

POLICY BRIEF

The Children of ISIS Detainees: Europe's Dilemma



The Children of ISIS Detainees: Europe's Dilemma

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Executive Summary

The children of ISIS supporters are first and foremost a vulnerable group in need of urgent assistance due to their location in a volatile and war-torn region. The urgency of the question of how to manage their cases cannot be overstated, given the current instability in the region and the ongoing threat posed by COVID-19. Left undealt with, the challenge these children present runs a serious risk of developing from an easily solved welfare issue into a potential security and counterterrorism issue. It is in European countries' short- and long-term interests to take action on the children left behind in region once held by the vanquished "caliphate." Moreover, it is both ethically and legally a certain and necessary course of action. Under international law, children are the responsibility of their home countries, which need to address their future welfare and rehabilitation prospects.

This report offers perspective on the children and their current plight and suggests immediate action to assist them. First, diplomatic and financial resources need to be invested into developing infrastructure for the remaining populations in the camps until a long-term solution has been determined (healthcare, housing, clothing, food, etc). Such small investments should be seen as the first step to prevent the expenditure of greater resources, such as potential military action, expensive repatriations and incarceration, in the future. Second, the creation of a pan-European investigative body to investigate the actions of ISIS supporters would benefit these children. The body would serve to share information about suspects and would work closely with country-based child protection services to determine the best outcome for the children.

Third, the children of ISIS supporters must receive secular education, as per international law, to ensure that they have a

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COVER: Orphans from various nationalities gather at the Kurdish-run al-Hol camp, home to thousands of relatives of Islamic State fighters, in northeastern Syria, before being transported to the settlement of Roj in January. (Photo by DELIL SOULEIMAN/AFP via Getty Images)

Executive Summary *Continued from previous page*

viable future. Religious education must be provided by Muslim-led welfare groups to reinforce a positive religious identity (to counter propaganda) and a sense that detainees do not need to renounce their religion in order to move forward with their lives (as per ISIS propaganda). Finally, juvenile rehabilitation facilities already operating in northeastern Syria need resources and expertise from donor states and international nongovernmental organizations (NGOs). These facilities offer a way to immediately reduce the risks to European children while efforts toward longer-term solutions, like repatriation, continue. Several NGOs are already carrying out safeguarding and rehabilitation efforts in neighboring countries, including Iraq and Turkey. International support would vastly increase the facilities' capacities.



Russian orphans linked to ISIS arrive in Qamishli, Syria from the al-Hol camp in February. Syrian Kurds handed over more than 35 Russian orphans for repatriation. (Photo by DELIL SOULEIMAN/AFP via Getty Images)

A Note on Coronavirus

Given the global challenges of the coronavirus pandemic, it might be instinctive to treat the ISIS children's crisis with less urgency. Actually, the opposite is needed. Coronavirus is widely believed to have already spread in much of Syria, though a lack of infrastructure makes it trickier to confirm here than elsewhere; there are no testing facilities and just a handful of ventilators and intensive care units in the Kurdish-controlled northeast. Regardless, Kurdish authorities have already taken serious measures to combat the spread of the virus, including diverting resources to strengthen healthcare facilities and police a region-wide lockdown. These measures, although necessary, leave detention facilities and camps – and thus the children held within them – more vulnerable. On March 29, several ISIS members were reported to have escaped following a riot at a prison in Hasakah. Though the escapes were later denied, the report underlines the precarious nature of the security situation in the area. Kurdish officials have also repeatedly stated that they have fewer resources to deal with any such incidents on account of the coronavirus lockdown.

When Kurdish authorities implemented the lockdown measures in March, a number of NGOs withdrew staff, and cross-border movement into Iraqi Kurdistan became significantly restricted. Further withdrawals could jeopardize the work of the few NGOs

working with detainees in north-eastern Syria, while the firming up of the border closure would close the route that international governments have used so far to repatriate their citizens.

The immediate risks coronavirus poses to the children of ISIS detainees in Syria are twofold. There are the obvious health risks of the virus' transmission in the camps, which could leave children orphaned or sick without the adequate medical facilities to treat them. There is also the risk of unrest caused by the lockdown, and fears that ISIS could take advantage of the redirection of authorities' attention and resources. European states must look beyond the immediate pressures presented by the coronavirus pandemic and invest in dealing with this challenge so as to prevent greater security and political threats in the medium to long term.

To Repatriate or Not?

Some 70,000 women and children who fled the ISIS caliphate in its last months are being held in northern Syria in camps controlled by the Syrian Democratic Forces (SDF), a mostly Kurdish militia that defeated ISIS with the backing of the United States, United Kingdom, and other members of the international coalition. Among them are thousands of Europeans, including children. It is estimated that around two-thirds of the foreign children are under age 12, with most under age 5.¹

Domestic concerns over security and broadly hostile public opinion to repatriation have meant that Western governments have so far failed to repatriate all but a small number of children from among these citizens. Public opinion polling shows strong opposition to repatriating ISIS members and affiliates; one poll last year showed that 89 percent of French respondents were worried about the prospect of ISIS members being returned to France, and 67 percent objected to the return of children.

What's the Latest?

Kurdish authorities in northern Syria have detained tens of thousands of former ISIS affiliates since the end of the group's territorial control in Syria and Iraq in April 2019. In February, Syrian Kurds announced their intention to hold trials for ISIS fighters from more than 50 countries after efforts to form an international consensus on the detainees' future fell short.

In October 2019, Turkey began Operation Peace Spring, with the stated goal to create a "safe zone" 20 miles deep on its border with the SDF's territory. It began soon after U.S. President Donald Trump reportedly gave Turkish President Recep Tayyip Erdogan the "green light" to go ahead with a long-planned operation in northern Syria. Though the White House later denied explicitly approving the maneuver, widespread reporting confirms that there was some communication

between the two leaders prior to the operation.

Turkish shelling in the vicinity of the Ain Issa camp prompted unrest, during which at least 750 people with suspected links to ISIS reportedly fled the camp, although the Syrian Observatory for Human Rights said only 100 had escaped. This reinforced fears that ISIS could benefit from the Turkish offensive against Kurdish forces and gain strength amid the chaos.

Conditions at the al-Hol camp have also deteriorated since Turkey invaded Syria's north-east, and several international aid groups suspended work in the camp. At the time of the operation, the SDF said it was redeploying some of the 400 guards at al-Hol to confront the Turkish incursion.²

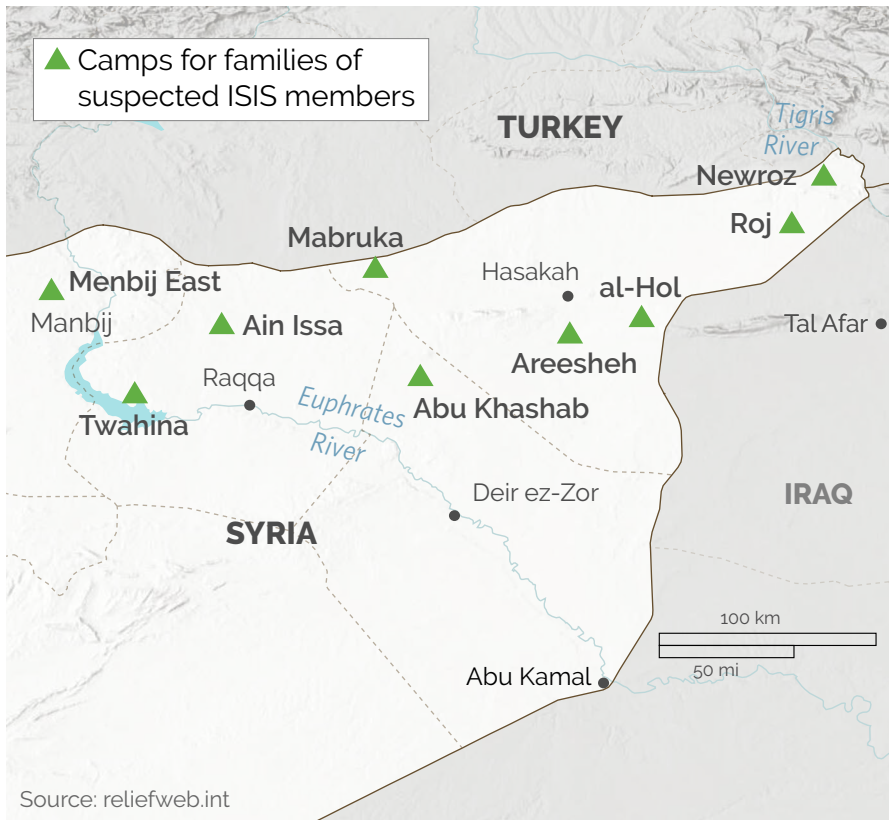
At the time of this writing, Kurdish authorities retain control over the two primary detention facilities for foreign women and children. Yet as the case of Ain Issa camp shows, this is not something that can be guaranteed in the long run.

Different Takes on Repatriating ISIS Supporters

International governments have taken a variety of approaches to their nationals' repatriation.

A report by Crisis Group lists Russia, Malaysia, Uzbekistan, and Kosovo as countries that have

Educating Children in Displaced Persons Camps



Children in school

Camp	Percentage of children ages 6 to 11		Percentage of children ages 12 to 18	
	2018	2019	2018	2019
al-Hol	70%	29%	32%	18%
Ain Issa	68%	75%	24%	39%
Ain Issa ext.	68%	70%	26%	30%
Roj	83%	85%	57%	65%
Abu Khashab	53%	73%	33%	38%
Areesheh	53%	40%	25%	30%
Areesheh ext.	-	27%	-	7%
Mabruka	82%	80%	55%	62%
Manbij E. Old	79%	69%	17%	23%
Manbij E. New	69%	58%	20%	25%
Newroz	70%	95%	55%	65%
Twahina	0%	1%	1%	0%

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made concerted efforts to begin repatriations, with Moscow's efforts among those to particularly emphasise children. Yet hundreds of their ISIS-affiliated citizens remain in Syria. Morocco, Tunisia, and other North African countries have done little, as have EU member states, Canada, and Australia.

In November 2019, the United Kingdom said it would repatriate orphaned children of British ISIS members from Syria. Until late last year, the U.K. government had been reluctant to repatriate any citizens, citing security concerns. However, in November, the U.K. government repatriat-

ed a group of orphans found in a camp by the BBC. It should be noted that this was only carried out after the media put significant pressure on the British government and cannot be relied upon as a policy that London proactively implemented. The move was also not representative of a policy shift for those children whose parents remain alive; officials said they still represented a security risk.³

Around 25 British women and over 60 of their children are reportedly stranded in northeast Syria. Many of the children are under the age of 5, meaning they

are likely to have been born in ISIS territory and would be without formal documentation.

Meanwhile, a court in Belgium ruled late last year that the government must repatriate children under the age of 10. Their mothers were not included in the ruling. France has also repatriated children without their mothers, on a case-by-case basis. And early this year, a Dutch court called on the government to bring back six ISIS-affiliated women and their children. Kurdistan 24 reported that the Dutch Minister of Justice and Security said his government was "seeking options to cooper-



A young girl reacts as Syrian refugees arrive at the Bardarash camp, near Dahuk, in Kurdish Iraq on Oct. 20, 2019. Thousands of people, mostly women and children, fled fighting in northeastern Syria and crossed into Iraq. (Photo by SAFIN HAMED/AFP via Getty Images)

ate with local authorities in Syria for the return of women accused of membership in the Islamic State and their children.”

In May 2019, the grandfather of seven children, aged between 1 and 8, of a Swedish-Norwegian couple who had joined ISIS and were killed in Syria helped return them to Sweden. In January 2020, Norway’s prime minister lost her parliamentary majority after her

decision to repatriate a woman and her sick child led Norway’s anti-immigration Progress party to resign from the ruling coalition.

How Many People Are Affected?

Estimates for the number of foreign women and children being held by Kurdish authorities vary from 12,000-13,500.

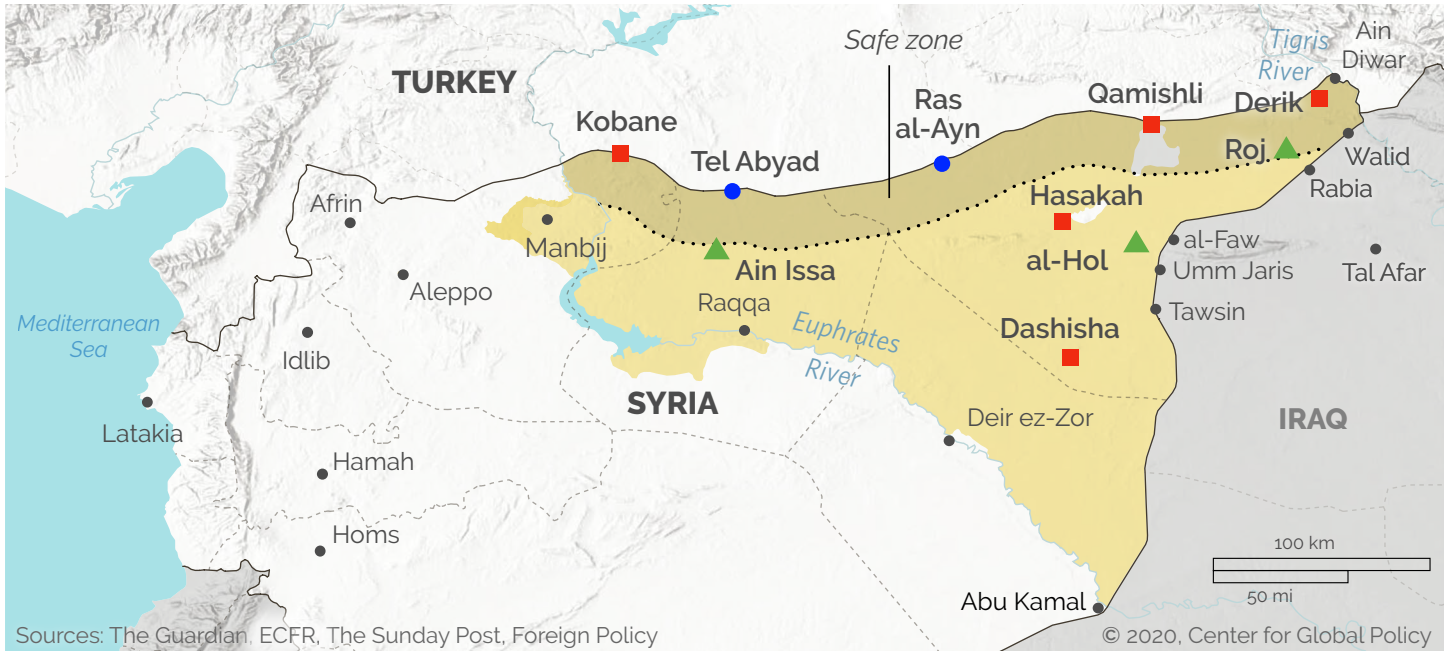
These are now spread across two camps: al-Hol and Roj. Around 2,000 men are believed to be held in a separate prison network. The charity Save the Children suggests there are around 7,000 children from 40 countries stranded in al-Hol and other Syrian camps, almost half of whom are under the age of 5. An official at the Office of the United Nations High Commissioner for Human Rights put the number of children of European Union nationals in the camp at around 700 to 750 in November 2019. In February, the Guardian reported that 1,000 male fighters were being held in Kurdish-supervised detention centers in northeastern Syria, and that a further 4,000 ISIS women were being held in refugee camps.

Whatever the exact figure, the largest of the SDF-run detention facilities is al-Hol camp, said to house around 11,000 foreign citizens. Kurdish authorities have long pleaded with governments to repatriate their citizens due to the poor conditions in the camp and wider insecurity in the region.

There are no formal schools or hospitals, and the day care center at al-Hol was closed in the wake of Turkey’s incursion into its border region with Syria in October 2019. The only clinic in the al-Hol annex shut down in September 2019 after Doctors Without Borders staff “had to take cover when security opened fire on women protesting in the camp,” according to the Wall Street Journal.

Camps and Prisons in Northern Syria

- ▲ Camps for families of suspected ISIS members
- Major prisons for ISIS captives
- U.S.-evacuated observation posts
- Area controlled by Kurdish forces and allies



The Camps in Northern Syria:

- In **al-Hol**, which has approximately 68,000 residents, 94 percent of detainees are women and minors, 11,000 of whom are believed to be from countries other than Iraq or Syria. Most, though not all, of those from other countries are housed in a section of the camp known as the annex. Several Syrians have been released to villages and towns around Deir ez-Zor in recent months in agreements under a kafala, or sponsorship system, with tribal leaders.

- **Ain Issa** camp lies near the regional capital of Raqqah. Once home to 14,000 residents, including several thousand foreign ISIS members or supporters, the camp is now empty. It sits right on the front line between SDF and Turkish-backed forces.
- Then there is **Roj** camp, where 1,700 people are detained. A mooted Turkish “safe zone” would include Roj, which is home to several high-profile ISIS suspects, including Shamima Begum. It is unclear what would happen to the camp if Turkey’s plans are fully implemented.

What Are the Issues?

The question of what to do with the European ISIS supporters – and their children – currently being detained has plagued European governments, which are understandably fearful of the risk of future attacks by those released, or of public opinion, which is largely opposed to the question of return (see the aforementioned case of Norway in January 2020).

However, leaving both the adults and children in the camps raises a host of other security and humanitarian questions that may prove even harder to resolve. Repatriating children without parents and specifically without parental consent – in cases where

the parents are alive – may contravene international law and raises moral questions about child welfare. But leaving the families in the camps risks exposing children to further radicalisation and deepening resentment, which will pose serious security challenges if left unattended.

The United Nations has previously called for all children of foreign ISIS members to be repatriated to their home countries, as have France’s anti-terrorism coordinator, the French government’s human rights monitor, many leading charities, and the former director of France’s internal security service.

Currently the camps are deeply unstable and insecure; according to AFP, 517 people, of which 371 were children, died at al-Hol camp in 2019. In al-Hol, where most European women and children are held, the most extreme residents have taken control of much of the camp. The group’s Hisba (religious police) have been implementing justice within the camp, and there have been multiple executions.⁴ Children have also appeared in videos chanting ISIS slogans and praising the group’s flag. In al-Hol, the group’s indoctrination of children and implementation of its austere reading of shariah law is very much ongoing, raising concerns over both child welfare (indoctrination as abuse) and the potential future security risks posed by leaving them in the camps.

The risks that the camps could disintegrate due to unrest or a

return of open conflict to the area are very real. For example, an assault by regime forces, Turkish-backed rebels or ISIS sleeper cells on SDF positions could see guards at al-Hol rapidly redeployed to battlefronts, leaving the camps unguarded. This already happened to a degree at the onset of Operation Peace Spring. If this should happen again, the dangers the children would face would be insurmountable. Unaccompanied minors could be funnelled into the conflict. ISIS has routinely deployed boys as front-line soldiers – as have other groups in the region. With these groups said to be re-forming, the children could be drawn into hostilities or find themselves the target of reprisal attacks. The Assad regime has a long history of manipulating prisoners and jihadists;⁵ if government-aligned forces were to take custody of some of the European children of ISIS supporters, they would likely use them to manipulate other players again.

The camps offer no hope for the children’s long-term future and create real concerns for their welfare. Were the balance of power in the region to change, the children could also end up in detention centers run by Assad’s regime or in the custody of Turkish-backed forces. In the former case, “they could face execution, torture, sexual violence, or be held alongside adult males – some likely to be highly violent Islamic State soldiers,” according to a report in Foreign Policy.

Most of these children are likely to already have PTSD and oth-

er mental, physical, and social issues associated with life in a war zone, not least exposure to violence, deaths of close relatives, and exposure to brainwashing. To quote the Foreign Policy report:

“Abandoning them in Syria now is tantamount to abandoning them to the Islamic State, the Assad regime, or otherwise dim prospects, something that is certain to have vicious long-term implications. These children should not be held responsible for the sins of their parents and must not be condemned to a dark and uncertain future.”

One of the central obstacles to repatriating children has been the question of whether to separate children from their mothers.

“Forcibly separating mother and child contravenes international humanitarian law, and rights groups as well as the Kurdish-led authorities in northeast Syria have called on countries to repatriate them together,” Isabel Coles wrote in a report for the Wall Street Journal. However, so far European countries have balked at the suggestion of repatriating adults, choosing to repatriate orphans instead.

While some mothers have formally given up custody of their children, signing away their parental rights in a bid to offer them a chance of a better future or out of health concerns, many cannot bear to part with their children. Others have resorted to paying smugglers to sneak them out of the camp. Others remain

committed to ISIS ideology, awaiting the group's resurrection to "liberate" them.⁶

There are also reports of some mothers being detained in prison with their children, in clear contravention of international law.

"A number of European countries have repatriated stranded children. France, Germany, Norway and Denmark have all brought a small number back, most of whom were orphans whose parents were killed during the caliphate's final months," according to the Independent. "Australia also recently brought home eight children and grandchildren of two Australian nationals who fought for Isis."

What Are the Factors at Play?

U.S. Leadership: The U.S. military presence in Syria – which although not directly involved in the governance of the camps, has underpinned their existence – is no longer assured. The Trump administration can also not be relied upon as a check on Turkish efforts in northern Syria. Without the assurance of U.S. support, seeking shelter behind the Syrian regime and its Russian backers is an increasingly realistic option for the Kurdish leadership – especially in the face of Turkish advances in northern Syria. A tightening on the SDF's relations with Damascus would also be consequential if the Syrian regime – notorious for its abuse of prisoners – were given a greater



A woman carries an infant on her back at the Kurdish-run al-Hol camp for the displaced where families of ISIS foreign fighters are held in December 2019. Approximately 200 Syrian displaced people, mostly women and children, were headed home from an overcrowded camp, according to a Kurdish official. (Photo by DELIL SOULEIMAN/AFP via Getty Images)

say in administering these camps.

SDF Control: Though the SDF and Kurdish Asayish security forces have hitherto controlled security in the camps, this is also something that cannot be relied upon, particularly if Turkish operations against the Kurdish regions continue. Kurdish officials have repeatedly made it clear that they will prioritise resisting Turkish advances over keeping control of the camps. Thus, the camps, particularly al-Hol, where security is already vastly undermanned (there are just 400 guards for nearly 70,000 people), could see further reductions in manpower to keep order.

The Return of ISIS: As previously predicted by the Center for Global Policy, degrading ISIS's physical presence does not mean enduring freedom. Though the number of incidents is down, re-

cent attacks from close to the Iranian border with Iraqi Kurdistan and across central Syria demonstrate the group's staying power. Prior to its capture of Mosul in 2014, ISIS initiated a campaign to release sympathetic prisoners from poorly guarded facilities across Iraq. The campaign swelled its ranks with hardened supporters. Camps like al-Hol and Roj are at serious risk of serving as a ready-made recruitment buffet for the group. It is evident that ISIS is acutely aware of the situation regarding the camps, given that they were featured in an audio address last year by the late caliph Abu Bakr al-Baghdadi. European women and children are vulnerable to being churned back into the group's ranks if they remain in the camps across Syria.

Human Rights Abuses: Reports of physical and sexual abuse in the camps have already emerged.

Further detention of minors in particular, without access to sanitation, schooling, or safety, would be a clear contravention of international human rights law. This could leave European governments open to legal cases by families of minors who have failed to be repatriated (e.g., ongoing cases in France by lawyers including Marie Dosé). The abuses may also feature in future messaging by ISIS or similar groups. One need only look as far as the ongoing presence of atrocities committed by U.S. forces at Abu Ghraib in the group's propaganda to this day.

Aid Shortages: Kurdish-controlled northeastern Syria is heavily reliant on foreign aid for the maintenance of the al-Hol camp. "Under Russian pressure, the U.N. Security Council voted earlier [in January] to limit aid delivery access to Syria," according to the Iraqi Kurdistan-based Rudaw media organization. "All aid must now travel through border crossings controlled by the Syrian regime of President Bashar al-Assad; the Kurdish-run Tel Kochar crossing is now closed." As fighting continues in Syria, the likelihood of the humanitarian crisis in the region persisting is high; European citizens in this context are an unnecessary burden on overstretched aid agencies whose priorities ought to be displaced local populations.

Political Instability: Western and European access to the camps, and those held within them, cannot be taken for granted indefinitely. Political shifts, espe-

cially since the Turkish offensive in October, have demonstrated that the custody of hundreds of detainees can rapidly change hands, while others may find windows to escape. Any detainees that end up in the hands of non-friendly actors, notably the Assad regime, potentially represent a heightened threat to host nations, given the Syrian regime's previous manipulation and strategic release of prisoners mentioned before. As one report by Foreign Policy noted, "The window of opportunity for a proactive government-controlled solution is closing."

Al-Assad, Russia, or even the remnants of ISIS taking custody of those currently held by Kurds is a nightmare scenario for European states. Safeguarding and deradicalization efforts are likely to be relegated to the deepest cracks in the priority list, while the prisoners could also become bargaining chips. A scenario in which al-Assad threatens to release European prisoners – perhaps funnelling them into another conflict, country or offensive, such as Idlib, unless demands are met – is certainly possible and would fit with previous behavior.

This fluidity also means that the construction of more permanent or secure facilities is also not a long-term solution. Secure facilities are only as stable as the authorities that run them. According to the Crisis Group report:

... the situation in Syria remains too dynamic, and other possible

dispositions in the region (including in Iraq) too fraught from both a security and a human rights perspective to make a definitive recommendation. Western governments will need to work with all interested parties to explore the possibility of developing legitimate justice mechanisms, obtain credible treatment assurances and build facilities where detainees can be securely and humanely held. If not, repatriation may be the only option.

Security: Much of the conversation around repatriation hinges on the question of security. Since separating children from their mothers is unlawful (see above), the dilemma of what to do about the children who have living relatives in the camps remains. However, this appears to be a false dichotomy. Within the camp, even with family members, the children are likely to be left with little hope for the future and likely will become angry. If they do survive into adulthood, this leaves them ripe for the sort of brainwashing ISIS uses to fuel its recruits. In addition, repatriating them with their mothers or relatives is in line with the responsibilities of governments toward their citizens and international laws regarding children's human rights. There is very little certainty that leaving children and their families in the camps ensures European security; certainly, there is growing evidence to the contrary.



Syrian refugees arrive at the Bardarash camp near Dahuk, in northern Iraq in October 2019. They fled fighting in northeastern Syria into Kurdish-controlled Iraq. (Photo by SAFIN HAMED/AFP via Getty Images)

COVID-19: On March 30, Syria reported its first death from the virus. According to the World Health Organization, only 64% of public hospitals are fully functioning, and there is a considerable shortage of trained staff, leading to concerns that the virus will spread rapidly through vulnerable populations, overwhelming the healthcare system. The situation in the last remaining opposition stronghold of Idlib – home to around 3 million people – remains unclear, but it is likely that the spread has already begun, given the cases in neighboring countries (Iraq, Iran) and Syria itself. The medical charity Médecins Sans Frontières (Doctors Without Borders) has warned that the spread of COVID-19 could quickly become critical if additional support and measures are not in place. Currently there is no internationally coordinated plan to deliver this support. The United Nations has appealed for cease-fires in all the major con-

flicts rocking the planet, with its chief Antonio Guterres warning on April 3 that “the worst is yet to come.”⁷ But the critical question remains the ability of the multiple administrations in Syria – the government in Damascus, the autonomous Kurdish administration in the northeast, and the jihadist-led alliance that runs Idlib – to cooperate in order to manage the coronavirus threat during a very tentative cease-fire.

Female Detainees: Women’s roles in ISIS have varied significantly, from recruiters and foot soldiers to simple housewives to members of the religious police; it was a group of women who plotted to bomb Notre Dame Cathedral in 2016. European governments are better equipped than either the non-state entities on the ground or neighboring governments to truly assess the extent of individual crimes and administer attendant punishment. As one report from Foreign Policy notes, “Not all the women

detained in al-Hol are supporters of the Islamic State, let alone its operatives.” The potential risk they would present on repatriation must be assessed on a case-by-case basis. Some appear to have been particularly naive in their decision to travel or were coerced or compelled into travelling to ISIS’s territory; others told the report authors that they have no desire to be repatriated, though a mother’s desire to remain in a Syrian jail should not be binding on children within her care. It is important to stress that the authors deem this to be a very small minority of cases.

As noted by the European Council on Foreign Relations, most European countries have passed legislation that “would allow the prosecution of returnees for belonging to or supporting a terrorist group.” Therefore, states should no longer fear an inability to prosecute those who are repatriated – including women. Cases are complex, but convictions

have been won in Europe, most recently in Germany in April. European states must acknowledge that they are far better placed to enforce justice than any local or regional actors.

Policy Recommendations

Identification: There should be an EU-based DNA database of those in the camps and of relatives in Europe of those known to have travelled to Iraq and Syria. Conversations with legal sources indicate that European governments currently have a fairly clear idea of which of their citizens are on the ground and where they – particularly children – are located. This must now be followed by political pressure for these governments to take full responsibility for their care – including, where necessary, repatriation with their adult caretakers. Where the evidence suggests the adult caretaker is likely to be prosecuted, remaining relatives should be brought in and offered legal guardianship of the children, with long term support (therapy, education) offered to bolster the family's efforts at reintegrating the child.

Repatriation of Children, With or Without Mothers: European governments must prioritise orphans and should move immediately to provide documentation to those without evidence of citizenship (claims can be supported by the DNA database). Returning orphans must be placed under the care of social services, typically

with an initial stay in hospital, followed by placement in foster care, where they are closely monitored with a long-term view to rehoming the children with relatives.

Non-orphaned children must also be prioritized and the possibility of their return negotiated with their legal guardians, seeking ideally an agreement for care to be transferred to family members in the country of origin. Where the child appears to be at risk of indoctrination and the dangers associated with ISIS affiliation, child welfare authorities may consider the forced removal of a child where the alternative would be a tangible risk of harm.

The repatriations of adult women and men must be twinned with investigations to determine crimes they might have committed and roles they played within ISIS. This should be a coordinated EU effort involving information sharing and fact checking across borders. The initial investigation should allow a broad categorization of individuals in order to pursue more in-depth investigations either on site or upon repatriation.

This report recommends that mothers and children not be separated unless there is clear and immediate danger to the welfare of the child due to the mother's presence. With this in mind, the policy recommendations cannot justifiably argue for the repatriation of children without their mothers unless in extreme circumstances. These circum-

stances must be assessed on a case-by-case basis in consultation with independent child welfare organisations and in full conformity with international human rights law.

This also suggests that European governments must inevitably conceive of concerted and coordinated efforts for repatriating both mothers and children and investing in and undertaking the necessary investigations to determine wrongdoing, with a view to possible incarceration following a court ruling. Child protection services from individual countries will coordinate closely with workers from governments, the United Nations, and NGOs to understand the needs and concerns surrounding individual children. Their advice will also be sought in cases where separation from the primary caregiver is sought.

Stop Citizenship Stripping: European states must feel pressure to stop stripping binational citizens of citizenship. Such knee-jerk reactions simply kick the "problem" down the road. ISIS operatives have shown themselves able to cross borders unidentified and conduct deadly operations devised outside of the target country. Taking away people's citizenship does not resolve the issue and sends a deeply problematic message – echoing ISIS propaganda – that Muslims can never truly "belong" in Europe (see "the grey zone"). What's more, some of those stripped – such as the United Kingdom's Shamima Begum – were them-

selves children when they joined ISIS, creating a profoundly morally questionable position according to which children groomed by an international terrorist gang are disavowed by their country (in some cases, their country of birth) only to become another nation's "problem." This does not seem like a long-term viable solution, however politically expedient, and could in fact prove dangerous. This report recommends that European nations use their resources to thoroughly seek to prosecute, where necessary, and rehabilitate, where possible, those indoctrinated by ISIS. Muslim educational agencies should be brought in as partners to assist in disavowing ISIS's ideology without feeling compelled to deny one's religious identity.

Youth Rehabilitation Centers:

An immediate and relatively straightforward solution can be found in supporting and developing the existing youth facilities and transitioning them into temporary assessment centers for the children. In these centers, children would continue to have access to their family members but would be offered structure, housing where required, education, and medical support. Here, European governments could work with the centers' staff to determine a strategy for reintegration into society.

Facilities such as the Hori center, near Qamishli in Syria, are already functioning as juvenile rehabilitation centers. Such facilities must work quickly to scale

up their capacity, with funding and expertise from European states and international NGOs. There are valid reasons to believe the Hori center's deradicalization abilities are limited, but they offer a means by which orphaned children can be taken out of the camps and given the close monitoring and support they may need without the legal hurdles of immediately repatriating them to European countries. NGOs, legal groups, and social and health care workers are far better able to evaluate and support children held in the Hori center than if the children remained at al-Hol. This offers something of a halfway house while long-term solutions are pursued and is particularly applicable in the cases of European orphans, thought it could eventually be expanded to others. The international community should supply psychological, social, and legal experts to be permanently based in the facility and perhaps at a similar center that is operating in Raqqa.

Aid Resources: Aid agencies have widely denounced the humanitarian situation in the camps. The lack of political will to deal with the ISIS supporters and their families is echoed by a lack of resources to adequately meet their daily needs and address malnutrition, sickness, and a complete lack of adequate infrastructure for the short- or long-term care of vulnerable children. Diplomatic and financial resources need to be invested into developing responsible options for the remaining population un-

til an adequate solution has been reached, including to ensure the safety of camp residents and to avoid reprisals among those who wish to abandon ISIS's ideology.

Deradicalization Through Religious Education: Visits to the al-Hol and Roj camps make it impossible to envision any successful deradicalization programs being run in the camps in their current state. Facilities like the Hori center may offer an immediate environment in which this can work. Creating infrastructure for both secular education and unlearning violent ideology will ensure steps have been taken to assist the children before their arrival in their home countries, and doing so will facilitate understanding of their individual needs and behaviors. Muslim-led welfare and educational groups should be brought in to reinforce a sense that detainees do not need to renounce their religion. They may also assist in the education of children according to a mainstream understanding of the faith. These groups will also provide continuity for the children between their lives in the camps and the return to their home countries, along with ongoing mental health support. Assistance in deciphering what is propaganda and what constitutes mainstream tenets will provide spiritual support and empower the children to forge independent understandings.

International Inquiries into the Actions of ISIS Supporters: European countries should lead



A Syrian woman and child arrive at the Bardarash camp in October 2019. Kurdish northern Iraq has received more than a million Iraqis fleeing the fighting with ISIS between 2014 and 2017. (Photo by SAFIN HAMED/AFP via Getty Images)

an independent and cross-border task force to gather evidence for prosecution of the crimes committed by individuals affiliated with ISIS. Plea deals for the return of some men could be made contingent on collaboration with authorities. Local journalists and investigators could be employed to gather the evidence to build such cases; there are precedents for such arrangements.

There is already some audience for this; last year the Swedish government sought support from

European allies for an international tribunal to prosecute war crimes perpetrated in Iraq and Syria by ISIS fighters. This month, Germany begins unilateral prosecution of individuals believed to have committed crimes in Syria, under the concept of universal jurisdiction. The German government and the legal experts involved should be consulted regarding evidence gathering and prosecution in the broader effort. There is also precedence for such cross-border actions; international courts established

to prosecute crimes committed in Rwanda and the former Yugoslavia could serve as models for a tribunal based in Iraq. Any future sentences could be served in the jails of member states, spreading the burden.

European Governments' Obligations

The challenge of dealing with the European children taken to, or born into, ISIS-controlled territory is vast. There is no panacea;

each case holds unique and difficult characteristics. This report argues that those best placed to deal with those challenges are European governments using a holistic approach, with short-, medium- and long-term measures. European governments must cooperate to isolate and support vulnerable children and women in the camps, to expe-

dite their repatriation to home countries, where possible, and finally to ensure the deliverance of transparent and appropriate justice. Local authorities and civil society have already taken important steps to address these issues, but they are vastly under-resourced. While these actors do need more support, it is time for European governments to ac-

knowledge the fact that only they can offer lasting, just solutions to every one of these cases.

While this report offers both ethical and legal justifications for the above policy recommendations, it also appeals to states' strategic interests. ISIS once festered in the prisons of Iraq and Syria; let us not allow such a mistake to occur again.

¹ Syria: Dire Conditions for ISIS Suspects' Families. (Jul. 2019). Human Rights Watch. <https://www.hrw.org/news/2019/07/23/syria-dire-conditions-isis-suspects-families>

² Borger, J. and McKernan, B. (Oct. 2019). Women and Children Expected to "Break Out" From al-Hawl Camp. *The Guardian*. <https://www.theguardian.com/world/2019/oct/09/women-and-children-expected-to-break-out-from-al-hawl-camp>

³ Sabbagh, D. (Nov. 2019). No More Orphans Expected to be Returned to UK from Syria. *The Guardian*, <https://www.theguardian.com/world/2019/nov/22/no-more-orphans-expected-to-be-brought-back-to-uk-from-syria-isis>

⁴ Kapoor, K. (2019, Aug. 1). Indonesia says probing report of death of pregnant woman in Syrian camp. *Reuters*. <https://www.reuters.com/article/us-indonesia-syria-idUSKCN1UR3IE>

⁵ At the beginning of the Syrian uprising, Al-Assad released swathes of Islamist prisoners from the notorious Seidenaya prison. His manipulation, and abetting of jihadists travelling to Iraq, has also been well documented. Read here "When Chickens Come Home to Roost: Syria's Proxy War in Iraq at Heart of 2008-09 Seidenaya Prison Riots." Wikileaks Public Library of US Diplomacy. Feb. 2010, Syria, Damascus. https://wikileaks.org/plusd/cables/10DAMASCUS158_a.html

⁶ McKernan, B. and Zavallis, A. (Aug. 2019). Inside al-Hawl Camp, the Incubator for Islamic State's Resurgence. *The Guardian*. <https://www.theguardian.com/world/2019/aug/31/inside-al-hawl-camp-the-incubator-for-islamic-states-resurgence>

⁷ "Secretary-General Reiterates Appeal for Global Ceasefire, Warns 'Worst Is Yet to Come' as COVID-19 Threatens Conflict Zones | Meetings Coverage and Press Releases." The United Nations. Apr. 20. Retrieved May 28, 2020, from <https://www.un.org/press/en/2020/sgsm20032.doc.htm>

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