

The world must bring children home from Syrian detention camps

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As we enter our tenth year of investigating and reporting on grave human rights violations in Syria, we are deeply troubled by the plight of Syria's children, the majority of whom have only known conflict and tragedy. Children continue to be killed by shelling and airstrikes. They have grown up under siege — facing death and starvation, lacking the most basic needs.

Millions languish in appalling conditions in displacement camps. Children have been arbitrarily detained, tortured and subjected to sexual and gender-based violence. Traffickers prey on them, girls are forced into child marriages, boys recruited as child soldiers. More than half of Syria's children are deprived of basic education. Thousands are held in detention, many in adults' prisons.

As we write, in Deraa al Balad in southern Syria, children have suffered under a two-month siege, been killed by bombardments, forcibly displaced to the north, and fled with the masses towards the Jordanian border. In northwest Syria 1.8 million children desperately need humanitarian assistance.

In short, the parties in the Syrian conflict have shown callous disregard for “the best interest of the child” enshrined in the Convention on the Rights of the Child, prioritising instead military and political objectives.

Strikingly, other countries, who should assist in getting their own children out of harm’s way in Syria, have also refused or dragged their feet in protecting children’s rights.

In Al Hol and other camps near the Iraqi border in northeast Syria, an estimated 40,000 children are deprived of their liberty, and held with their mothers, unless they are orphans, for suspected links with Isis. Nearly half are Iraqi; 7,800 come from nearly 60 other countries.

Most are under 12. No one accuses them of crimes, yet, for over three years, they have been held in horrifying conditions, deprived of their right to education, to play, to proper health care.

As boys become teenagers, they risk separation from their mothers, and transfer to detention facilities where some 500 foreign boys are already held alongside adult Isis suspected fighters. There they risk further indoctrination, radicalisation and inhuman treatment.

Since mid-2019, almost 5,000 Syrian children have been released from the camps to communities in the northeast under so-called tribal sponsorship agreements. Some 1,000 foreign children have also been released and brought home.

Yet, most foreign children remain deprived of their liberty, since their home countries refuse to repatriate the

Let’s take a closer look at three common arguments against repatriation that they use.

The first is that countries do not want to bring children back without their mothers, and most of the women are not welcome home because they voluntarily went to Syria to join the murderous, genocidal Isis, often in breach of national laws.

Another is that the mothers need to be held accountable for their actions and alleged crimes, and that the best place to ensure accountability is in situ, in Syria, where witnesses and evidence can be found. The third is that the mothers – and potentially their children – are security risks, bringing home violent, extremist ideology.

However, when these rationales are weighed against the facts and the suffering of thousands of innocent children, they crumble.

While most mothers travelled to Syria voluntarily, their children did not. Punishing children for the sins of their parents cannot be justified. Further, some of the women languishing in Al Hol were mere children when they entered Syria. Others were victims of Isis — among them sex slaves, now raising children born of rape.

On the accountability argument, after three years there is no indication that any local or internationally assisted judicial proceedings are advancing. Instead, several repatriated mothers have successfully been held criminally accountable by courts in their home countries – for crimes ranging from participation in a terror organisation to child abduction – demonstrating that accountability at home is eminently possible.

As for the security risks, the status quo is much worse. Al Hol camp, and also prisons run by the Kurdish-led SDF alliance, are breeding grounds for violent extremism. Mothers resisting Isis's ideology in Al Hol are beaten or have their tents burned. This year alone, there were 69 murders in the camp – including of children.

Not all home countries have capacity to repatriate or reintegrate their nationals, and in some cases, mothers and children may rationally fear persecution at home and so repatriation would run against the principle of non-refoulement. They must also be protected in line with international human rights and humanitarian law.

Protection, however, does not mean indefinite detention of children. The first remedy for unlawful detention is release.

After ten years of conflict it is high time protection of children is prioritised. Their urgent needs must be addressed, including security, education and healthcare. After all, they are the future of the country once the guns fall silent.

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