



Submission by The Soufan Center
To The All-Party Parliamentary Group (APPG)
Inquiry Into Trafficked Britons In Syria

The Soufan Center

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About The Soufan Center

The Soufan Center (TSC) is an independent non-profit center offering research, analysis, and strategic dialogue on global security challenges and foreign policy issues, with a particular focus on counterterrorism, violent extremism, armed conflict, and the rule of law. Our work is underpinned by a recognition that human rights and human security perspectives are critical to developing credible, effective, and sustainable solutions. TSC fills a niche role by producing objective and innovative reports and analyses, and fostering dynamic dialogue and exchanges, to effectively equip governments, international organizations, the private sector, and civil society with key resources to inform policies and practice.

The Soufan Center is a 501c3 non-profit organization.



A. THE SITUATION IN THE DETENTION CAMPS IN NORTHEAST SYRIA

Following the destruction of the territorial caliphate by Coalition forces in 2019, several displacement camps and detention facilities endure in Northeast Syria. Al-Hol, one of the largest displacement camps in Northeast Syria, now holds around 60,000 people from nearly 60 countries, over 80% women and children, and several thousand foreign detainees. Located in the semi-autonomous Kurdish-controlled region of Northeast Syria, it is estimated that approximately two-thirds of the camp's residents are children. As conditions deteriorate rapidly against the backdrop of a global pandemic, the fate of al-Hol's residents is increasingly uncertain. The UN reports that at least 70 people have been killed in al-Hol this year, with a water crisis exacerbating insecurity and humanitarian needs, as the camp has created a hospitable environment for ISIS to recruit, regroup, and rear the next generation of jihadists. Security has largely been left to the Kurdish Syrian Democratic Forces (SDF).

The ongoing COVID-19 pandemic and deteriorating security have limited access and resources for humanitarian actors, but the further restriction of UN humanitarian access in Syria through the UN Security Council in 2020, eliminating the only UN crossing to the Northeast, as well as ongoing piece-meal cross-border humanitarian access authorizations by the Council, only exacerbated these challenges in al-Hol, as well as other displacement camps in Northeast Syria. In October 2020, an amnesty was granted to Syrian inhabitants—a more straightforward operation than dealing with the foreign nationals in al-Hol camp—given their status as IDPs, easier logistics, and the practice of guarantors vouching for their behavior. On accountability and next steps, the questions of prosecution and repatriation are fraught with many legal, security, and political challenges. The security and humanitarian imperatives, including the need to identify and monitor residents to prevent a resurgence of ISIS violence, underscore the need for urgent action.



B. THE USE OF TRAFFICKING BY ISIS

Trafficking individuals and families from their countries of origin, including the United Kingdom, to Iraq and Syria to join the Islamic State (ISIS), was a technique practiced and refined by the terrorist group during its peak. Well-known members of ISIS and British citizens, including Junaid Hussain (Abu Hussain al-Britani), Reyaad Khan, and Raphael Hostey (Abu Qaqa), were all ISIS recruiters who communicated with various individuals, recruited them to join the group, and then helped arrange for their travel from to the region. It is also possible that Britons played a role in trafficking others (not Britons, but perhaps Yazidis) while in Iraq and Syria. Nearly every terrorist group, to one extent or another, engages in smuggling and trafficking, especially to finance its activities. In the case of ISIS, the declared intention to recruit women as fighters' wives and citizens of the new "Caliphate", institutionalize slave markets and establish a clear and brutal framework for women's roles was a notable feature of the group. Smuggling and trafficking can include weapons, drugs, humans, and other commodities deemed valuable. Too often, states narrowly focus on this aspect of smuggling, e.g. crime-terror nexus, and not enough on trafficking individuals (fighters, their families) who go on to be members of terrorist groups like ISIS.

C. PROTECTING VICTIMS OF TRAFFICKING DETAINED IN NORTHEAST SYRIA

Determining who was trafficked and who went to Iraq and Syria willingly will be a difficult task. This involves thorough investigations of how individuals came to be detained in camps in Northeast Syria, and whether individuals with ulterior motives are disguising their original intent, as many ISIS fighters have done by claiming they were innocent bystanders, coerced into joining the group, or played a minor role e.g. cook, within the organization. When genuine trafficking victims are identified, they should be returned to the UK, rehabilitated, and reintegrated into society according to best practices in these areas, and every effort made to identify and prosecute the facilitators and enablers. There may also be particular challenges in obtaining the necessary evidence from the conflict zone, and require bilateral and multilateral cooperation to obtain the necessary battlefield evidence.



D. THE UK GOVERNMENT'S POLICY TOWARDS UK NATIONALS DETAINED IN NORTHEAST SYRIA

The UK position towards UK nationals detained in Northeast Syria has been to refuse repatriation support, with the exception of a few unaccompanied children or orphans, on a case by case basis, and to deprive some individuals of citizenship. The UK is currently funding the expansion of a prison facility at Hasakah, operated by America's Kurdish partners in the region. In terms of accountability for terrorist crimes perpetrated by UK nationals, the official policy has been that accountability is best served where the crimes were committed, and the government has been in ongoing talks with international partners to identify ways forward.

Clause 51 has been widely critiqued as furthering the UK's already strong stance on immigration as part of "Fortress Europe" pre-Brexit, and as a means of furthering political priorities set out as part of the Brexit agenda. While it is important to ensure that UK citizens have access to the legal processes to which they are entitled, and be assured of due process, it is also important to ensure support to victims of ISIS and ensure that detainees undergo a process of screening, prosecution, rehabilitation, and reintegration, as outlined in UN Security Council Resolution 2396. Communities in Syria impacted by the actions of UK nationals may also need support, and it is therefore important that the government ensure a timely response. Children should always be considered victims, and all children should have access to the rights enshrined in the Convention on the Rights of the Child, and other protective measures designed for children in armed conflict.

Given the UK's focus on combating modern slavery and trafficking, it is important to ensure that its own approaches meet the expectations and standards set out for other countries. UK nationals trafficked to Syria should be afforded every legal, psycho-social, and practical support possible, and emphasis should be placed on bringing facilitators to justice.



E. THE IMPACT ON UK AND GLOBAL SECURITY

Reports of increased radicalization, recruitment, and violations of human rights, which are widely regarded as an enabling environment for terrorism, warrant a swift response to mitigating the risks arising from the displacement camps in Northeast Syria. Moreover, the urgent humanitarian needs of inhabitants grow increasingly urgent. Amidst reports of ISIS regrouping in the region and exerting influence on individuals in displacement camps, there is a heightened security concern about the future of the camps and ability of ISIS to break out supporters or otherwise mobilise recruits and gain strength. Without an adequate screening process however, it remains unclear about the specific risks posed by Britons in the camps.

There has been widespread critique of the UK's decision to use deprivations as a means of addressing the risks posed by nationals traveling to Syria, and to resist repatriating its citizens and prosecuting, rehabilitating, and reintegrating domestically. The UK position on repatriation is matched by several European partners, though several states have repatriated nationals over the past year, largely women and/or children—leaving the question of what happens to the men and boys that remain unanswered. At the United Nations Security Council, the United States joined Russia in prioritizing repatriation and encouraging other Security Council members, including the UK to repatriate nationals. The continued US prioritization of repatriation, which is a priority not necessarily limited to Northeast Syria, is likely to continue to cause tensions with the UK though the counterterrorism partnership remains strong, as witnessed in the Global Coalition.

F. DISCRIMINATION

The deprivation of citizenship in certain cases has certainly brought widespread media focus and interest to the United Kingdom, though it is not the only country to adopt this tactic (Saudi Arabia, for example, revoked Hamza bin Laden's citizenship in 2019). When used against individuals where the immediate security concerns remain unclear to the wider public, it can be construed as hasty and discriminatory, and appear to reflect the government's conclusion that it cannot manage the risks and needs of its own citizens.



There are widespread concerns that those individuals deprived of citizenship while residing in camps in Northeast Syria cannot access the necessary legal advice, or participate effectively in any real way, in appealing the deprivation measures which negatively impacts arguments by the government that all measures have been taken to ensure due process.

G. REPATRIATING UK AND OTHER NATIONALS FROM NORTHEAST SYRIA

Recent efforts by states such as the US, Germany, and others to repatriate their nationals from Northeast Syria demonstrate the value of ensuring that such individuals can be properly screened, prosecuted, rehabilitated, and reintegrated in their countries. However, prosecutions of individuals associated with ISIS for terrorism and other related crimes remains low, and several states have expressed concerns that evidence from the conflict zones remains difficult to access and utilize in domestic cases, if at all. Where individuals associated with ISIS have in fact been prosecuted, sentencing remains notably low and not commensurate to the crimes committed. The focus on repatriating women and children leaves the question of the fate of men and male youths severely under-addressed.

Should the UK choose to repatriate its nationals from Northeast Syria, it is difficult to comprehend that it would not have the ability to do so. It is likely there will be strong public opposition, and resistance to expending government resources particularly at a time when these are stretched by COVID-19. It is also not clear what actions the government might take should UK nationals return using their own resources, rather than await government repatriation.

The UK government will need to balance security and other considerations on a case-by-case basis. While most states adopt the approach of ensuring that children can stay with their mothers, the prosecution of their mothers on return to the UK could also have a detrimental effect on the children. While all children should be afforded protections enshrined in the Conventions on the Rights of the Child, these protections do not automatically apply to family members. Where feasible, however, it is widely accepted that children should remain with family members, unless they pose a risk to the health and wellbeing of the child. This should not however only apply to mothers, but also fathers.



ADDITIONAL RESOURCES AND ANALYSIS:

- Issue Brief: "[Bringing Terrorists to Justice: Prosecuting ISIL War Crimes and Terrorism](#)," June 2021
- IntelBrief: "[Hunger Strike at Syrian Displacement Camp Highlights Security and Humanitarian Challenges](#)," February 24, 2021
- IntelBrief: "[The Point of No Return? Cross-Border Aid in Syria Under Threat](#)," July 9, 2021
- IntelBrief: "[Will Western Nations Ever Repatriate Their Citizens in Syria and Iraq?](#)" June 23, 2020
- IntelBrief: "[The Fate of Foreign Fighters](#)," February 14, 2020
- IntelBrief: "[The United Kingdom Brings Home Several Orphans from Syria](#)," November 25, 2019
- IntelBrief: "[The United States Betrays Its True Allies in Syria](#)," October 8, 2019
- IntelBrief: "[The EU Makes Progress in Prosecuting Foreign Fighters, But More Needs to Be Done](#)," September 10, 2019
- IntelBrief: "[A Crisis in the Camps](#)," May 16, 2019
- IntelBrief: "[The Long Shadow of the Caliphate](#)," April 12, 2019
- Report: "[Syria: The Humanitarian-Security Nexus](#)," March 2017
- Report: "[Foreign Fighters in Syria](#)," June 2014