to safety. However, in the absence of Best Interest Assessments, it is the refusal of states to repatriate adult caregivers, and not the best interests of the child, that are driving a push for separation, which results in denying children the opportunity to return home, and to enjoy their full range of rights,

including their right to family life. Where a child's best interest may not be met by being placed with their caregivers, because they retain sympathy for ISIS ideologies, or they are or will be incarcerated or enrolled in a rehabilitation programme, these issues should be addressed by individual countries upon their return in accordance with laws and child protection policies, with efforts made to maintain familial connections. Removing children from families should only be contemplated as a last resort and where the child's best interest are of paramount concern. Particularly where caregivers retain ISIS adherence and/or will be enrolled in rehabilitation programmes, lessons learned from domestic efforts should be considered and used to adapt national and local level support for children and their caregivers to recover from their experiences.

Separation can lead to depressive symptoms and regression of development milestones in children and symptoms of acute stress, including changes in sleep and failure to eat. Self-mutilation behaviours have been noted and effects of prolonged stress in children are likely to result in negative health outcomes.<sup>88</sup> At the same time, it is clear that prolonged stays in the camps carry the same risks for these children. Save the Children urges all states to ensure that children and their families are repatriated together.

### 4.3.3 Barriers to repatriation: Putting "Security" first

The repatriation of children and their families has repeatedly been described as a security threat, by governments and in the media and public discourse. Fears that returnees will commit acts of terrorism once home have been fuelled by attacks such as those in Belgium and Paris in 2015 and 2016, which involved returning ISIS fighters, and domestic public hostility. French Foreign Minister Jean-Yves Le Drian said that those who fought for ISIS were fighting against France, while in a UK survey, 77% of adults surveyed said adult foreign fighters should be

prevented from returning home. In France, a 2019 poll showed that 67% of respondents objected to the repatriation of children linked to ISIS and 89% were concerned at the return of any adult ISIS members or affiliates.

While there may be risks associated with returning the families of children to their home countries; where individuals are suspected of crimes, it remains an appropriate measure in line with national security objectives when done in a manner consistent with the child's best interest. Remaining in camps, with no freedom of movement, minimal services, ongoing trauma and non-existent services to support children to process their experiences is also an acute risk and a moral and humanitarian abrogation of responsibility. It also places children in an environment where any potential risks cannot be readily addressed because of circumstance and lack of resources.

Counterterrorism, military and security officials have also emphasised the importance of repatriation as a means of addressing and offsetting present and future national security concerns, including the perception that children living in the camps today are at risk of becoming future ISIS members. At a January 2021 meeting, the head of the UN's Office of Counter-Terrorism (OCT) told states that "children in camps in north eastern Syria, particularly Al Hol, are in harm's way, vulnerable to the predations of ISIL enforcers and at risk of radicalization within the camp, and deprived of the basic support that children need. Their fate should not be contingent on political will. Ensuring their well-being is an obligation enshrined in international law and the Convention on the Rights of the Child. And beyond the law, it is both a security and moral imperative."<sup>89</sup> In August 2021, he told the UN Security Council that the pace of repatriation was "too slow considering the scale of this humanitarian, human rights and strategic

security priority, which only grows more complex as time passes."<sup>90</sup>

In August 2020 at a meeting convened by the US Institute for Peace (USIP), General Kenneth McKenzie, the CENTCOM Commander said that he felt repatriation had to go much faster; "Bad things are going to happen if you keep a lot of people there [in Al Hol], bad things are going to happen in terms of radicalization...It's concerning to me that we're moving so slowly because we could either deal with this problem now, or deal with it exponentially worse a few years down the road."<sup>91</sup> In April 2021, he reiterated these concerns, stating; "Unless we find a way to repatriate them, reintegrate them and deradicalize them, we're giving ourselves a gift to fighters five to seven years down the road."<sup>92</sup>

Unaddressed trauma, growing frustration and a sense of uncertainty about the future with no possibility to return to their countries of origin could provide a pull towards ISIS or other armed groups. While children are in the camps- with the presence of ISIS sympathisers- they remain at risk of falling under their influence, in the absence of any other options. With boys being detained as they grow older on the basis of "security concerns", there is further potential that the trauma and impact of prolonged detention will drive a sense of grievance and dislocation, adding to the trauma they have already been exposed to. Indeed, some caregivers in Al Hol, particularly Iraqi families, told Save the Children they were concerned about potential child recruitment into armed groups should they continue to remain in the camps or in detention facilities, given lack of other options. From a security perspective, the most effective response for states is to ensure that children are repatriated with their families and provided with the support they need to recover from their experiences.

#### **4.3.4 Barriers to repatriation: Supporting future accountability measures**

Some states are reluctant to repatriate families from North East Syria on the basis that individuals can and should be prosecuted for alleged offences where they were committed. Ensuring that there is effective justice for the millions of victims of ISIS crimes should be a paramount concern for the international community; however, the routes to effectively and fairly prosecuting those specific individuals accused of crimes in the North East remains unclear.

Some European governments have openly advocated for, and provided financial support to authorities in North East Syria to prepare prosecutions and conduct trials. There are significant and complicated jurisdictional issues in North East Syria, however – in particular the relationship with the Government of Syria – as well as an almost complete lack of capacity or even existing laws with which to prosecute and conduct complex trials of foreign women locally. They would be deeply challenging to undertake in compliance with fair trial and rule of law standards and principles, including on evidence collection and retention, access to counsel and the principle of the presumption of innocence. While discussions have continued on the possibility of such trials, they now look increasingly remote. Indeed, European officials have also doubted their ability to prosecute returnees, even at home, noting in particular that “the collection of evidence sufficient to support a conviction can be prohibitively challenging”.<sup>93</sup>

Several women who have been repatriated with their children in 2021 were arrested upon their arrival into their countries of origin. The reasons for their arrests remain unclear- whether they are related to allegations of individual criminal offences or more broad charges of membership of a proscribed group, they do suggest that states are at least considering domestic prosecution- which is vital in providing

accountability for the crimes that ISIS members committed. In July 2021, a Dutch court gave the government a deadline of three months to repatriate five women with suspected ties to ISIS, stating that if they were not returned, and the government was unable to explain why, criminal proceedings in the case would risk being closed and they would never be able to be prosecuted in the Netherlands for charges of membership in a terrorist organisation.<sup>94</sup>

The risk remains that the majority of victims of crimes committed by ISIS will not see those responsible ever face justice, and the thousands of girls, boys and women in the camps have little to no ability to be cleared of wrong-doing in evidence collection or in trials in properly constituted court of law. Instead, victims, potential perpetrators and tens of thousands of children have simply been left together in the terrible conditions of the camps, risking the situation amounting to collective punishment.<sup>95</sup> Accountability requires repatriation.

#### **4.3.5 Barriers to repatriation: Perceptions of AANES’s policies as ambiguous**

The Autonomous Administration of North East Syria (AANES) has called publicly for the repatriation of people in camps in the region of Syria they control, and have stated that they will support the repatriation of both women and children, where they have not been accused of committing specific crimes in Syria.<sup>96</sup> In October 2018, one official stated “Every country should repatriate their citizens and prosecute them on their soil”.<sup>97</sup> In 2019, a spokesperson stated “We have asked the different countries to repatriate their own citizens since there is no recognised legal infrastructure in northern Syria. But there has been no response and the terrorists and their families are still in our camps.”<sup>98</sup> In March 2019, the BBC reported that speaking to them, “the administration’s head of foreign affairs, Abdul Karim Omar, said the fact that so few nations had repatriated their citizens who joined IS has

added to their [AANES] problems.”<sup>99</sup>

On 18 March 2021, the Executive Council of AANES issued a statement stating “We have called on the international community on several occasions to repatriate women who were victims of ISIS and who we do not have proof against. The response was insufficient, and some countries insisted to repatriate the children without the mothers.”<sup>100</sup>

In June 2021, the AANES reiterated in a meeting with governments with nationals in the camps, that they were willing to repatriate families to governments that are willing to return them home. They also requested financial support from governments who refuse to repatriate and donors more generally, including for the building of “rehabilitation” centres, the formation of a tribunal to prosecute ISIS fighters and compensation for victims of terrorism.<sup>101</sup> There have also been consistent repatriations of mothers with their children over the course of the past four years, including to Belgium, Finland and Albania in 2021 alone.

Some States have claimed that AANES is only allowing the repatriation of orphans and humanitarian cases. In March 2021, the Government of Finland in reply to a letter from UN Human Rights Experts, told them that: “As communicated to the Government of Finland, the position of the local administration in control of the camps in

North East Syria is to hand over only orphans and special humanitarian cases for repatriation.”<sup>102</sup> More recently, the Government of Australia, in its August 2021 reply to UN Special Rapporteurs stated that they understand “that the local authorities administering the camps are not permitting repatriation of any other category of individuals [other than unaccompanied children] at this time.”<sup>103</sup> However, since these communications, the Government of Finland was able to repatriate two Finnish children and their mother from Roj camp in July 2021, followed by the expulsion of Swedish children and mothers in September 2021. It is increasingly clear that this position is not supported by evidence on the ground.

The AANES should continue to publicly and privately clarify that its policy position is that families should be returned where this remains necessary, and correct governments who claim that it is AANES policies that are acting as a barrier to return, to ensure that this is not claimed as a barrier preventing states from returning children and their families. Where investigation and prosecution of individual adults is required, they should support governments to conduct these in individual countries of origin. In return, donors and the international community should use the June 2021 confirmation as an opportunity to renew dialogue on family repatriation, where this has not already started.



An IDP child in Al Hol on 7 September 2021. Phot Credit: Muhannad Khaled / Save the Children

## 5. Preparing for and Supporting Successful Repatriation

Zaid\* is doing very well. He has been going to school for three months and he likes it. He gets psychological support and found some little friends already. He is member of a soccer team and loves his little cat Jimmy. It is a lot of work to give him all he needs for a free and happy life. We do our best.

**Zaid's Grandmother:** Zaid was repatriated to Europe in 2019

Many children will either have no experience or no memory of life outside of Syria, including of their countries of origin or their wider family members, or any experience of engaging with social services. This will be a difficult path for children, their families, national and local authorities and social services to treat, and it will require a coherent and multi-sectoral approach that is survivor-centred, gender-sensitive and rooted in communities of return. As children are returned home and begin to rebuild their lives, there is emerging good practice that should be reviewed by states to support interventions that adequately support children and their families through the process of return and reintegrating. This includes UNICEF's socio-ecological model which recognizes that risks and protective factors for children operate at various levels, including the individual, family and peer levels, as well as in

education settings and the wider community.

To date, over 1,163 children have been repatriated to 22 countries – all with different approaches to repatriation and resettlement process. For many countries, information about repatriation, including the reintegration services provided, is not publicly available, and in some cases, there are suppression orders that prevent this information from being shared. However, from the repatriation examples available from a handful of countries to date, as well as lessons learnt from refugee resettlement models, a number of key themes emerge. Many reintegration models aim to support family and community-led interventions that are trauma informed and provide professional services to tailored to individuals. In most cases, services are coordinated and managed through a centralised case worker, and relevant information is shared between service providers, including government agencies, to ensure consistency and wholistic care. There are also lessons to be learned and captured in real time. This includes learning from States supporting the evacuation and safe passage of Afghan refugees, and their resettlement. For some countries, including Australia, this is an exercise in how to extract foreign nationals without a consular service in place, and how to resettle vulnerable children and families in adherence with strict COVID-19 protocols.



A child riding a scooter in Roj on 20 December 2021. Phot Credit: Save the Children

Belgium has repatriated 10 children from North East Syria so far. Detailed information about Belgium's repatriation process from evacuation, through judicial procedures to support services for children, provides a practical example of some of the practices mentioned in repatriation models and frameworks.<sup>104</sup> Children coming from Syria are accompanied by a support worker throughout evacuation. Upon arrival in Belgium, they are likely separated from their mother / parents, who may face criminal charges. Children are taken to the paediatric unit of a hospital, where specialist services are available, and multidisciplinary services are coordinated through youth service and protection agencies. The hospital acts as a "buffer" between life in North East Syria to life with a host family or institution in Belgium. Assessments are carried out to determine needs and treatments required, including medical, psychosocial, education and potential outpatient care. Family members are able to spend increasingly long periods of time with repatriated children in hospital, until they are eventually able to bring them home. There is an emphasis on ongoing outpatient care and ensuring specific services are available in the relevant communities where children will live.

Germany has repatriated 19 children from North East Syria. The Federal Office for Migration and Refugees (BAMF) coordinates with six state offices that oversee the process of reintegration and resettlement.<sup>105</sup> Much like other examples, services are coordinated through a case manager (known as a "return coordinator") who oversee cooperation between agencies and municipal structures in the short term, including youth welfare offices, schools, employment agencies etc. Returnees are supervised to determine how they are reintegrating. The Federal Criminal Policy Office and the Joint Counter Terrorism Centre carry out a joint risk assessment. Returns Coordinators streamline deradicalization measures from the State Coordination Office for Deradicalization through the various services they coordinate from government agencies and civil society organizations.

Kazakhstan has repatriated 410 children, in what is considered a highly successful and aspirational model for repatriation and reintegration. Services are centralised through 17 "adaptation centres" supported by the Ministry of Education and run through NGOs. These centres provide a central point

for mental health professionals, religious scholars, lawyers, healthcare workers, and teachers to support children and their mothers through the process of resettlement. Upon arrival in Kazakhstan, families are housed at the adaptation centre, where they remain for around a month, receiving the support and services they need to transition to life in Kazakhstan. Children are given Kazakh birth certificates and Kazakh names, while women are granted "clean" passports and documents to reduce any sort of stigmatisation. Individual learning programmes are developed to support children's transition to formal education. When families are ready to move in with relatives or friends, they are released from the adaptation centre, and children begin school or pre-school immediately. The whole process involves around 300 specialists.

In contrast to many of their European counterparts, the Government of Finland issued guidelines for repatriation and adopted a Government resolution in December 2019. The resolution stated that the Government's clear position was to "repatriate the children from the camp[s] as soon as possible", going on to state that "the authorities will actively seek to ensure compliance with the rule of law, the Constitution, other Finnish legislation and international law, including human rights treaties, agreements on the rights of the child and other applicable international law."<sup>106</sup>

Since this resolution, ten children and three women have been repatriated from North East Syria to Finland. Another group escaped the camps and fled to North West Syria, and then received assistance to be repatriated to Finland via Turkey.

Importantly, while the decisions to repatriate individuals are taken on a case-by-case basis, that decision making power has been vested in civil servants rather than politicians, and is grounded in the government's interpretation of its obligations under both its constitution and international law.

So far, the Government of Finland has determined that separating children from their mothers is not in the best interest of the child and has repatriated adults along with Finnish children. Upon repatriation the children have access to health care, social services and psychological support that is almost totally absent in the camp, and mothers are prosecuted if appropriate.

The Rehabilitation and Reintegration Intervention Framework (RRIF) is one framework that has attempted to identify an evidence base that can support successful rehabilitation and reintegration. Based on a review of 31 studies of refugee children, children affected by conflict, children of gangs, as well as child victims of maltreatment and sex trafficking; the framework identifies five goals for successful reintegration: 1) Promoting individual mental health and wellbeing; 2) Promoting Family Support; 3) Promoting Educational Success; 4) Promoting Community Support; and 5) Improving Structural Conditions and Protecting Public Safety. The framework emphasizes a multilevel approach, and requires a multidisciplinary collaboration, with an intensive role for civil society, though issues related to health and developmental problems; custody issues; and religious education are not taken into account.

Many mothers and caregivers in the camps are worried for the future of their children. In Al Hol, when they were asked about their children's futures, they described fears of being separated. They are worried that their children will be labelled and stigmatised as terrorists when they eventually return. One caregiver told us; *"I am afraid of injustice and that they will say this is an ISIS child ... I am afraid that they will take my child from me."*<sup>107</sup> Labelling in the media of these children as "ISIS" children has done little to dispel this fear or the real risk of such stigmatisation.

TCN caregivers in the Al Hol Annex were not only afraid of the lack of community acceptance, but also expressed concerns over their children's potential inability to "adapt" to life outside the camp since

it is so unfamiliar and foreign, "The child will have difficulty facing the outside world because he does not know anything about it."<sup>108</sup> Women were also afraid that their children would be imprisoned- a real risk in North East for male children- or that they would be targeted in "revenge"<sup>109</sup> on their return.

While children and their families wait to return home, educational facilities, teachers and infrastructure can help to prepare them for the return. Nearly half of all caregivers Save the Children spoke to in Al Hol told us that they wanted education services to provide this support for children, showing that they are also trying to plan for their children's future and prepare them for the challenges to come. Nearly half of all caregivers told us that education centres should focus on social and emotional development for children, with 95% saying that their child's school provided them with an appropriate environment to develop life skills needed outside of the camp. This includes supporting children to build positive and healthy relationships with both peers and adults; fostering a nurturing environment, supporting improved behavioural outcomes and being able to speak about their emotions.

Parents and caregivers of children in Al Hol and Roj want the same thing that families all over the world want for their children: a more promising future for their children. They want them to live in safety, in a home with a roof and four walls, to be able to attend school, to grow up and be able to pursue a secure livelihood and depend on themselves. They want their children to be accepted in their communities of return.

*“I hope that she will be a normal person like anyone else who lives outside the camp. I hope that she won’t recall the hard times she went through in the past. I hope that she will study and be successful.”<sup>102</sup>*

They also want them to be able to reunite with their families, including their fathers. One caregiver told Save the Children about her son; *“I hope he will be among his family and be able to see all his family members.”*



Fahad\*, 12, looking through the fence of Save the Children's Temporary Learning Space in Al Hol. Photo credit: Save the Children

## 6. Conclusion and recommendations: What future for children?

*“Here there are many orphaned children. I feel sorry for them, because they don’t have mothers. But I know that someday they will go and live with their grandfathers and mothers. They will eat good food. They will live in a house. They will have their own rooms and nice clothes. They will have rooms with walls. I wish I could lean against a wall here, but these tents don’t even have one wall.”*

Ten-year-old Bushra\*

The camps in North East Syria are dire places for children to live and to grow up. They are denied a quality formal education, basic services, and the ability to dream of a brighter future. The longer that these children remain in the camps, the more challenging their eventual reintegration will be and the dimmer their future prospects. The longer they remain in the camps, the more acute a lack of belonging can become, growing frustration, a sense of uncertainty and a risk- particularly for boys- of

prolonged detention can all reinforce trauma and isolation.

Their children, trapped in camps and detention facilities, continue to be victims of the conflict in Syria and must be treated as such. They have lived through violent armed conflict, displacement and acute deprivation. They need their basic rights and needs fully met, and they need specialised help to recover from their experiences. But they cannot recover in overwhelmed displacement camps in a volatile country when every day, the level of violence and deprivation they endure only adds to their trauma and victimisation. They need their countries to return them and their families without any further delay.

*“I am thinking of becoming a doctor.”<sup>11</sup>*

*“I dream to go to college and become a pilot.”<sup>12</sup>*

*“I want to become a teacher and help my family.”<sup>13</sup>*

These children still have hopes and dreams of a life of normalcy and for their future- their home countries owe it to them to make those dreams a reality.



Khaled\*, 8, participating in a drawing session in Save the Children's Child Friendly Space (CFS) in Al-Hol. Photo credit: Save the Children

## **Five key policy recommendations for all states with child nationals in Syria**

### **1. Recognise and treat children primarily as victims of war, even those who had been forced to join ISIS**

- As outlined under the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, children associated with armed forces or armed groups should be considered primarily as victims of offences against international law.
- Both AANES and states with nationals in North East Syria should refrain from labelling or stigmatizing certain groups of children as national security threats or as terrorists within public discourse as this dehumanises these children and leaves them vulnerable to discrimination, abuse, and exclusion.
- In cases where it is proven that children have been recruited and used by ISIS, juvenile justice standards should be upheld by all actors, including the right to a fair trial, accounting for the age of the child, and the right to prompt legal representation.

### **2. Repatriate nationals without any further delays and support their reintegration in their home country**

#### **Third country nationals:**

- All countries of origin should safely repatriate children and their families, in line with their obligations set out in the United Nations Convention on the Rights of the Child and United Nations Security Council Resolutions.
- Governments should take proactive steps to identify, locate, and reunite these children with separated family members or with qualified alternative caregivers, and establish channels for direct communication with nationals in the camp while repatriation is pending.
- Governments should, as a matter of policy, aim to

prevent further child/family separation and to protect the best interests of the child, including through ensuring both children and their caregivers are repatriated and prioritising maintaining family unity.

- In accordance the Madrid Guiding Principles, Governments should take preparatory steps by providing adequate resources to communities in order to support the successful reintegration of children returning from conflict areas, and to prepare children, their caregivers and families for the process of repatriation and subsequent steps.

#### **Iraqis:**

- In the absence of any refugee status determination process, or process to determine if individuals are in categories that exclude them from refugee status (for example, if they have committed war crimes) Iraqis in Syria should be considered refugees.
- Any returns should therefore be voluntary, dignified, informed and safe, in line with international standards.
- The authorities in Iraq should ensure any relocation to camps is a temporary step only, to camps with appropriate conditions and adequate capacity to ensure that material, physical and psychological needs of returnees, especially child returnees, are addressed.
- Iraqi authorities should also recognise the special circumstances of Yazidi women as victims of genocide and crimes against humanity, in particular through working with community leaders to ensure that they are allowed to register their children as members of their community on their birth certificates and other civil documentation.
- Third countries should identify opportunities for Yazidi women to be resettled outside of Iraq and Syria with their children.

### 3. Guarantee basic rights and address urgent humanitarian needs

#### Third country governments should:

- Obtain information regarding all nationals currently in Al Hol and Roj, including names, sex, family status, location, health condition, vulnerabilities, and protection concerns.
- Communicate regularly with the AANES to ensure that they are informed of any change in status, location, health, birth, death, release or transfer or other relevant information on the condition of children and their families.
- Undertake regular visits, ensuring that consular officials, whether located in Syria or in nearby countries, interview and register children and their families, including considering the use of remote contact via video conferencing where it is not possible to conduct site visits.
- Consistent with the Office of the High Commissioner for Human Rights Recommended Principles and Guidelines on Human Rights and Human Trafficking, abide by their international obligations to identify victims of trafficking, including their own nationals, working with AANES.
- Establish the status of any nationals in detention, including the legal framework under which they are being held, and the grounds of detention.

#### AANES should:

- Grant unfettered access to humanitarian organisations, the deployment of mobile teams and referral of residents to services located outside the Al Hol Annex or Roj and outside the camps, in particular medical services;
- Affirm the civilian character of the camps in areas it controls and minimise the presence of military actors

inside the camps

- Refrain from imposing measures and bureaucratic procedures which may be interpreted as limiting or delaying the provision of life-saving assistance or restricting access to certain populations within the Al Hol Annex or Roj.
- Enhance communication with residents in all camps, regarding the whereabouts and well-being of their detained family members, including children.
- Clarify with all governments with nationals in the camps that their position is that children can be repatriated with their mothers or caregivers.

#### Donors should:

- Ensure that their counter terrorism security policies and laws do not undermine the delivery of life-saving humanitarian assistance based solely on needs, provided on the basis of the principle of humanity, and with no distinction based on status, ethnic or religious background, and actual or imputed political affiliation.
- Scale up funding for the response in camps, with a particular emphasis on emergency WASH; education;; in improving shelter conditions to reduce the risk of fires; specialised protection and psychosocial support services for especially vulnerable and at-risk groups, including girls and boys under the age of 18, including unaccompanied and separated children; pregnant women; persons with psychological distress; older people; people living with disabilities; and survivors of gender-based violence.

### 4. Release arbitrarily detained children and reunite them with their families

- Members of the Global Coalition to Defeat ISIS and the AANES should immediately establish the identity of detainees at facilities, including their names,

nationalities and ages, the reason for and duration of their detention, as well as details of charges to be brought against any of them;

- Release the children from detention and assist them to reunite with their families where possible, and commit to only detain children in exceptional circumstances, for justifiable reasons, and for short periods; and urgently repatriate third country national children and their families.
- Make urgent efforts to re-establish contact between detained children and their family members, many of whom are in Al Hol and Roj camps;
- Ensure the children are protected from violence, exploitation and abuse, and have access to civil documentation. Staff in these facilities should have

## **5. Commit to non-discrimination and equal justice**

- Civilians must be considered and treated as precisely that, civilians. Armed forces should not presume that persons are affiliated with ISIS based simply on gender, age, religious sect, tribal name or because they remained in an ISIS-held location.
- Any reorganisation of the camps should ensure that all residents have equitable access to full range of services and assistance available in the camp.



A girl holding a football while playing outside with her friends in Roj on 20 December 2020. Photo credit: Save the Children

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17. 'We do not accept those children': Yazidis forbid ISIL offspring, Al Jazeera, 24 March 2021 <https://www.aljazeera.com/features/2021/3/24/wrenching-choice-yazidi-mothers-to-choose-children-or-community> After Isis, Yazidi women forced to leave their children behind, The Guardian, 16 October 2020 <https://www.theguardian.com/world/2020/oct/16/after-isis-yazidi-women-forced-to-leave-their-children-behind>
18. See examples: Syrian Observatory for Human Rights. "ISIS widows in deadly clash with guards at Syrian Al Hol camp." October 1, 2019. <https://www.syriahr.com/en/142410/> and ANF News. "ISIS women impose Sharia in the Hol camp." 18 December, 2019. <https://anfenglish.com/rojawa-syria/sharia-in-the-hol-camp-40178>

19. This includes natural deaths due to illness, accidental deaths and violent deaths. Data accurate as of 29 August 2021

20. 13 The communication was produced by 13 Special Rapporteurs and Working Groups and sent to all states with nationals in the camps, the Government of Syria and UNHCR. The experts raised concerns related to the human rights implications of biometric data usage, including collection, retention, processing and sharing with regards to individuals' right to privacy- a "gateway right to the protection of a range of fundamental rights", the right to non-discrimination and in relation to individuals' risk of refoulement in the future. They had particular concerns that the biometric exercise was not in-line with the protections in the Convention of the Rights of the Child, including the principle to act in the best interest of the child. When children's data is collected and stored by a non-state entity for third state security interests, it should be based on a threat assessment and comply with the Convention on the Rights of the Child, subject to independent oversight, and if there are no other less intrusive means available. It should further be accompanied by safeguards, including strict security and proportionality principles. In this case, they had serious concerns that respect for these was entirely lacking, stating "it seems entirely unclear based on the information available to us, how collection of data on your Excellency's minor nationals can meet any best interest test in these circumstances". The experts also stressed that because of the "unique transborder aspects of data collection, use, storage and transfer", particular obligations lay with "the country of nationality to seek to prevent data collection, storage, use or transfer in ways that would be inconsistent with international human rights law"; see example AL FIN 1/2021, 26 January 2021; <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=25823>

21. At least 12 children died of burns in 2020

22. إصابة امرأتين وطفلين في حريق بمخيم "زوج" جنوب ديريك، <https://npasyria.com/16848/>; حريق يؤدي بحياة أطفال بأحد مخيمات الحسكة، <https://baladi-news.com/ar/articles/64677/%D8%AD%D8%B1%D9%8A%D9%82-%D9%8A%D9%88%D8%AF%D9%8A-%D8%A8%D8%AD%D9%8A%D8%A7%D8%A9-%D8%A3%D8%B7%D9%81%D8%A7%D9%84-%D8%A8%D8%A3%D8%AD%D8%AF-%D9%85%D8%AE%D9%8A%D9%85%D8%A7%D8%AA-%D8%A7%D9%84%D8%AD%D8%B3%D9%83%D8%A9>

23. The UN Secretary General's report Children and Armed Conflict in the Syrian Arab Republic states that "By June 2020, around 65,400 persons, 94 per cent of whom were women and children, were also being held in the Hawl and Rawj camps in the north-eastern region of the Syrian Arab Republic. Most had been detained since the military operations against ISIL by SDF and the international counter-ISIL coalition culminating in their taking of the last ISIL stronghold in Baghuz, Dayr al-Zawr, in March 2019" (emphasis added), paragraph 16 [https://www.un.org/ga/search/view\\_doc.asp?symbol=S/2021/398&Lang=E&Area=UNDOC](https://www.un.org/ga/search/view_doc.asp?symbol=S/2021/398&Lang=E&Area=UNDOC); Rights and Security International, Europe's Guantanamo: The indefinite detention of European women and children in North East Syria, 17 February 2021; [https://www.rightsandsecurity.org/assets/downloads/Europes-guantanamo-THE\\_REPORT.pdf](https://www.rightsandsecurity.org/assets/downloads/Europes-guantanamo-THE_REPORT.pdf)

24. REACH, Camp Profile - Al Hol, Al-Hasakeh governorate, Syria, October 2020, [https://www.impact-repository.org/document/reach/b6877851/Al-Hol\\_camp-profile\\_October-2020\\_FINAL.pdf](https://www.impact-repository.org/document/reach/b6877851/Al-Hol_camp-profile_October-2020_FINAL.pdf)

25. Female Caregiver, Al Hol Phase 1 Focus Group Discussion, May 2021

26. Interview with Save the Children staff, November 2020

27. REACH, Camp Profile: Roj, Al-Hasakeh governorate, Syria, October 2020; <https://reliefweb.int/report/syrian-arab-republic/camp-profile-roj-al-hasakeh-governorate-syria-october-2020>

28. REACH, Camp Profile - Al Hol, Al-Hasakeh governorate, Syria, October 2020; [https://www.impact-repository.org/document/reach/b6877851/Al-Hol\\_camp-profile\\_October-2020\\_FINAL.pdf](https://www.impact-repository.org/document/reach/b6877851/Al-Hol_camp-profile_October-2020_FINAL.pdf) School attendance is higher in Roj camp, where only 12% of parents report that their children are not receiving any education. In both camps, attendance drops off for older children, particularly girls.

29. Save the Children; Dreaming of a "Normal" Life- The Aspirations of Al Hol's Children, August 2021

30. UNICEF, Children living in protracted conflicts are three times more likely to die from water-related diseases than from violence – UNICEF, 21 March 2019; <https://www.unicef.org/press-releases/children-living-protracted-conflicts-are-three-times-more-likely-die-water-related>

31. OCHA, Syria:Alouk Water Station Flash Update: Disruption to Alouk Water Station,1 July 2021; [https://reliefweb.int/sites/reliefweb.int/files/resources/OCHA%20Syria\\_%20Alouk%20Flash%20Update\\_FINAL.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/OCHA%20Syria_%20Alouk%20Flash%20Update_FINAL.pdf)
32. OCHA, SYRIA: FLASH UPDATE #01; Disruption to Alouk Water Station As of 28 April 2021; <https://reliefweb.int/report/syrian-arab-republic/syria-disruption-alouk-water-station-flash-update-01-28-april-2021>
33. Syria HCT, Impact of reduced water flow in Euphrates, unpublished paper.
34. Disputes between Turkey and Syria over the management of water flow of the Euphrates are long standing with declining flows into Syria, in part due to the construction of the Ataturk dam in Turkey, and declining rainfall in the river basin which is being exacerbated by climate change.
35. MSF,“In Al-Hol camp, almost no healthcare is available and the consequences are devastating”, 27 August 2020; <https://reliefweb.int/report/syrian-arab-republic/al-hol-camp-almost-no-healthcare-available-and-consequences-are>
36. Save the Children, Child Death Rate Triples in Al Hol As Medical Access Deteriorates, 13 August 2020; <https://www.savethechildren.net/news/syria-child-death-rate-triples-al-hol-camp-medical-access-deteriorates>
37. There have been no reported deaths in Roj camp
38. Anecdotal evidence indicates that low levels of vaccine uptake in the camps may also be related to hesitation and fears about the vaccine and its safety.
39. <https://reliefweb.int/report/syrian-arab-republic/remarks-fabrizio-carboni-icrc-near-and-middle-east-regional-director>
40. REACH, Camp Profile: Roj, Al-Hasakeh governorate, Syria, October 2020; <https://reliefweb.int/report/syrian-arab-republic/camp-profile-roj-al-hasakeh-governorate-syria-october-2020>
41. Female Caregiver Interview, Al Hol Annex 3, May 31, 2021.
42. Save the Children assessment, July 2020
43. Save the Children assessment, July 2020
44. Human Rights Watch, Thousands of Foreigners Unlawfully Held in NE Syria, 23 March 2021 <https://www.hrw.org/news/2021/03/23/thousands-foreigners-unlawfully-held-ne-syria>
45. United Nations, Position of the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism on the human rights of adolescents/juveniles being detained in North-East Syria, May 2021; [https://www.ohchr.org/Documents/Issues/Terrorism/SR/UNSRCT\\_Position\\_human-rights-of-boys-adolescents-2021\\_final.pdf](https://www.ohchr.org/Documents/Issues/Terrorism/SR/UNSRCT_Position_human-rights-of-boys-adolescents-2021_final.pdf)
46. Ibid.
47. AANES confirms Red Cross report on ISIS children detained in northeast Syria, North Press, North Press Agency, 2 July 2021; <https://npasyria.com/en/61730/>
48. Repatriation operations can include more than one child
49. UNICEF Media Monitoring Snapshot: Foreign Children in North East Syria, July 2021 details 12 repatriations. Two further repatriation took place in July and August of two American children (private source; the US government has not officially commented on the repatriation); and two Palestinian children, who were handed over to their grandfather and representatives of the Palestinian Authority in August 2021; <https://www.rudaw.net/english/middleeast/syria/11082021>
50. UNICEF Media Monitoring Snapshot: Foreign Children in North East Syria, July 2021
51. The numbers in this table are based on information available to Save the Children through a variety of sources, including correspondence with states and media monitoring. The countries listed are not an exhaustive list of countries with nationals in the camps or who have repatriated nationals. There are significant gaps in the information available on the number of TCNs in the camps, notably because some governments do not publicly disclose numbers. As such, this table should be read as indicative rather than exhaustive.
52. This figure includes children and adult repatriations and returns

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54. The Guardian, Children of Isis terrorist Khaled Sharrouf removed from Syria, set to return to Australia, 23 June 2019; <https://www.theguardian.com/australia-news/2019/jun/24/children-isis-terrorist-kaled-sharrouf-return-australia-removed-syria>

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60. Terrorismo, presa in Siria Alice Brignolia, la leccese «mamma dell'Isis». Rimpatriati I quattro bambini, [https://milano.corriere.it/notizie/cronaca/20\\_settembre\\_29/terrorismo-presa-siria-alice-brignoli-mamma-dell-isis-rimpatriati-tre-bambini-3b8ae2a8-021f-11eb-a582-](https://milano.corriere.it/notizie/cronaca/20_settembre_29/terrorismo-presa-siria-alice-brignoli-mamma-dell-isis-rimpatriati-tre-bambini-3b8ae2a8-021f-11eb-a582-994e7abe3a15.shtml)

[994e7abe3a15.shtml](https://milano.corriere.it/notizie/cronaca/20_settembre_29/terrorismo-presa-siria-alice-brignoli-mamma-dell-isis-rimpatriati-tre-bambini-3b8ae2a8-021f-11eb-a582-994e7abe3a15.shtml)

61. Figures provided by the Swedish Ministry of Foreign Affairs, with the addition of the expulsion of six children and three women to Sweden on 6 September 2021.

For the purposes of this document, these expulsions are counted under the total number of repatriations. SVT, IS-kvinnorna har landat i Sverige med sina barn, 6 September 2021; <https://www.svt.se/nyheter/inrikes/is-kvinnorna-har-landat-i-sverige>

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66. Save the Children, Dreaming of a "Normal" Life: The Aspirations of Al Hol's Children, August 2021

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68. Save the Children, Dreaming of a "Normal" Life: The Aspirations of Al Hol's Children, August 2021

69. While this should include children where they are old enough to understand, this is not the case for most children in the camps.

70. United Nations, Mandates of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; the Working Group on Arbitrary Detention; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the right to food; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on the human rights of migrants; the Special Rapporteur on minority issues; the Special Rapporteur on the right to privacy; the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Special Rapporteur on trafficking in persons, especially women and children; the Special Rapporteur on violence against women, its causes and consequences; the Special Rapporteur on the human rights to safe drinking water and sanitation; and the Working Group on discrimination against women and girls; 26 January 2021. The experts added that “Such return is a comprehensive response that amounts to a positive implementation of Security Council resolutions 2178 (2014) and 2396 (2017) and is considerate of a State’s long-term security interests”; <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=25888>

71. Extra-territorial jurisdiction of States over children and their guardians in camps, prisons, or elsewhere in the northern Syrian Arab Republic: Legal Analysis, 2020; <https://www.ohchr.org/Documents/Issues/Executions/UNSRsPublicJurisdictionAnalysis2020.pdf>

72. UN Security Council Resolution 2396 (2017), S/RES/2396/2017, 21 December 2017; [https://undocs.org/S/RES/2396\(2017\)](https://undocs.org/S/RES/2396(2017))

73. Response by the Government of Sweden to joint communication from special procedures, March 2021 <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=36098>

74. Response by the Government of the Kingdom of Denmark to joint communication from special procedures, March 2021; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=36108>

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76. United Nations Special Rapporteur on promotion and protection of human rights while countering terrorism and the Special Rapporteur on extrajudicial, summary or arbitrary execution, Extra-territorial jurisdiction of States over children and their guardians in camps, prisons, or elsewhere in the northern Syrian Arab Republic: Legal Analysis, 2020; <https://www.ohchr.org/Documents/Issues/Executions/UNSRsPublicJurisdictionAnalysis2020.pdf>

77. Syria: UN experts urge 57 States to repatriate women and children from squalid camps, 8 February 2021; <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26730&LangID=E>

78. Thirteenth report of the Secretary-General on the threat posed by ISIL (Da’esh) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat, UN Security Council, S/2021/682, 27 July 2021; [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2021\\_682\\_e.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2021_682_e.pdf)

79. Committee on the Rights of the Child: Decision adopted by the Committee under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, concerning communications No. 79/2019 and No. 109/2019\*, 2 November 2021 [https://www.ejiltalk.org/wp-content/uploads/2020/12/CRC\\_C\\_85\\_D\\_79\\_2019\\_E-1.pdf](https://www.ejiltalk.org/wp-content/uploads/2020/12/CRC_C_85_D_79_2019_E-1.pdf) The Committee sought the advice of three experts from the Consortium on Extraterritorial Obligations and a group of 31 academics on the extraterritorial application of human rights law in arriving at their decision.

80. Council of Europe Commissioner for Human Rights, Third party intervention by the Council of Europe Commissioner for Human Rights before the European Court of Human Rights under Article 36, paragraph 3 of the European Convention on Human Rights, Applications Nos 24384/19 and 4423/20 H.F. and M.F. v. France and J.D. and A.D v. France, 25 June 2021; <https://rm.coe.int/third-party-intervention-by-the-council-of-europe-commissioner-for-hum/1680a31834>

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82. This has been challenged by Save the Children Australia in a series of submissions to the Australian Parliamentary Joint Committee on Intelligence and Security. They put forward an 'innocent child amendment' to prevent the statelessness of children; [https://www.savethechildren.org.au/getmedia/dc9d4aac-4b04-4c50-a959-cb1228f5cafd/save-the-children-supplementary-submission-citizenship-cessation-bill-\(february-2020\)\\_1264467055.aspx](https://www.savethechildren.org.au/getmedia/dc9d4aac-4b04-4c50-a959-cb1228f5cafd/save-the-children-supplementary-submission-citizenship-cessation-bill-(february-2020)_1264467055.aspx); [https://www.savethechildren.org.au/getmedia/04e0efa1-88a0-4da5-b43a-e7ef62f1122c/20191028-review-of-the-australian-citizenship-amendment-\(1\).pdf.aspx](https://www.savethechildren.org.au/getmedia/04e0efa1-88a0-4da5-b43a-e7ef62f1122c/20191028-review-of-the-australian-citizenship-amendment-(1).pdf.aspx)

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84. Under the 1954 Convention Relating to the Status of Stateless Persons, Article 1 a "stateless person" means a person who is not considered as a national by any State under the operation of its law' <https://www.unhcr.org/protection/statelessness/3bbb25729/convention-relating-status-stateless-persons.html> Article 8 of the 1961 Convention on the Reduction of Statelessness prohibits the depriving individuals of nationality if it should render them stateless, with certain limited exceptions, and also states that "A Contracting State may not deprive any person or group of persons of their nationality on racial, ethnic, religious or political grounds." (Article 9) <https://www.unhcr.org/protection/statelessness/3bbb286d8/convention-reduction-statelessness.html> In addition, Article 7 of the UNCRC places an obligation on State Parties to ensure the implementation of the right of children to acquire a nationality, "in particular where the child would otherwise be stateless."

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Canadian Girl Rescued from Syria, 15 March 2021; <https://www.hrw.org/news/2021/03/15/bittersweet-homecoming-canadian-girl-rescued-syria>

87. Sara Goydarzi, "Separating Families May Cause Lifelong Health Damage, Scientific American. June 2018, <https://www.scientificamerican.com/article/separating-families-maycause-lifelong-health-damage/>

88. Statement by Mr. Vladimir Voronkov Under-Secretary-General United Nations Office of Counter-Terrorism (UNOCT) and Executive Director, United Nations Counter-Terrorism Centre (UNCCT) UNITED NATIONS SECURITY COUNCIL OPEN ARRIA FORMULA MEETING CHILDREN AND ARMED CONFLICT. REPATRIATION OF CHILDREN FROM CONFLICT ZONES: FROM CAMPS TO HOMES. CALL FOR ACTION, 29 January 2021; [https://www.un.org/counterterrorism/sites/www.un.org.counterterrorism/files/210129\\_usg\\_speech\\_scopenarriarevent.pdf](https://www.un.org/counterterrorism/sites/www.un.org.counterterrorism/files/210129_usg_speech_scopenarriarevent.pdf)

89. Statement by Mr. Vladimir Voronkov, Under-Secretary-General of the United Nations Office of Counter-Terrorism Thirteenth "Report of the Secretary-General on the threat posed by ISIL (Da'esh) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat" ,19 August 2021; [https://www.un.org/counterterrorism/sites/www.un.org.counterterrorism/files/20210819\\_usg\\_voronkov\\_sc\\_briefing\\_13th\\_daesh\\_report\\_final\\_as\\_delivered.pdf](https://www.un.org/counterterrorism/sites/www.un.org.counterterrorism/files/20210819_usg_voronkov_sc_briefing_13th_daesh_report_final_as_delivered.pdf)

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92. International Crisis Group, Women and Children First.: Repatriating the Westerners Affiliated with ISIS, 18 November 2018, page 17; <https://d2071andvip0wj.cloudfront.net/208-women-and-children-first.pdf>

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94. International Humanitarian Law Customary Rule 103 prohibits collective punishments, which are considered a war crime. The ICRC commentary on the rule says it is applicable in “both international and non-international armed conflicts. This prohibition is an application, in part, of Rule 102 that no one may be convicted of an offence except on the basis of individual criminal responsibility. However, the prohibition of collective punishments is wider in scope because it does not only apply to criminal sanctions but also to ‘sanctions and harassment of any sort, administrative, by police action or otherwise’” [https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1\\_rul\\_rule103#Fn\\_91C058A0\\_00001](https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule103#Fn_91C058A0_00001)

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[representatives-of-several-european-countries-and-the-us-department-of-the-state/](https://kar-derve.com/en/2021/06/08/a-meeting-between-representatives-of-several-european-countries-and-the-us-department-of-the-state/)

101. Government of Finland, Joint communication by the Special Procedures’ mandate holders on the registration and verification exercise in al-Hol and Roj camps Response by the Government of Finland 26 March 2021; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=36095>

102. Communication from the Government of Australia to the Chief of the Special Procedures Branch, Office of the High Commissioner for Human Rights, 23 August 2021; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=36517>

103. Délégué général aux droits de l’enfant (DGDE) et le Centre d’Aide and Prise en charge de toute personne concernée par les Radicalismes et les Extrémismes violents (CAPREV), Prise en Charge des Enfants de Retour de Syrie en Federation Wallonie-Bruxelles; [https://extremismes-violents.cfwb.be/fileadmin/sites/RAR/uploads/Documents\\_Reseau/PEC\\_Retour\\_des\\_enfants\\_de\\_Syrie\\_DGDE\\_CAPREV\\_.pdf](https://extremismes-violents.cfwb.be/fileadmin/sites/RAR/uploads/Documents_Reseau/PEC_Retour_des_enfants_de_Syrie_DGDE_CAPREV_.pdf)

104. Interview with Forian Endres, from the Federal Office for Migration and Refugees (BAMF)

105. Response by the Government of Finland to the joint communication by the Special Procedures’ mandate holders on the registration and verification exercise in al-Hol and Roj camps, March 2021 <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=36095>

106. Female Caregiver Interview, Al Hol Annex, 31 May 2021.

107. Female Caregiver FGD, Al Hol Annex, 30 May 2021.

108. Female Caregiver Interview, Al Hol Phase 7, 26 May 2021.

109. Female Caregiver Interview, Al Hol Annex, 1 June 2021.

110. Children’s FGD, Al Hol Phase 7, 20 May 2021

111. Children’s FGD, Al Hol Phase 5, 17 May 2021

112. Children’s FGD, Al Hol Phase 7, 20 May 2021