



C R T G

# Children Affected by the Foreign Fighter Phenomenon: Guidelines on Managing the Humanitarian and Security Dimensions in Northeast Syria

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/ Cecilia Polizzi

## ABOUT CRTG WORKING GROUP

The CRTG Working Group is the world's first organization dedicated to addressing the involvement of children with terrorism and violent extremism. We help understand the nature of child involvement with terrorist and violent extremist actors, support prevention and mitigation efforts.

The CRTG Working Group recognizes that child exploitation in terrorism is an evolutionary outcome of terrorist tactics and strategy and one of the core elements enabling the long-term survival of terrorist organizations, spreading violent ideology, and fueling conflict. We acknowledge that addressing the complex and evolving nature of the terrorist threat, requires our own adaptation and therefore, we are intentionally forward-looking in our understanding of children's role - as a factor that can exacerbate existing challenges, but also one that can, when effective intervention measures are implemented and sustained, provide new solutions to current threats that we confront and help prevent new ones from materializing.

Through a multi-tiered approach, the CRTG Working Group provides unique insights and cross-cutting analysis into this area, helps shape policies that accommodate both child protection and security concerns through direct, personal advocacy, and works to address context-specific needs, facilitating meaningful and sustainable solutions.

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# C R T G

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# Executive Summary

The 2023 Children Affected by the Foreign Fighter Phenomenon (CAFF) Series aims to provide insight and advice for states, professionals, practitioners, and other relevant stakeholders. The CAFF expounds the trajectory of child involvement with the Islamic State of Iraq and Syria (ISIS) in relation to the foreign fighter phenomenon and the life cycle of the present scenario, offering solutions across sectors and disciplines and tackling the full range of issues it exerts. It encompasses key themes such as online safety, the crisis in refugee and internally displaced persons (IDP) camps in northeast Syria, repatriation, reintegration, and rehabilitation, and offers four sets of guidelines.

This line of effort by the CRTG Working Group proposes comprehensive, integrated, and multi-faceted approaches to progress towards sustainable and meaningful solutions to the prolonged child protection and security crisis stemming from the issue of foreign fighters. Central to CAFF is ensuring that human rights, the rule of law, and children's rights remain at the forefront throughout the development and implementation of interventions and programs.

These syntheses of accumulated experience and expertise on selected themes provide comprehensive, detailed, and nuanced overviews of their subject matter. The first technical session addressing the online ecosystem of terrorism and violent extremism, culminated in the Guidelines on the Prevention of Radicalization on Social Media and the Internet in this Digital Era.<sup>1</sup> The present Guidelines reflect the progression of this line of thematic work undertaken by the CRTG Working Group focusing on the detained, refugee, and displaced child population currently residing in two internally displaced persons (IDPs) and refugee camps in northeastern Syria: al-Hol and Roj. It is the result of CRTG Working Group specialized knowledge and draws from a CRTG Working Group-led technical session with Dr. Elie Abouaoun, Country Director Libya at the International Rescue Committee, and Mr. Zuhrab Saadi, Director of DAN for Relief and Development, a nongovernmental organization delivering humanitarian assistance across multiple sectors in northeast Syria. The CRTG Working Group's technical session sought to expose the complexities of the humanitarian and security dimensions in the internally displaced persons (IDPs) and refugees al-Hol and Roj camps in northeast Syria. It addressed the potential impact of ISIS child recruitment and radicalization efforts, children's vulnerabilities and protection needs, and highlighted critical challenges hampering the return of children to their home communities and countries of origin.

This report should be of interest to governments, United Nations partners, the Autonomous Administration of North and East Syria (AANES), and Syrian Democratic Forces (SDF), along with the nongovernmental organizations (NGOs)

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<sup>1</sup> Cecilia Polizzi, Children Affected by the Foreign Fighter Phenomenon: Guidelines on the Prevention of Radicalization on Social Media and the Internet in this Digital Era, CRTG Working Group, 2023.

who are focused on providing support to children in al-Hol and Roj. The recommendations that follow include both potential avenues to improve humanitarian and security conditions for children, address legal and judicial challenges, mitigate child exploitation and radicalization risks, as well as steps to support successful repatriation of displaced populations and long-term security in the region.

## Background

Syria's twelve-year-long civil war has caused a displacement crisis across the country, with Kurdish-controlled northeastern Syria facing a distinctive set of challenges. Multiple waves of displacement have brought a variety of diverse populations and demographics to the camps for internally displaced persons (IDPs) and refugees in northeastern Syria, including Syrians, Iraqis, and foreign nationals. Displaced Syrian civilians represent approximately a third of those residing in the camps, a consequence of both the Syrian Civil War and the campaign to territorially defeat the Islamic State of Iraq and Syria (ISIS). More than half of camp residents in the region are Iraqi civilians, including those persecuted by the group as well as affiliate families. These displacements have overwhelmed IDP and refugee camps in the region, especially Ain Issa, al-Hol, and Roj. In the latter half of 2020 alone, an estimated 700,000 individuals remained displaced by the conflict across the Kurdish-controlled areas of Syria.<sup>2</sup>

Beyond the customary humanitarian and security responsibilities related to sheltering and safeguarding displaced populations, northeastern Syria presents additional complexities. Following the defeat of ISIS in Baghouz, al-Hol saw an influx of 64,000 women and children of Syrian, Iraqi and third-country nationality with actual or perceived ties to the group who began to live alongside civilians who fled ISIS rule as well as victims of its atrocities in Syria and Iraq.<sup>3</sup> The end of the territorial caliphate did not only increase sixfold the population of al-Hol, the largest camp in northeast Syria, but also coincided with a change in its function and nature, from a refugee and IDPs settlement to an open-air detention facility, with security and living conditions becoming increasingly unsustainable over the years. Both al-Hol and Roj host substantial foreign populations, including Westerners. Many of the camps' residents lived under ISIS control for years, and some continue to promulgate the group's ideology and seek to replicate the caliphate rule within the camps.<sup>4</sup>

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<sup>2</sup> Sudkamp, Karen M., Nathan Vest, Erik E. Mueller, and Todd C. Helmus. "In the Wreckage of ISIS: An Examination of Challenges Confronting Detained and Displaced Populations in Northeastern Syria." RAND Corporation, 2023. Accessed December 12, 2023. [https://www.rand.org/content/dam/rand/pubs/research\\_reports/RRA400/RRA471-1/RAND\\_RRA471-1.pdf](https://www.rand.org/content/dam/rand/pubs/research_reports/RRA400/RRA471-1/RAND_RRA471-1.pdf).

<sup>3</sup> Cecilia Polizzi, "Al Hawl Shame: Another Layer of Dante's Inferno for Children," Medium, July 2023.

<sup>4</sup> ISIS Resurgence in Al Hawl Camp and Human Smuggling Enterprises in Syria: Crime and Terror Convergence? Christian Vianna de Azevedo, *Perspectives on Terrorism*, Vol. 14, No. 4 (August 2020), pp. 43-63 (21 pages) <https://www.jstor.org/stable/26927663>.

As per the official estimates released by the United Nations Children’s Fund (UNICEF) in June 2023, the recorded population within Al-Hol consists of 48,864 individuals, with 64% of the total constituted by children. In the case of Roj, the population count stands at 2,500, with children comprising 65%. Out of the total 32,476 identified children, 11,415 hold Syrian nationality, 14,522 are of Iraqi origin, and 6,539 represent a spectrum of 60 diverse nationalities.<sup>5</sup> The majority of children do not exceed the age of twelve years.

Humanitarian conditions at al-Hol and Roj are particularly dire. Children contend with inadequate infrastructure, overcrowding, strained sanitation systems, deficiencies in clean water and food supply, and a risk of disease outbreaks. These critical issues represent only a fraction of the gaps in humanitarian assistance that affect all sectors.<sup>6</sup> The sites are marked by an alarming prevalence of mortality, criminal activities, and instances of violence, including sexual and gender-based violence. Since the population surge in March 2019, over 450 children have died in al-Hol,<sup>7</sup> averaging five deaths per week between 2019 and 2020 alone.<sup>8</sup>

The al-Hol and Roj camps present monumental humanitarian challenges and a significant security concern, with children suffering exceedingly severe living conditions, exposure to violence, vulnerability to exploitation, as well as radicalization risks.<sup>9</sup>

Children have been traditionally central to ISIS’ military strategy and its aims for self-perpetuation. At the height of ISIS control in Syria and Iraq, children were forced to attend ISIS-administered schools and subjected to indoctrination through its imposed Salafi-Jihadi curriculum, encompassing ideological precepts and military training.<sup>10</sup> The tens of thousands of interned children in northeast Syria’s camps remain exposed to the same degree of forceful indoctrination and IS-inspired violence. Pro-ISIS elements endeavor to recruit, radicalize, and exploit children interned in the camps. Children are prevented from having access to education services and are instead imparted ideological teachings and weapons training, instigated to commit violent acts and crimes to avenge the deaths of their ISIS-militant fathers, and adolescent boys are forced into marriages or sexually exploited to further the expansionist goals of ISIS.

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<sup>5</sup> UNICEF, Whole of Syria Humanitarian Situation Report, January – June 2023. <https://reliefweb.int/report/syrian-arab-republic/unicef-whole-syria-humanitarian-situation-report-january-june-2023>.

<sup>6</sup> Ibid at 3.

<sup>7</sup> World Health Organization, *Al Hol Camp Mortality Report 2021, Syrian Arab Republic*, accessed June 2, 2022, [https://www.emro.who.int/images/stories/syria/Al-Hol-Camp-Mortality-Annual-Report-2021\\_Syria\\_02.06.22.pdf?ua=1](https://www.emro.who.int/images/stories/syria/Al-Hol-Camp-Mortality-Annual-Report-2021_Syria_02.06.22.pdf?ua=1).

<sup>8</sup> In September 2021, Save the Children reported that approximately two children had died every week in al Hol between January and September 2021. In May 2021, the French newspaper *Libération* reported that 371 minors had died in al Hol camp in 2019 and 157 in 2020, an average of five deaths per week across the two years. Save the Children. "Children Abandoned by Their Governments Are 'Wasting Away' in Syrian Camps." *Syria*, September 23, 2021. <https://www.savethechildren.net/news/children-abandoned-their-governments-are-%E2%80%99wasting-away%E2%80%99-syrian-camps-%E2%80%93-save-children>; Rights and Security International. "Abandoned to Torture: Dehumanizing Rights Violations Against Children and Women in Northeast Syria." *Rights and Security International*. [https://www.rightsandsecurity.org/assets/downloads/Abandoned\\_to\\_Torture\\_-\\_Final\\_Report.pdf](https://www.rightsandsecurity.org/assets/downloads/Abandoned_to_Torture_-_Final_Report.pdf).

<sup>9</sup> Lawrence Kuznar, Ali Jafri, Eric Kuznar., *Dealing with Radicalization in IDP Camps, NSI Reachback Report*, February 2020. Available at [https://nsiteam.com/social/wp-content/uploads/2020/02/NSI-Reachback\\_B5\\_Dealing-with-Radicalization-in-IDP-Camps\\_Feb2020\\_Final.pdf](https://nsiteam.com/social/wp-content/uploads/2020/02/NSI-Reachback_B5_Dealing-with-Radicalization-in-IDP-Camps_Feb2020_Final.pdf).

<sup>10</sup> Ibid at 3.

The repatriation of children is widely regarded as the sole viable option to ensure their well-being, neutralize further security threats, and minimize their exposure to secondary victimization and human rights violations. However, multiple barriers hinder children's return to their country of origin.

Numerous governments that have declined repatriation of their citizens, in whole or in part, have provided legal and political justifications, alongside national security considerations, to substantiate their decisions.<sup>11</sup> Children residing in al-Hol and Roj shall be considered and treated primarily as victims of crime under international law<sup>12</sup> and lack accountability and legal responsibility for violations of the rule of law that may have been perpetrated by their parents and caregivers.<sup>13</sup> However, concerns about parental involvement in terrorism and terrorism-related activities,<sup>14</sup> coupled with insufficient development of anti-terrorism legal frameworks and challenges related to evidence collection and admissibility, have rendered children accompanied by their mothers ineligible for repatriation.<sup>15</sup> Strong uncertainties regarding repatriation also emerge from the recognition that some child returnees may bear dual, both victim and perpetrator status, of criminal offenses or other serious violations of the rule of law as a consequence of their association with ISIS and other insurgent groups. Perspectives framing children as a serious security threat, irrespective of the circumstances and experiences that led to their stay in al-Hol and Roj,<sup>16</sup> not only inform political decision-making concerning repatriation but also effectively challenge their capacity to afford the system of protection prescribed by the rule of law with the corresponding legal architecture.<sup>17</sup> While states continue to experience a strong set of unprecedented challenges concerning legal, ethical, and practical questions with respect to their obligations and capabilities of handling the child returnee contingent, the current policy inaction presents an unsustainable solution to the chronic protection and security crisis in northeastern Syria and calls for urgent, appropriate, and coordinated responses.

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<sup>11</sup> Several governments cite limitations within their anti-terrorism laws, hindering the prosecution of numerous women who traveled to Syria due to insufficient evidence linking them directly to formal ISIS membership or terrorist acts. Additionally, existing laws often impose short sentences, leading to potential reintegration of these individuals into society, raising concerns of renewed extremist support or homegrown attacks. To avoid potential political repercussions, some governments delay repatriation decisions, leaving their nationals in Syria under SDF and Asayesh supervision.

<sup>12</sup> Ibid.; See also Polizzi, Cecilia. "The Legal Status of Children in Terrorism: Philippine Processes and Practices." CRTG Working Group, December 12, 2022. [https://www.crtgroup.org/\\_files/ugd/4fccfe\\_8f4f92bb7b574c9f84a143c6ec677969.pdf](https://www.crtgroup.org/_files/ugd/4fccfe_8f4f92bb7b574c9f84a143c6ec677969.pdf). Polizzi, Cecilia. "Investigation and Prosecution of Children in a Counter-Terrorism Context." CRTG Working Group, July 11, 2022. [https://www.crtgroup.org/\\_files/ugd/4fccfe\\_2d7e4eeb1cb942aba35369a0a29a4716.pdf](https://www.crtgroup.org/_files/ugd/4fccfe_2d7e4eeb1cb942aba35369a0a29a4716.pdf).

<sup>13</sup> Interview with a think tank researcher, Washington, D.C., November 11, 2020; interview with an academic, phone, November 12, 2020; interview with NGO workers, phone, November 25, 2020; interview with a think tank researcher, phone, December 4, 2020; interview with an NGO worker, phone, January 4, 2021.

<sup>14</sup> Jastram, Kate, and Kathleen Newland. "Family Unity and Refugee Protection." *UNHCR, 9.1*. Edited by Erika Feller, Volker Türk, and Frances Nicholson. Published online by Cambridge University Press, August 28, 2009.

<sup>15</sup> Tanya Mehra, Matthew Wentworth, Abigail Thorley, "The European Court of Human Rights Sitting on the Fence? Its Ruling and Impact on the Repatriation of European Children from North-East Syria," ICCT, September 16, 2022, accessed [Date Accessed], <https://www.icct.nl/publication/european-court-human-rights-sitting-fence-its-ruling-and-impact-repatriation-european>; Frances Nicholson, *The Right to Family Life and Family Unity of Refugees and Others in Need of International Protection and the Family Definition Applied*, 2nd ed., Geneva, Switzerland: United Nations High Commissioner for Refugees, January 2018.

<sup>16</sup> Children residing in Northeast Syria's camps may be categorized into four groups: 1) children born abroad but brought into the ISIS regime by their parents; 2) children born into the ISIS regime with foreign-born parents; 3) children forced to join ISIS; and 4) children who willingly traveled (without parents) to the ISIS regime.

<sup>17</sup> "International Armed Conflict | How Does Law Protect in War? - Online Casebook." International Committee of the Red Cross. Accessed January 31, 2023. <https://casebook.icrc.org/glossary/international-armed-conflict>; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (API), 8 June 1977; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (APII), 8 June 1977, Convention on the Rights of the Child, (Nov. 20, 1989); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts, Art. 77 (2); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts Art. 4(3)(c).

# Recommendations

## 01. Dedicate Greater Financial Resources to Improve Children's Living Conditions

The northeastern Syrian camps' conditions are dire. The humanitarian challenges as well as associated risks have been since long strongly denounced by the international community.

The circumstances experienced by children, who constitute the primary demographic within the resident population of both al-Hol and Roj, have been defined as life-threatening, degrading, and inhumane.<sup>18</sup> Critical aspects such as medical assistance, sanitation, access to clean water, food, adequate shelter, and the provision of education and recreational facilities for children are significantly deficient.

External personnel previously provided sanitary services; however, due to the escalating security concerns within the camps, their presence and ability to work on-site have become untenable.<sup>19</sup> The current circumstances require to rapidly accommodate increased child protection needs. Humanitarian agencies have undertaken concerted action to increase access to handwashing, water, sanitation, food, medical care, hygiene, and other essential services. However, resources remain inadequate in light of the high demand.

Protection challenges are aggravated by the unique context in addition to limited or absent access to education, psychosocial support, health teams and secondary health care. Education, mental health services and psychosocial support are critical for improving children's conditions, distress, and trauma due to exposure to hostilities, ISIS occupation, and periods of detention conditions falling short of international standards. The provision of these services also improves children's resilience against violent extremism. Although parental—and peer—radicalization of children in al-Hol and Roj is a major security concern, influence and indoctrination are not unidirectional. Severe deficits in humanitarian assistance, combined with security factors, increase risks of ideological proliferation. The insufficiency in service provision might amplify the sway of violent extremist entities operating within and around the camps, breed discontent towards governing bodies, and bolster the credibility and influence of non-state actors.

At a minimum, the international community and major donors shall dedicate greater financial and physical resources to bridge existing service gaps and improve the quality of assistance available to children.

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<sup>18</sup> Becker, Jo, and Letta Tayler. "Revictimizing the Victims: Children Unlawfully Detained in Northeast Syria." *Global Justice Journal*, Human Rights Watch.; [https://www.rightsandsecurity.org/assets/downloads/Abandoned\\_to\\_Torture\\_-\\_Final\\_Report.pdf](https://www.rightsandsecurity.org/assets/downloads/Abandoned_to_Torture_-_Final_Report.pdf)

<sup>19</sup> Mehra, Tanya, Matthew Wentworth, and Abigail Thorley. "The European Court of Human Rights Sitting on the Fence?: Its Ruling and Impact on the Repatriation of European Children from North-East Syria." *ICCT THE HAGUE*. September 16, 2022..



## 02. Deliver Training and Capacity Building Exercises for Security Personnel to Ensure Adequate Responses and Enhance Children's Safety

According to the UN Resident Coordinator and Humanitarian Coordinator, the al-Hol camp in North-East Syria (NES) remains plagued by persistent violence, insecurity, and criminal activities, including attacks on women, children, and humanitarian personnel. Multiple claims have surfaced regarding the use of lethal force<sup>20</sup> against women and children in al-Hol, contributing to an atmosphere where residents perceive themselves to be at risk of violence and life-threatening situations. Specific incidents, such as allegations reported between 2019 and 2021, suggest that camp guards responded to children throwing stones and women and children protesting camp conditions by resorting to gunfire.<sup>21</sup> Other allegations of assault by camp authorities emerged from two women residing in the Roj camp, although these claims lacked corroboration.<sup>22</sup>

Recent reports have also highlighted a concerning rise in the mortality rate among both women and children residing in northeast Syria's camps, showing a 250% increase in deaths compared to the first quarter of 2022.<sup>23</sup> This escalation underscores the precarious conditions faced by these vulnerable groups, highlighting the need for enhanced safety protocols and heightened protective measures.<sup>24</sup> Relatedly, violence against girls has remained systemic, further evidencing the precarious realities of children held in these sites. Indeed, among young girls, instances of domestic and sexual violence, femicides, forced child marriage, the absence of access to education, and continued threats of attacks persistently characterize camp environments, specifically al-Hol.<sup>25</sup> The responsibility for the perpetration of several instances of sexual and gender-based violence has been attributed to camp guards.<sup>26</sup>

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<sup>20</sup> Rights and Security International (n 1) interviews nos. 03/2020, 05/2020, 08/2020, 09/2020, 10/2020 with women living in al Hol camp, December 2019-February 2020. RSI (n 1) interviews nos. 18/2020, 20/2020 with women living in Roj camp, December 2019-February 2020.

<sup>21</sup> RSI (n 1) interviews nos. 07/2020, 08/2020, 09/2020, 10/2020 with women living in al Hol camp, December 2019-February 2020.; RSI (n 1) interviews nos. 07/2020, 08/2020, 09/2020, 10/2020 with women living in al Hol camp, December 2019-February 2020.

<sup>22</sup> Rights and Security International. 2020. Abandoned to Torture: Dehumanising Rights Violations against Children and Women in Northeast Syria.

<sup>23</sup> Save the Children. "Northeast Syria: Rise in killings 'terrifying' children in Al Hol camp, says Save the Children." Save the Children. June 29, 2022. Accessed December 12, 2023. URL: <https://www.savethechildren.net/news/north-east-syria-rise-killings-terrifying-children-al-hol-camp-says-save-children>.

<sup>24</sup> Ibid.

<sup>25</sup> VOICES from Syria. "2023 Assessment of Findings of the Humanitarian Needs Overview, Whole of Syria Gender-Based Violence Area of Responsibility (GBV AoR)." UNFPA, 2023. Accessed January 1, 2023. <https://reliefweb.int/report/syrian-arab-republic/whole-syria-gender-based-violence-area-responsibility-voices-syria-2023-assessment-findings-humanitarian-needs-overview-enar>; Feghali, Jay. "Gender-Based Violence in Syria: Gender-Based Violence Rapid Needs Assessment." December 2019. Report. Norwegian Church Aid.

<sup>26</sup> Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator, Ms Joyce Msuya, "Briefing to the Security Council on the humanitarian situation in Syria," August 29, 2022, UN Office for the Coordination of Humanitarian Affairs, accessed December 12, 2023, [https://reliefweb.int/report/syrian-arab-republic/assistant-secretary-general-humanitarian-affairs-and-deputy-emergency-relief-coordinator-ms-joyce-msuya-briefing-security-council-humanitarian-situation-syria-29-august-2022#:~:text=This%20year%20alone%2C%20at%20least,increase%20in%20sexual%20exploitation%20cases](https://reliefweb.int/report/syrian-arab-republic/assistant-secretary-general-humanitarian-affairs-and-deputy-emergency-relief-coordinator-ms-joyce-msuya-briefing-security-council-humanitarian-situation-syria-29-august-2022#:~:text=This%20year%20alone%2C%20at%20least,increase%20in%20sexual%20exploitation%20cases;); UNOCHA (2022) United Nations Resident Coordinator and Humanitarian Coordinator in Syria, Imran Riza, statement on visit to north-east Syria.Damascus 17 August 2022. UNOCHA. Available at: <https://reliefweb.int/report/syrian-arab-republic/united-nationsresident-coordinator-and-humanitarian-coordinator-syria-imran-rizastatement-visit-north-east-syria-enar>; OHCHR (2022) Flash Report. 18 November 2022. OHCHR Syria Office Monitoring and Reporting Unit.

In light of the incidences of violence and child exploitation within the al-Hol and Roj camps, measures are needed to augment the capabilities of personnel tasked with providing security. Training may, in several ways, be functional for security. Practical training and instruction for camp authorities to act in accordance with international norms is a crucial way of encouraging responsible conduct, reducing violence, and better ensuring children's safety and well-being.

A tailored set of training curricula, centered on international humanitarian law and human rights principles, would offer security forces amplified knowledge and skills to effectively manage and defuse potentially volatile scenarios, placing an emphasis on human rights, child protection, conflict resolution, as well as preventing sexual and gender-based violence, to meet the effective delivery of security services. A collaborative learning environment that fosters dialogue between security personnel, humanitarian agencies, and the body of civil society committed to service delivery in al-Hol may also accompany training delivery. This approach promotes shared understanding and mutual learning, contributing to more effective responses. It is imperative to ensure sustained institutional support for these training programs to facilitate continuous improvement and adherence to best practices.

Capacity building and training exercises shall also be combined with accountability for those found responsible for violations. While individual accountability for violence is an important element of human rights principles, respect for human rights also means enhanced responsibility for preventing violence and forms of abuse and exploitation for individuals, including children, in confinement.

These measures may not only serve to mitigate the prevalence of violence, violations of the rule of law, human rights, and the rights of children, but also to instill a culture of empathy, respect, and accountability within security forces operating in complex environments. The proactive approach envisages the reshaping of security personnel's approaches and practices, aligning them with humanitarian values, and ensuring the safety and well-being of all individuals residing within the al-Hol and Roj camps.

### **03. Identify the Unique Status of Diverse Groups, Categorize, and Isolate to Limit Ideological Proliferation and Radicalization Risks**

The territorial defeat of ISIS left millions of civilians displaced, along with the families of Syrian, Iraqi, and foreign fighters. A significant share of the families of ISIS fighters resides in al-Hol and Roj, conjunctly with Syrian and Iraqi

civilians. The implications of housing innocent, displaced individuals, including victims of ISIS crimes,<sup>27</sup> alongside to the families of ISIS fighters, prompt inquiries into the suitability and appropriateness of such arrangements.

Emphasizing the significant variance in ideological inclinations across camp populations is crucial. The 10,000 foreigners held at al-Hol were originally transferred from Baghouz, where they maintained ISIS-affiliation until the group's final stages. Concerns raised by U.S. security authorities regarding the widespread dissemination of ISIS ideology characterized approximately two-thirds of camp residents as aligned with ISIS.<sup>28</sup> However, the actual situation is considerably more complex. The demographic cohort of al-Hol and Roj, while undeniably including fervent ISIS adherents, is greatly diverse, encompassing a spectrum of radicalized and non-radicalized individuals, both perpetrators and victims of Daesh crimes, bystanders, and those compelled, voluntarily, or otherwise, to abide by ISIS governance.

Most displaced individuals and refugees, including the majority of Syrian and Iraqi camp residents, do not overtly align themselves with or endorse ISIS. Moreover, gender-disaggregated demographic analyses indicate that within the foreign contingent at al-Hol, pro-ISIS women represent only a fraction. Others possess more nuanced experiences, having either been coerced into affiliation or traveled to Syria alongside their families or husbands.<sup>29</sup> Nevertheless, despite constituting a numerical minority, ISIS supporters remain active in both camps, particularly in al-Hol. Employing coercive, intimidatory, and occasionally violent methods, they not only create a climate of insecurity but also wield a disproportionate level of influence, potentially exerting a significant impact on the lives of other residents in the designated foreign Annex.<sup>30</sup> Their continued presence, particularly without a thorough assessment of the extent of radicalization, may further the spread of extremist ideology, lead to child recruitment and/or radicalization, and pose threats to service delivery, camp security, justice, and repatriation efforts.<sup>31</sup>

In addition, the complexities surrounding repatriation and community reconciliation pose significant challenges that vary depending on the status of these distinct groups. The inclination to classify all individuals, including children, uniformly has proven detrimental, particularly within the regional context, hindering the development of appropriate and tailored strategies and intervention measures. The primary phase of any procedure necessitates

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<sup>27</sup> 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 Yazidi, who were captured and enslaved by ISIS as part of a genocide against the ethno-religious group.

<sup>28</sup> U.S. Department of Defense, Office of Inspector General, 2019a, p. 24.

<sup>29</sup> International Crisis Group. "Women and Children First: Repatriating the Westerners Affiliated with ISIS." Middle East Report N°208, 18 November 2019. Accessed from <https://icg-prod.s3.amazonaws.com/208-women-and-children-first.pdf>.

<sup>30</sup> Insecurity and violence in the camp are reported to increase, with ISIS sympathizers having established a female morality police to 'monitor adherence to dress codes and enforce punishments on women perceived to be "infidels." Instances of assassinations of women inside the camp and stabbing of at least one SDF guard were reported in September 2019.

<sup>31</sup> Sudkamp, Karen M., Nathan Vest, Erik E. Mueller, and Todd C. Helmus. "In the Wreckage of ISIS: An Examination of Challenges Confronting Detained and Displaced Populations in Northeastern Syria." RAND Corporation, 2023. Accessed December 12, 2023. [https://www.rand.org/content/dam/rand/pubs/research\\_reports/RRA400/RRA471-1/RAND\\_RRA471-1.pdf](https://www.rand.org/content/dam/rand/pubs/research_reports/RRA400/RRA471-1/RAND_RRA471-1.pdf).

the differentiation of individuals into distinct categories and subsequently customizing solutions to suit each group's specific needs.

#### 04. Individualized and Tailored Screening, Risk and Need Assessment Tools to Inform the Development of Protocols and Intervention Measures for Children

Where child returnees are concerned, states adopt case-by-case approaches and joint assessments by security and social care actors to account for both security and child protection concerns. However, such strategies are considered to lack concrete structure and coordination, stemming from the fact that current responses are in their infancy as national authorities are only beginning to confront with these challenges.<sup>32</sup>

The processes of screening, risk assessment, and needs assessment are often conflated while maintaining specific aims, objectives, tools, and methods, as well as the actors involved. With consideration of the large child demographics returning from northeast Syria, specific considerations regarding conducting these practices need to be paid to minors. The child population in refugee and IDP camps in northeast Syria is deeply heterogeneous.<sup>33</sup> Child returnees represent a diverse range of backgrounds, experiences, and motivations and thus present a complex array of needs and potential risks that demand not only security but also humanitarian responses.<sup>34</sup>

The issue of returnees, and specifically its interconnection with security concerns, is politically charged. Under international law, children recruited into armed groups, including designated terrorist organizations, are to be considered primarily victims of offenses.<sup>35</sup> However, strong uncertainties at the nation-state level regarding their repatriation emerge from the recognition that some child returnees may bear dual, both victim and perpetrator status, of criminal offenses or other serious violations of the rule of law as a consequence of their association with ISIS or other terrorist insurgent groups and may return to their countries of origin with destructive intentions, posing a security threat to communities. Such perceptions cause impairments in the recognition of potential policy

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<sup>32</sup> *Ibid* 1, p. 48.

<sup>33</sup> The child demographic within al-Hol and Roj manifests considerable diversity: spanning from individuals with potential affiliations to ISIS to those entirely unassociated; from those coerced into involvement to others who joined voluntarily; encompassing both participants in violence and those who abstained; and comprising both children brought into Syria and Iraq by their parents and those born in the region.

<sup>34</sup> *Ibid*.

<sup>35</sup> Additional Protocol I, Article 77(2) (adopted by consensus) (cited in Vol. II, Ch. 39, § 379); Additional Protocol II, Article 4(3)(c) (adopted by consensus) (*ibid.*, § 380); Convention on the Rights of the Child, Article 38(3) (*ibid.*, § 381); African Charter on the Rights and Welfare of the Child, Article 22(2) (*ibid.*, § 386); Convention on the Worst Forms of Child Labour, Articles 1 and 3 (*ibid.*, § 388); ICC Statute, Article 8(2)(b)(xxvi) and (e)(vii) (*ibid.*, § 387); Statute of the Special Court for Sierra Leone, Article 4 (*ibid.*, § 390); UN Secretary-General, Report on the establishment of a Special Court for Sierra Leone (*ibid.*, § 582); UNODC, 2017.

contradictions between security priorities, legal obligations towards children,<sup>36</sup> and appropriate intervention measures across the judicial, law enforcement, and social spheres.

In this context, screening represents a preliminary assessment that can be used to capture basic information about the child, determine the potential for criminal liability and/or affiliation with a violent extremist group, and evaluate the necessity for a more comprehensive assessment.<sup>37</sup> Screening processes involving minors shall, at a minimum, be substantiated by informed consent, carried out by adequately trained professionals adopting age-appropriate methods and language, balance security concerns and privacy and confidentiality questions with the need for external oversight to ensure that the screening process is in line with human rights and child protection frameworks and standards, encompass a multidisciplinary, multi-actor approach, accompanied by established post-screening protocols and appropriate interventions based on the screening outcomes to address any identified needs or concerns.

In the European Union, the existing roadmaps for action<sup>38</sup> articulated to address the child returnee contingent list evaluation of the threat imposed by a particular child as a priority.<sup>39</sup> This determination has enormous relevance, as it primarily informs decision-making with respect to juvenile detention or social care mechanisms for a particular child. It relies, however, on a triage of child returnees into different categories of threat on the basis of their age, which emerges from current insights into the role of minors recruited into ISIS or other insurgent groups' ranks. While it is acknowledged that the experiences of children exploited by ISIS and other terrorist groups vary greatly depending on age and other factors,<sup>40</sup> relying exclusively on age as a criterion for risk determination processes may lead to punitive treatment, fall short of child rights compliance, and potentially result in lasting consequences for both child development and opportunities for social reintegration.<sup>41</sup>

The challenge currently faced by practitioners is to determine and be informed of the risk posed by children allegedly involved, to a lesser or a higher degree, with violent extremism and violent extremist activities. Risk assessments are standardized tools that help practitioners collect and synthesize information about a youth to estimate that youth's risk of recidivism and identify other factors that, if treated and changed, can reduce the

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<sup>36</sup> The notion of a 'conflict of interest' was discussed at a meeting of the ALDE group of the European Parliament in January 2018 on the issue of child returnees. See ALDE, *Child Returnees: Managing The Return Of European Children From Jihadist Conflict Zones*, 2018.

<sup>37</sup> International Centre for Counter-Terrorism (ICCT) and International Organization for Migration (IOM). 2022. "Roundtables on Prosecution, Rehabilitation and Reintegration." International Organization for Migration (IOM). Accessed February 2023. <https://www.icct.nl/sites/default/files/2023-02/PRR-Roundtables-Report-IOM-ICCT.pdf>.

<sup>38</sup> The return of foreign fighters to EU soil, Ex-Post Evaluation, European Parliamentary Research Service, 2018., [https://www.europarl.europa.eu/RegData/etudes/STUD/2018/621811/EPRS\\_STU\(2018\)621811\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2018/621811/EPRS_STU(2018)621811_EN.pdf); 7sur7, Des mesures supplémentaires pour contrôler les 'returnees' mineurs, 01.03.2018.

<sup>39</sup> van Tigchelt, 2018.

<sup>40</sup> de Bont et al, 2017, op.cit.; Van der Heide, L. and J. Geenen, *Children of the Caliphate: Young IS Returnees and the Reintegration Challenge*, 2017.

<sup>41</sup> de Bont et al, 2017, op.cit.; Van der Heide, L. and J. Geenen, *Children of the Caliphate: Young IS Returnees and the Reintegration Challenge*, 2017.

youth's likelihood of reoffending.<sup>42</sup> Risk assessments are not only designed to inform and guide decisions about estimating a juvenile's risk of recidivating, but they are also helpful when creating plans for appropriate treatment or services. Several such tools widely used for violent extremism, including the VERA-2R, the ERG 22+, the SQAT, the IR46, the RRAP, the Radar, and the VAF, present however a set of limitations when child returnees are concerned, as they are informed solely by data from adult male individuals.

Violent extremist offenders, including children, demonstrate different risk indicators compared to ordinary violent offenders and, as the mere use of risk assessment approaches for regular crimes can blur important distinctions,<sup>43</sup> to assess the potential for a child to engage in extremist violence, specific indicators relevant to violent extremism need to be included. Child returnees from Iraq and Syria, whether they have engaged in fighting or not, are not a homogeneous group demanding both appropriate security protocols and humanitarian responses. Risk assessments, identified as the dominant paradigm used to predict future offending, guide not only decision-making at many stages of the criminal and juvenile justice systems<sup>44</sup> but also play a critical role in the experiences of child returnees. Given the effect of stigma associated with violent extremism, failure to appropriately identify risk and appropriate intervention, treatment, and care may have lasting and harmful effects on both children's opportunity to afford rehabilitation and reintegration and communities. Additionally, since the Internet and social media platforms enhance not only opportunities for terrorist and violent extremist groups to outreach to children but also constitute a significant vector for consumption of propaganda materials, the realm of children's information environment should be thoroughly analyzed and accounted for.<sup>45</sup> Furthermore, criminological research strongly supports a positive correlation between offending behavior and tolerant attitudes towards violence.<sup>46</sup> It derives that the development and implementation of risk assessment tools designed specifically for children should be based on observable patterns of conduct rather than on past behavior, as the latter may be difficult to determine in motivational terms.

Needs assessments allow for the systematic collection and analysis of information relating to children's needs and conditions as well as existing gaps between a current situation and agreed standards.<sup>47</sup> More specifically, such assessments can be used to inform emergency as well as longer-term/multi-year program responses and may

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<sup>42</sup> In the Netherlands, from the age of 16 children may already be subject to exceptional measures for adult terrorism-related suspects and offenders, including detention in the specialised high-security 'Terrorism Ward' at the Vught Penitentiary Institution and deprivation of citizenship under the Interim Administrative Measures Act of 2017.

<sup>43</sup> NIJ and DJJDP, 2014; Vincent, Guy, and Grisso, 2012.

<sup>44</sup> J. Maghan and R.J. Kelly, "Terrorism and Corrections. The Incarcerated Radical," in *International Terrorism: The Decade Ahead*, ed. Jane Rae Buckwalter (Chicago, IL: University of Illinois Press, Office of Criminal Justice, 1989), 29-53.; Monahan, "The Individual Risk Assessment of Terrorism," pp. 167-202.

<sup>45</sup> Bonta, 2002; Latessa and Lovins, 2010.; Cecilia Polizzi, "Investigation and Prosecution of Children in a Counter-Terrorism Context," *CRTG Working Group, July 11, 2022*, [https://www.crtgroup.org/\\_files/ugd/4fccfe\\_2d7e4eeb1cb942aba35369a0a29a4716.pdf](https://www.crtgroup.org/_files/ugd/4fccfe_2d7e4eeb1cb942aba35369a0a29a4716.pdf).

<sup>46</sup> DB Subedi (2017) Early Warning and Response for Preventing Radicalization and Violent Extremism, *Peace Review*, 29:2, 135-143, DOI: 10.1080/10402659.2017.1308185.

<sup>47</sup> UNHCR. "Needs Assessment Handbook." Accessed January 1, 2023. <https://emergency.unhcr.org/sites/default/files/UNHCR%20Needs%20Assessment%20Handbook.pdf>.

enable identification of protection needs and risks, estimation of the severity of conditions faced and of existing capacities and resources, including positive and negative coping mechanisms.

Any tool designed or implemented to ensure the proper and timely identification of children's needs and/or children at risk should account for age, gender, and diversity considerations and comply with child protection frameworks and standards, including the right to privacy of the child.<sup>48</sup>

## **05. Apply a Case-by-Case Approach to Uphold the Right to Family Unity to Prioritize Children's Best Interest in the Handling of Child Repatriation Processes and Address Potential Radicalization Risks**

The need to protect children's rights and interests in all matters is reflected across the entire spectrum of the international law framework.<sup>49</sup> The international provisions governing child repatriation efforts from camps in northeastern Syria are primarily informed by the Convention on the Rights of the Child (CRC)<sup>50</sup> and identify children as a vulnerable group whose needs and rights must be considered and fulfilled in any repatriation program.<sup>51</sup> No international consensus has, however, formed regarding how to manage repatriation while accounting for both security and child protection concerns. One of such issues has consistently emerged with regard to the right to family unity.<sup>52</sup> International law requires the maintenance of family unity as far as possible, including the right of the child and his or her parents to leave any country and to enter their own.<sup>53</sup> Children must therefore not be separated from their parents and siblings unless it is considered in their best interest.<sup>54</sup> Even in the case of separation, the possibility of exchanging family news must be preserved.<sup>55</sup>

The depredation of the family environment is a serious concern. Research and practice have shown the harms visited upon children as a result of forced removal from their parents or primary caregivers, including short-and

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<sup>48</sup> Convention on the Rights of the Child, Art. 16 and 40(2)(b)(vii); United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), Rule 8; United Nations Rules for the Protection of Juveniles Deprived of Their Liberty, Rule 19.

<sup>49</sup> Universal Declaration (n 26) arts 25(2) and 26; International Covenant on Civil and Political Rights (n 26) arts 10 and 24; International Covenant on Economic, Social and Cultural Rights (n 26) arts 10(3) and 13.

<sup>50</sup> Refugee Children: Guidelines on Protection and Care, UNHCR, 1994, Geneva; Voluntary Repatriation: International Protection Handbook, UNHCR, 1996, Geneva, 7.2.

<sup>51</sup> Ibid.

<sup>52</sup> UNHCR, The Right to Family Life and Family Unity of Refugees and Others in Need of International Protection and the Family Definition Applied, 2018, <https://www.unhcr.org/5a8c40ba1.pdf>.

<sup>53</sup> Convention on the Rights of the Child (1989) art 10(2).

<sup>54</sup> Council of Europe Committee on Social Affairs, Health and Sustainable Development, International obligations concerning the repatriation of children from war and conflict zones, 2020, <http://www.assembly.coe.int/LifeRay/SOC/Pdf/TextesProvisoires/2020/20200128-RepatriationChildren-EN.pdf>.

<sup>55</sup> ICRC, Humanitarian concerns in the aftermath of the military operations against the Islamic State group in Syria and Iraq, 2019, <https://www.ohchr.org/sites/default/files/Documents/Issues/Terrorism/SR/GA75/ICRCannex2-GA75CT.pdf>.

long-term effects on the child's mental and physical well-being.<sup>56</sup> With an aim to ensure conformity with the rule of law as well as preventing risks of traumatization or re-traumatization of children, the preservation of family unity is therefore widely recognized as the child's best interest. This said, the right not to be separated from one's parents is not absolute and should form part of the best interest assessment, considering the totality of factors at play in each individual child's case.

Although the extent of radicalization and ISIS affiliation in the camps is unclear, anecdotal evidence suggests that some women formerly affiliated with ISIS have shown signs of disillusionment and no longer follow the group or its ideology.<sup>57</sup> However, pro-ISIS women in the al-Hol Annex<sup>58</sup> actively support ISIS goals and have attempted to establish the group's system of governance and education, spread its propaganda, and threaten, intimidate and violently attack other residents. This presence of adherents poses a risk to others who are isolated in the foreigners' Annex—particularly adolescent boys.<sup>59</sup>

In recent years, the SDF administration has begun extracting male children, aged six to seventeen years<sup>60</sup> from al-Hol, to prevent radicalization, recruitment, and exploitation risks. By summer 2023, through these processes, at least three hundred minors had been transferred to the Huri, Halat and Orkish childcare centers<sup>61</sup> where children access counseling, mental health and psychosocial support and education. United Nations experts<sup>62</sup> deemed the separation of children from their parents and caregivers unlawful and unethical, exacerbating trauma and psychological harm. Humanitarian aid organizations informed the CRTG Working Group of exceedingly severe risks for children in al-Hol, purporting considerations for their relocation.<sup>63</sup>

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<sup>56</sup> As a result of forced separation children may experience severe anxiety, depression, PTSD, toxic stress and impairments in cognitive developments.; See also Children's Rights Litigation Committee of the American Bar Association Section of Litigation, *Trauma Caused by Separation of Children from Parents*, 2019, [https://www.americanbar.org/content/dam/aba/publications/litigation\\_committees/childrights/child-separation-memo/parent-child-separation-trauma-memo.pdf](https://www.americanbar.org/content/dam/aba/publications/litigation_committees/childrights/child-separation-memo/parent-child-separation-trauma-memo.pdf).

<sup>57</sup> *Ibid* at 2.

<sup>58</sup> The Annex is a fenced off part of the camp where third-country nationals (non-Syrian and non-Iraqi nationals) are confined. It presents worse health and sanitary conditions than the other parts of the camp. The people in the annex are also subject to harsher movement restrictions and more regularly denied access to healthcare by camp authorities, the SDF, due to their perceived ISIS affiliation.; Saad NJ. The Al Hol camp in Northeast Syria: health and humanitarian challenges. *BMJ Global Health* 2020;5:e002491. doi:10.1136/bmjgh-2020-002491.

<sup>59</sup> *Ibid*.; Mona Thakkar and Anne Speckhard, "PERSPECTIVE: The Future Fighters of ISIS Are Adolescents Being Smuggled Out of Al-Hol by Their Mothers and Financial Networks," *Homeland Security Today*, August 21, 2023, <https://www.hstoday.us/featured/perspective-the-future-fighters-of-isis-are-adolescents-being-smuggled-out-of-al-hol-by-their-mothers-and-financial-networks/>.

<sup>60</sup> *Ibid*.; See also Al-Furat Center for Studies. "Children from ISIS Families in Camps and Rehabilitation Centers: Risks, Problematics, and Containment Approaches." July 23, 2023. Accessed December 16, 2022. URL: <https://firatn.com/en/?p=2472>.

<sup>61</sup> The "Huri Center for Child Protection and Education" was established in March 2017 on the outskirts of the town of "Tel Marouf," which is part of Qamishli city in North-East Syria. It accommodates approximately 160 children of various nationalities, including some Syrian and Iraqi children.; The Orkish Center was opened in September 2022 in the countryside of Qamishli city. The center hosts 87 children, the majority of whom are foreigners aged between 13 and 18 years.; The Halat Center for Rehabilitation and Child Care was officially opened on October 25, 2021, in Al-Hasakah city. It is supervised by the Women's Authority in North-East Syria. It caters to children between the ages of 3 to 13 years, whose mothers have been convicted of offenses and are serving different prison sentences.

<sup>62</sup> In April 2005, the Commission on Human Rights, in resolution 2005/80, decided to appoint, for a period of three years, a Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.; Keaten, Jamey. "UN Expert Decries the Practice of Taking Boys from Their Mothers at Detention Camps in Syria." *AP News*, July 21, 2023. Accessed December 15, 2023. <https://apnews.com/article/syria-alhol-detention-camp-united-nations-human-rights-e10bfe3371ea12fb95b09a96263a4941>.

<sup>63</sup> DAN Relief and Development informed of several attempts by Non-Governmental Organizations (NGOs) aiming to establish a school within the Annex of al-Hol camp for children. However, a majority of mothers declined permission for their children to attend, expressing apprehensions about external influences that may contradict their ideological beliefs. As a result, a considerable number of children within the camp are receiving education aligned with jihadist ideology.



In circumstances in which there is strong evidence of parental involvement with violent extremism,<sup>64</sup> especially if the parent actively endeavors to radicalize the child, measures should be taken to limit interaction between the parent and the child because it is in the best interest of the child not to be involved in the parents' ideology or illegal conduct.<sup>65</sup> Any deliberation regarding the child's best interest by a competent authority should be adequately informed by an individual assessment subject to judicial review.

## 06. Establishing Frameworks for Successful Repatriation: Structured, Multi-systemic and Multi-stakeholder Approaches

The sole viable and enduring resolution to the challenges presented by the detention facilities and displaced persons camps in northeast Syria is contingent upon countries to repatriate, rehabilitate, reintegrate, and, where appropriate, prosecute their nationals.<sup>66</sup> Between 2022 and 2023, close to 30 nations facilitated the repatriation of nearly 7,000 relatives associated with foreign terrorist fighters, with approximately 1,200 individuals departing from the region in the past few months of 2023 alone.<sup>67</sup> At the current pace, however, the projected timeline for repatriation extends over a period of thirty years. This prolonged duration underscores the pressing necessity for the safe and voluntary return of children to their countries of origin.<sup>68</sup> The imperative of repatriating children stands as both a moral imperative and a crucial political necessity, serving the well-being of children and preempting potential regional destabilization. Ensuring the safe, secure, and humane execution of procedures for child repatriation, rehabilitation, and social reintegration holds equal significance in this regard.

The magnitude and complexity of the displacement crisis in northeast Syria require clear procedures as well as sustained long-term engagement from both the international community and relevant government and communal stakeholders.<sup>69</sup> In determining appropriate processes, states may consider the application of structured, multi-systemic, multi-stakeholder approaches involving all actors and agencies intervening on a variety of dimensions of

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<sup>64</sup> Parents or caregivers may be influencing the child by condoning or expressly supporting violent action of children, show pride in children's undertaking of violent acts or declaring their willingness to act alongside their children in perpetrating violent acts. Additionally, conducive risk factors to radicalization include trauma, stigma, isolation, lack of opportunity, but also contact with (1) extremist associates, (2) or being exposed to extremist ideology and/or grievances.

<sup>65</sup> Emerson Cachon, *The Investigation and Prosecution of Children in a Counter-Terrorism Context*, CRTG Working Group Expert Briefing Series, July 2022.

<sup>66</sup> Moss, Ian. Remarks at the D-ISIS FTF Working Group. Speech presented at Istanbul, Türkiye, October 26, 2023. US Department of State. <https://www.state.gov/remarks-at-the-d-isis-ftf-working-group/>

<sup>67</sup> Ibid.

<sup>68</sup> Save the Children. "Speed Up Repatriations or Foreign Children Could Be Stuck in North East Syria Camps for Up to 30 Years, Warns Save the Children." *Syria*, March 23, 2022.

<sup>69</sup> Hamasaeed, Sarhang. "What Will Become of Iraqis in Al-Hol?" *United States Institute of Peace*. Thursday, November 19, 2020.

children's social ecology.<sup>70</sup> This includes combining different rehabilitation interventions<sup>71</sup> and involving a multidisciplinary range of actors, including but not limited to psychologists, psychiatrists, family members, social and probation workers, religious scholars, victims, former extremists and community leaders.

The existing institutional capacity in the MENA region, notably observed in strained judiciaries, economic and labor markets, security, infrastructure, and service accessibility in Tunisia and Iraq, signifies a concerning limitation regarding the potential for large-scale returns and raises apprehension regarding the capacity to absorb and accommodate a considerable influx of returnees.

Structured repatriation processes that effectively meet the needs of each individual child, whether unaccompanied or with family members, from a justice and human rights perspective while concurrently meeting public safety and security tolerances of the country of origin. Assessing and strengthening institutional frameworks before initiating a gradual repatriation process is crucial.

## **07. Establishing Frameworks for Successful Repatriation: Legal Assistance and Civil Documentation**

Numerous children, who lived under ISIS control, including foreign children, lack birth certificates and other identity documents that are necessary to access services in both the immediate and longer term.

During the period of ISIS occupation, children were not registered at birth or were issued with certificates not recognized by their country of origin. It derives that all children born in ISIS-controlled territory since 2014 are undocumented. In Iraq, additional barriers hindering children's acquisition of birth certificates arise due to the absence of parental marriage certificates, a legal prerequisite under Iraqi law for registering newborns.<sup>72</sup>

The lack of civil documentation intensifies the difficulties surrounding the prospects of child repatriation and reintegration. It reduces their ability to engage in many aspects of formal life, such as the education system,

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<sup>70</sup> United Nations, Key Principles for the Protection, Repatriation, Prosecution, Rehabilitation and Reintegration of Women and Children with Links to United Nations Listed Terrorist Groups, 2019, [https://www.un.org/counterterrorism/sites/www.un.org.counterterrorism/files/key\\_principles-april\\_2019.pdf](https://www.un.org/counterterrorism/sites/www.un.org.counterterrorism/files/key_principles-april_2019.pdf).

<sup>71</sup> Including but not limited to mental health, psychosocial and cognitive-behavioral support, life skills, education, vocational training, religious interventions, recreational and cultural activities.

<sup>72</sup> OCHA, SYRIA: HUMANITARIAN RESPONSE IN AL HOL CAMP Situation Report No. 3 - As of 1 May 2019.; Some 1,900 Iraqi households have signed up for repatriation organized by the Government of Iraq. While their intention is preliminary, the possession of documentation is critical for their legal safety during and after return. In general, for all displaced population, the complexity of some of the cases, in terms of family relations, determination of lineage/paternity, determination of nationality of new-born add constraints to the loss and the confiscation.

economy, health, and social services, thus relegating them to informal and illegal spheres and enhancing their vulnerability to recruitment or exploitation by traffickers, criminal and armed groups.<sup>73</sup> Failing to address this issue prior to their transition into adulthood poses further challenges, as these children may risk being denied having their marriages legally recognized, acquiring ownership or rental rights to property, or having a fair chance at formal employment.

While promoting access to civil documentation is of crucial importance, particularly for complex cases, progress has remained slow. Strengthening the capacity of relevant institutions and advocating for the removal of barriers to documentation is imperative, especially for children lacking identification or linked to extremist affiliations. Addressing the documentation needs of child returnees from al-hol and Roj is paramount and should involve prioritizing legal aid provision to IDPs, returnees, and vulnerable members of host communities, facilitating their access to identity and civil documentation crucial for exercising fundamental rights. Identifying beneficiaries is possible through comprehensive assessments, individual referrals to relevant protection entities, community-centered evaluations in displaced areas and camps, legal education initiatives, community service center visits and engagement with community-based networks.

## 08. Establishing Frameworks for Successful Repatriation: Preparing Communities

Despite the heterogeneous demographics of al-Hol and Roj,<sup>74</sup> following the end of the territorial caliphate, a prevailing perception emerged that anyone in the camps was linked to ISIS or accepted to live under its rule. To date, there has been no systematic effort to isolate extremists from IDPs, refugees, and victims of ISIS crimes, notably Syrian and Iraqi minorities who initially inhabited the camp before the fall of Baghouz. The absence of proper categorization created a prevailing perception that all children and their families present a potential threat, thereby forcing severe stigmatization and a high risk for children to become victims of secondary violence by communities, law enforcement, and military forces, and inhibiting and preventing opportunities for rehabilitation and social reintegration.<sup>75</sup>

The return of children is oftentimes hindered by community-level attitudes and grievances. Local communities, particularly those profoundly affected by ISIS' occupation and atrocities, often exhibit distrust and bias towards

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<sup>73</sup> Rehabilitation and Reintegration of Children from Families with Perceived ISIL Affiliation: Experiences from Iraq and Al Hol, MEAC Findings Report 20, Dr. Jacqueline Parry and Yousif Khalid Khoshnaw, with Dr. Siobhan O'Neil NOVEMBER 2022, [https://collections.unu.edu/eserv/UNU:8995/Rehabilitation\\_Reintegration\\_Children\\_Iraq.pdf](https://collections.unu.edu/eserv/UNU:8995/Rehabilitation_Reintegration_Children_Iraq.pdf)

<sup>74</sup> The population of al-Hol and Roj is diverse, encompassing radicalized and non-radicalized elements, perpetrators, and victims of Daesh crimes, civilians as well as individuals who, forcibly or not, have lived under ISIS rules.

<sup>75</sup> Ibid at 3.

returning children, leading to marginalization and ostracism. The experience of internally displaced Iraqi families with perceived ISIS affiliation exemplifies significant challenges in community reintegration. Government-led reparations to victims of ISIS crimes reduced the intensity toward returnees. However, this adjustment did not equate to full acceptance and social inclusion.<sup>76</sup> Children born into the ISIS milieu, regardless of the circumstances, are exposed to forms of collective punishment, whether due to the actions of their family members or their perceived association with a terrorist organization. In addition to a lack of sufficient information and false assumptions about returnees, communities might harbor resentment when their needs remain unfulfilled, including concerning destroyed homes and ongoing displacement. The perception of disproportionate support given to those reintegrating has further strained relations between these groups, echoing tensions observed across returnee contexts.

Communities need to be prepared and supported for the return of children. An integrated approach, including tailored messages and strategic communication campaigns holds the potential to reduce stigma, social exclusion, and the risk of violent reprisal, as well as facilitate the return and societal reintegration of children. It is essential to engage with a multi-actor approach including community leaders and national and local reliable media sources to deliver balanced messaging that allows for dialogue and social cohesion.<sup>77</sup>

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<sup>76</sup> United Nations Development Programme Iraq. Reintegration Perceptions Survey Report: Four Areas - Al-Qa'im and Habaniya in Anbar, Tuz Khurmato in Salah al-Din, and Muhalabiya in Ninewa. November 2022.; United Nations Development Programme Iraq. Affiliated with ISIS: Challenges for the Return and Reintegration of Women and Children. November 2022.

<sup>77</sup> International Civil Society Action Network (ICAN), "Invisible Women: Gendered Dimensions of Return, Rehabilitation and Reintegration from Violent Extremism", ICAN, 11 January 2019.

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