

Submission of written evidence to the APPG on Trafficked Britons in Syria

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Introduction

1. The International Crisis Group aspires to be the preeminent organisation providing independent analysis and advice on how to prevent, resolve or better manage deadly conflict. We combine expert field research, analysis and engagement with policymakers across the world in order to effect change in the crisis situations on which we work. We endeavour to talk to all sides and in doing so to build on our role as a trusted source of field-centred information, fresh perspectives and advice for conflict parties and external actors.
2. Azadeh Moaveni is Crisis Group's Gender Project Director and has been covering the Middle East for two decades as a journalist, writer and academic. She lectures in journalism at New York University, London. Her work often appears in *The Guardian* and *The New York Times*, among others. Her most recent book, *Guest House for Young Widows: Among the Women of ISIS* (September 2019, Random House), traces the stories and experiences of 13 young women who left their home countries behind to join the Islamic State's caliphate.
3. In 2019, the International Crisis Group conducted research into the situation of foreign (non-Syrian and non-Iraqi) women and children detained in north east Syria and the humanitarian imperative for and political feasibility of a repatriation strategy. The included field work done at the al-Hol and Roj camps in north east Syria, as well as interviews with humanitarian activists, and government officials in the U.S., U.K., France and Germany between June and October 2019. The research built on Crisis Group's prior reporting on Syria, surrounding countries, and ISIS activities in the region. The resulting findings and policy recommendations were presented in Crisis Group's briefing [Women and Children First: Repatriating the Westerners Affiliated with ISIS](#), published on 18 November 2019, which provides full sources for all information presented in this submission.
4. This submission is based upon the 2019 research and briefing and, therefore, presents the situation as of November 2019. While some limited steps have been taken since then – notably, a number of European governments have started repatriations of small groups of women and children from north east Syria, and some Western states, notably the UK and the US, have worked to improve detention conditions and facilities in the north east - the overall situation and needs remain very similar.

The situation inside al-Hol and Roj camps

5. The camps and prisons that house ISIS fighters and their families are arrayed across Syria's north east. Women and children have been housed at camps in al-Hol, Roj and, until it was overrun during Turkey's incursion into the northeast, Ain Issa. Al-Hol is estimated to hold by far the largest population. Men and adolescent boys are imprisoned in a network of separate facilities.
6. Al-Hol has achieved particular notoriety both because of its size and because of the conditions there. Built to house around 10,000 people, its numbers swelled after the SDF and the U.S.-led coalition routed ISIS from its last stronghold in Baghouz in early 2019, and tens of thousands of women and children fled the fighting. The conditions at the camp's "foreigner annex", an area constructed to allow the YPG to detain over 11,000 women and children apart from the camp's general population, have been egregiously poor virtually since the outset. The Baghouz influx meant large numbers of women without strong ideological commitments were obliged to live in tight quarters alongside a sizeable cohort of committed militants in the annex, establishing conditions that were and remain ripe for abuse, violence and intimidation. The exposure of young children to ISIS indoctrination is a particular concern.

7. From the outset, security at al-Hol has been precarious, leading to disruptions in service delivery and medical care in the foreigner annex, which in turn stokes anger and tension. Violence has escalated by the day, with daily breakout attempts and regular confrontations among displaced women, and between women camp officials and aid staff. Accounts of disappeared and detained male children taken away to separate “deradicalisation” facilities are rife, and aid groups have documented cases of sexual abuse of women and sexual violence against children. In just one week at the al-Hol annex in late September [2019], two women were shot dead by guards after an armed confrontation (women appear increasingly able to smuggle firearms into the annex), and the bodies of two other women turned up, reportedly after they were sentenced to death in a makeshift tent Sharia court set up by militant women acting as community enforcers.
8. The dangerous security risks in the annex have prevented aid groups from providing sufficient services, including education, and the area has become a scene of humanitarian disaster, rampant with disease – its residents lacking adequate food, clean water, often cut off entirely from medical services, in an approach one aid official termed “malign neglect” and “collective punishment”. Security disruptions are partly to blame for this, but aid officials have also attributed it to the SDF’s undifferentiated view of this population as “ISIS women and children”.
9. These dangers are no secret to the detainees’ national governments, many of which are also coalition members. By mid-summer [2019], Western governments were growing increasingly alarmed by the humanitarian crisis at the camp, especially amid creeping media headlines that implied the U.S.-led coalition were supporting what were in effect child detention centres.
10. Despite most states’ clear preference to improve the camp rather than repatriate their inhabitants, however, little changed. Humanitarian groups indicated that they could not provide adequate medical services unless violence in the foreigner section subsided; for this to happen, the YPG and the coalition would need to divide the area or build a new women’s detention facility to separate and house violent women. Key coalition members resisted, partly for security reasons (it was feared ISIS could break out its militants more easily), partly because some faced legal prohibitions on building new structures, and partly because of some states’ reluctance to spend money to ameliorate a situation that was highly dynamic and unstable.
11. Al-Hol’s horrific conditions may also be a consequence of its fraught role as a hybrid space that offers residents none of the legal rights of a wartime detention facility, nor the services or protection of a displaced persons camp. The ambiguity of women’s and children’s legal status (they are neither formally displaced persons, nor prisoners, nor conflict detainees) has slowed the delivery of services a refugee or internally displaced persons camp would normally receive. This ambiguity also made it unclear who precisely was ultimately responsible for providing essential services and protecting basic rights (such as access to legal counsel) among the U.S.-led coalition, the YPG and various UN agencies.

The backgrounds of the women held in al-Hol and Roj

12. Understanding the diverse backgrounds of the people held in the camps of the north east, and the different levels of risks they present, is essential to developing a responsible plan for their relocation.
13. The women of al-Hol are not a monolithic group, and span a range of backgrounds and affiliations both to ISIS and to Islamist militancy more broadly.
14. The militant women who hold sway over the foreigner annex cast an outsize impression, harassing others who relax their niqabs, throwing stones, shouting abuse and burning down tents. When Crisis Group visited the camp [in 2019], some were combative in conversation and ideologically committed to ISIS or jihadism more broadly, vacillating between complaining about the harshness of their detention, and embracing it as a divine test for the caliphate. One German-Somali woman said she had no regrets about coming to Syria, defended ISIS practices and rejected suggestions that the group had coerced or abused women in any way, including by forcing them to remarry after the deaths of fighter husbands, arguing that: “Islam does not allow this”. Although YPG guards and

authorities do not allow foreign women formal access to mobile phones, many have them and are able to follow ISIS media output on Telegram and WhatsApp, from the latest ideological pronouncements to directions on how to navigate the current instability. Several reacted enthusiastically when the group put out a recent video.

15. Yet the militant women appear to be only a fraction within this population. Others have a more nuanced backstory. As some accounts have shown, many women joined ISIS through misapprehension, circumstance or coercion. Some simply followed husbands or other male family members, sought to escape abusive lives at home, or naively imagined it would be possible to try out life under the militants. Some suffered mental health conditions, were groomed or recruited as minors and matched with fighters for marriage before legal adulthood.
16. Women's roles and status also varied greatly in ISIS territory. Some worked in the group's administrative and media apparatus, or served as police enforcers, logisticians, recruiters, or propagandists with far-reaching reputations as jihadi poets. Some worked within their professions, for example, as doctors or teachers. Others were wives, mothers and housekeepers, tasked with raising future fighters. Across and within these categories, some remained committed to the ISIS project, while others grew disillusioned with its brutality, rejected its authority and sought to escape. Those women who challenged their fighter husbands or the group's authority were often imprisoned, physically abused, prosecuted in the group's local Sharia courts, or had their children taken away to punish their disobedience. One woman from Sweden pointed out that the women who escaped from Baghouz should not all be viewed as ISIS loyalists even if they stayed with the group until the end: "I couldn't escape earlier, how could I, a woman alone, with rockets and mortars falling everywhere?"
17. There are also differences in the populations housed at al-Hol and Roj. If al-Hol's residents include, in the words of one SDF official, "the ruling class of Daesh", Roj is home to a number of dissidents who openly express their disappointment at the descent of the ISIS project into extreme brutality. Women housed in this camp, and Ain Issa camp before it collapsed, told stories of fleeing ISIS strongholds at the earliest opportunity. While pockets of militant women remain, they are at least outwardly in the minority, and do not act as bullies or enforcers in the camp's shared areas. In Roj, women feel safe enough to dispense with the ISIS uniform of black abaya and niqab entirely. Instead, many wear sunglasses and loose outfits in light colours, with straw hats over their headscarves.
18. One internee at Roj had a story that seemed broadly representative of many of the women in both camps. A German woman of Moroccan origin, she had been living in Roj for over a year and a half with her three children. She travelled to Syria in 2013 at the behest of her German husband, who had joined Jabhat al-Nusra, the Syrian al-Qaeda affiliate now rebranded as Hayat Tahrir al-Sham, intending to stay only two months for the children to see their father. Shortly after their arrival, her husband was kidnapped by an opposing rebel group. Trapped by the intensifying conflict, she remained in Syria, waiting for a chance to escape with her limited funds. Like several women in the camp, she said she expected to face justice in her home country for having taken such a path, but that she accepted and even welcomed such an outcome, recognising it as crucial to a second chance at a secure life for her family.
19. Whether Western governments seeking to repatriate their women and children nationals can make meaningful distinctions within the populations and within al-Hol and Roj is unclear, some degree of screening adult internees for indications of militancy is possible. First, many women have lived in the camps for months or years, and authorities have been able to monitor and observe them over time, gaining knowledge of their personalities and backgrounds through their interactions with SDF guards, camp authorities, their children and other women. Secondly, the SDF worked to catalogue and assess women in the camps, although its lists and registers are incomplete. Thirdly, the SDF and its coalition partners with Western state investigators on the ground have done some particularly close individual assessments, relying in part on conversations with detainees. One

detainee inside Roj, for example, said she had been interviewed repeatedly by U.S. security officials.

The U.S. approach to repatriation

20. Proponents for repatriating Western nationals held in north east Syria tend to put forward a mix of humanitarian, security and practical arguments. They point to the horrendous camp conditions; the security risk of leaving foreign fighters to captors who could release them; the difficulty of monitoring them in the field, and the possibility that they could drift home undetected should they be released; and superiority of the prosecutorial and monitoring tools that could be brought to bear at home. Some also suggest the camps will be cauldrons of radicalisation for the next generation of jihadists, notwithstanding the countervailing arguments noted above.
21. Among Western states, the U.S. was the first to make a serious effort to bring back its nationals. It has urged other coalition allies to follow suit.
22. The arguments that sub-cabinet U.S. officials put forward generally echo the foregoing points concerning security, humanitarian need and practicality. President Biden's administration has made clear repatriation is a priority, and there is reason to believe that once appointees fill out key posts in government, a process slowed by Congress, there will be more pressure from the US Mission to the United Nations, as well as the State Department.
23. Whatever the rationale, several considerations may undercut the force of Washington's message and the pressure it has brought to bear. One is that the U.S. had several important advantages over coalition counterparts in managing repatriation risks. The U.S. had a strong presence on the ground in Syria's north east, and American security officials have comparatively high levels of intelligence and exposure to men and women across the camp and prison system. There are also relatively few American ISIS suspects to contend with, compared with some European countries' higher numbers. Only an estimated 300 Americans joined ISIS; for many European countries, both total and per capita numbers are much higher, with estimates ranging from 1,900 from France, 850 from the UK, and 498 from Belgium.
24. Most significantly, the U.S. faces fewer legal challenges than many other governments, as its laws are robust and broad enough to better assure successful prosecution of people accused of supporting ISIS through a wide range of acts, even simply travelling to militant territory as a trailing spouse. In contrast, more stringent requirements for obtaining a criminal conviction in some European countries have meant that dozens of women and men have done stints with ISIS and returned from Syria without serving any prison time at all.
25. Ironically, U.S. efforts to promote an atmosphere of counter-terrorism hypervigilance globally might have discouraged other governments from showing flexibility in dealing with their own nationals, thus undercutting U.S. efforts to convince Western allies to follow its lead. One U.S. official said: "The problem is that we've expended all this effort promoting [what has become] the Western counter-terrorism paradigm and dehumanising these people to mobilise against the ISIS threat. Now we have to humanise the population to convince countries that they can and should get them home."

A revised approach to repatriation

26. Western governments should move quickly to repatriate all nationals they can responsibly bring home from north east Syria.
27. For the purposes of making quick progress, orphans and unaccompanied children are the least controversial group to move home. Governments have already begun this effort, but since the Turkish incursion [in late 2019], child repatriations have slowed almost to a halt. Camp authorities (the camps' SDC civilian management) have said they remain willing to assist with repatriations, as they did in the past, and would even be prepared to drive detainees to the Simalka border crossing with northern Iraq, but many actors report the YPG and SDF are overwhelmed by requests. Before

the Turkish incursion, the U.S. played a significant facilitation role in repatriations, such as providing military cover to national teams, offering transport and logistical assistance, and acting as go-betweens with the YPG and SDF. Washington should do as much as it can to continue to provide this kind of assistance going forward.

28. As for the women in the camps, most states already have a preliminary understanding of the backgrounds of their female nationals. They should now work with the SDF, humanitarian relief agencies and other governments to close any knowledge gaps. In some cases, additional information from camp administrators or others should provide information, make a determination of which women have a militant or violent profile, and provide a basis on which to start repatriating women they know pose little or no threat and who wish to return.
29. The U.S. can be of particular help. Its own contractor, Blumont, is charged by the State Department with administering the camps, an arrangement that leaves the U.S. with some direct influence over camp affairs. It should press both Blumont and the north east authorities (spanning the YPG, SDF, civilian camp officials, and asayesh intelligence), to secure data and records on foreign women and children who have been processed through the camps. Biometric and civil documentation for camp residents (passports, family booklets and national IDs) are currently held by SDC authorities, and their accessibility is crucial for both screening and repatriation. Blumont and camp authorities should ensure that the data it holds is stored digitally, and should assist the SDC in indexing and organising documents; the SDC should, at the very least, provide them with copies of their personal records.
30. This leaves the remaining groups – women with a record of violence or militarism and male foreign fighters. Ideally, Western governments would re-examine the security and political calculations that have led them to exclude this cohort and find a way to bring them home too. After all, European governments have already begun to deal with their citizens, including former fighters, who have returned from the caliphate on their own or who Iraq or Turkey have sent home. Although this does not by itself dilute governments' security concerns – or the political resistance they would face in embracing full repatriation – it does mean that their institutions are already coping with the challenges a more proactive repatriation effort would involve, and expanding their skills and capabilities to do so effectively. French Judge David De Pas, who works on anti-terrorism cases, projected confidence in France's capabilities, arguing it would be safer for France to bring foreign fighters home where Paris would have them "on hand" rather than leave them in the field outside government control.
31. Unless and until Western governments arrive at a similar assessment, however, the option they face is to develop other long- and short-term options for the responsible disposition of their citizens. Right now [2019], the long-term option most seem to favour would be to strike a deal with Baghdad, under which Iraqi courts (possibly reconstituted as "hybrid" tribunals involving the participation of international judges and benefiting from foreign technical and financial support) would try foreign fighters and hold them in detention facilities located on Iraqi soil. In October [2019], French Foreign Minister Jean-Yves Le Drian visited Baghdad to push for a solution along these lines; other European governments are also interested in this option, and the U.S. has reportedly participated in talks about financing Iraqi prisons to hold foreign fighters.
32. While it is too soon to fully exclude the possibility of striking a suitable deal with Iraq, the odds appear stacked against it. Although the Iraqi government has reportedly asked for a substantial sum to cover its costs, the bigger impediments are likely to be legal. In order for European governments to send their citizens to face trial in Iraq consistent with their human rights obligations, Baghdad would need to offer credible assurances that it will not apply the death penalty – this while its courts recently sentenced twelve French jihadists to death – and that it will treat prisoners humanely. European governments will also need to ensure that there are fair trial safeguards, that the penal code permits the prosecution of the individuals in question, and that prison security can keep convicts under lock and key. How precisely they will achieve that in a system known for abuse, marked by poor judicial procedure, and subject to frequent jailbreaks is at best unclear.

33. Western governments have also, at times, considered holding detainees at a new or improved facility inside Syria. For a time, building a new facility conflicted with Western governments' refusal to engage in newbuild construction or "reconstruction" before a comprehensive political solution to the Syrian conflict. More recent negotiations with the SDF indicate that the autonomous administration has received funds through Coalition partners to build more high-tech facilities that it intends to retain, beyond this conflict horizon. Some actors have raised concerned that the SDF is playing a more obstructive role in repatriation talks, in order to maximise its own leverage and bargaining position.
34. As problematic as the Iraq and Syria options seem, Western governments are likely to continue looking for some way to make one or both work for at least the near term. To the extent that they do so, it will be incumbent on them to help ensure that their nationals who remain in north east Syria are held in conditions that are both humane and secure. To that end, they should work together to surge technical support, training and resources to help the SDF, working as necessary through intermediaries such as the UN and other humanitarian actors. Because humane and secure detention will require new facilities and some investment of resources, they will also need to explore ways to address legal constraints that presently inhibit precisely that. But they also need to be prepared for the possibility – indeed likelihood – that a durable regional solution will fail to materialise, and that over the longer term the only responsible option will be repatriation.
