



***Submission to the Office of the High Commissioner for Human Rights
in response to the call for input on “the rights of the child and family reunification”
pursuant to resolution 45/30 of the Human Rights Council***

ABOUT REPRIEVE

Reprieve is a charitable organization registered in the United Kingdom (No. 1114900), and in special consultative status with the United Nations Economic and Social Council (ECOSOC). Reprieve provides free legal and investigative support to those who have been subjected to state-sponsored human rights abuses. Our clients belong to some of the most vulnerable populations in the world, as it is in their cases that human rights are most swiftly jettisoned and the rule of law is cast aside. In particular, we protect the rights of those facing the death penalty and deliver justice to victims of arbitrary detention, torture, and extrajudicial execution.

SUMMARY

1. This submission responds to Question 3 of the OHCHR’s call for input, namely:
 - A. *What are the main human rights concerns for children living in conflict, children in detention or whose parents are detained, or children allegedly associated with terrorism or terrorist groups, regarding their right to be reunited with their families?*
 - B. *How can the best interests of children separated from their families in these situations be more effectively upheld without discrimination?”*
2. Reprieve has been working on behalf of children and adults detained without charge or trial by the Autonomous Administration of North East Syria (AANES) in North East Syria (NES) (see **Background** below). Since 2018, Reprieve has conducted four trips to NES. Reprieve has interviewed dozens of detainees, including children, and has extensive links with family members, lawyers, human rights activists, and relevant experts. This submission is based on our field work, investigations, engagements with key stakeholders, and public reports where relevant.
3. **Section A** of this submission presents evidence of the myriad human rights violations being inflicted on children detained in NES, including:
 - i. Inhuman and degrading treatment;
 - ii. Arbitrary detention and collective punishment;
 - iii. Family separations; and
 - iv. Violation of non-punishment principle and risks of re-trafficking.
4. **Section B** of this submission sets out recommendations as to how the best interests of detained children can be upheld. Repatriation of children detained in NES along with their families is the only international law-compliant response to their suffering.

BACKGROUND: Children detained in NES

5. The AANES has detained over 60,000 individuals in two heavily guarded open-air camps, Al Hol and Roj, on the basis of perceived affiliation with the Islamic State (ISIS). This includes approximately 40,000 children and 20,000 women. Of these children, more than 90 per cent are under 12 years old and more than half are under five years old. Almost 8,000 of the children in these camps are of non-Syrian and non-Iraqi nationality (Third Country Nationals), from over 60 different countries.¹
6. In addition, the AANES has detained approximately 10,000 males in 14 “makeshift prisons” for ISIS suspects.² This includes over 700 boys, of which approximately 100 are Third Country Nationals.³ In some cases, boys are being held in the same cells as adults.⁴ Together, this appears to be the biggest known detention situation of children in the world.
7. Individuals detained by the AANES appear to be held for presumed but unproven links to ISIS on the basis of having formerly lived in ISIS-controlled territory. With respect to children, the vast majority are detained on the basis of family ties and the presumption that their parents or caregivers are affiliated with ISIS. As far as Reprieve is aware, none of those detained have been charged with any offence or brought before a court in NES.
8. Through years of conflict and fleeing ISIS-held territory, many children have become separated from their families or orphaned. Separated or unaccompanied children in the detention camps are living in interim care centers or with other caregivers.⁵ For children still with families or caregivers, there is a constant risk of separation due to death or illness of family members arising from horrific camp conditions; forcible separations of boys by the AANES; and re-trafficking.
9. For Third Country National children, states are failing to meet their positive obligations to take necessary and reasonable steps to intervene in their favour, particularly as they face treatment in serious violation of fundamental international human rights law and amounting to *jus cogens* or non-derogable customary law norms.⁶ These states have an obligation to repatriate children and their parents or caregivers as a family unit and to take immediate steps to protect them from further harm.

SECTION A: What are the main human rights concerns for children living in conflict, children in detention or whose parents are detained, or children allegedly associated with terrorism or terrorist groups, regarding their right to be reunited with their families?

I. Inhuman and degrading treatment

10. It has been well established that conditions in the detention facilities in NES amount to inhuman and degrading treatment and threaten the right to life of detainees.⁷ Save the Children has reported that in 2021 to mid-August, 62 children have died in Al Hol camp, including three who were shot.⁸ Apart from violence and risk to life from dire conditions, including frequent fires,⁹ children endure extremely poor access to medical care, food, water, sanitation, and education.¹⁰ There is a notable lack of mental health care for children who have invariably experienced extreme trauma.¹¹
11. In the adult prison facilities, conditions are “*abhorrent*” and boys detained there are subjected to “*inadequate shelter, no bedding provision, unmanaged overcrowding, no access to sunlight, insufficient latrine access and virtually no shower access. Malnourishment is rife. Boys held in these*

facilities suffer from scabies and other skin conditions, they are vulnerable to HIV, Tuberculosis and Covid-19 exposure.”¹²

12. Holding children in these facilities clearly breaches multiple fundamental rights.

II. Arbitrary detention and collective punishment

13. Movement of detainees in Al Hol and Roj is severely restricted. Leaving the camps is not allowed without authorization from camp authorities, which appear to be granted arbitrarily and only for acute medical need. Children older than two cannot be accompanied when they are taken outside of the camps, which reportedly prevents girls from accessing medical treatment due to their mothers’ fear of separation and/or harassment they may face. Movement within the camps is tightly constrained, as women and children are restricted to small delineated areas, hampering access to humanitarian services. Communications are also severely limited and women are subjected to punishment when caught with mobile phones.¹³

14. Males are detained in even more restrictive conditions. Adolescent and adult males are held in severely overcrowded facilities with little to no access to fresh air or sunlight. Communications with the outside world are so restricted that it may amount to incommunicado detention and enforced disappearance.¹⁴

15. With respect to the detention of children, the SRCT has called the grounds for their detention “*spurious*”.¹⁵ As noted above, most children held by the AANES are detained on the basis of the presumption that their parents or caregivers are affiliated with ISIS. Given that none of these individuals have been charged or tried, and lawyers have not been granted permission to visit, they have no practical means to challenge the legality of their detention. The detention of both adults and children is therefore arbitrary and constitutes an unlawful deprivation of liberty.¹⁶

16. The Human Rights Council has emphasised that detention based on alleged criminality of family members is an “*egregious*” example of arbitrary detention.¹⁷ Moreover, it is a violation of the principle of non-discrimination to punish a child based on the “*status, activities, expressed opinions, or beliefs*” of their parents.¹⁸ Detention on such discriminatory grounds constitutes collective punishment,¹⁹ a “*clear breach*” of international law.²⁰ Children should not face criminal charges by mere fact of their association with a terrorist group and, in cases where they are suspected of committing crimes, should be treated primarily as victims under international law.²¹ In all cases, detention should be used as a measure of last resort and for the shortest period of time possible, in line with the best interests of the child.²²

III. Family separation

Forcible separation of boys

17. Boys and adolescents in this context are particularly vulnerable and subject to unique harms,²³ notably family separation in violation of the Convention on the Rights of the Child (CRC).²⁴

18. Boys who are held in detention camps with their mothers, caregivers, and/or families are at risk of forcible separation from them on the basis of their gender and age. As boys approach adolescence, some are removed from the camps and taken to adult detention facilities or “rehabilitation centers”.²⁵

Removals have been reported since 2019,²⁶ and Reprieve has been informed that boys as young as 13 have been forcibly separated from their mothers in Al Hol Camp as recently as October 2021.²⁷ It appears that hundreds of boys may have been separated from their families in this way.²⁸ Once they turn 18 years old, boys in rehabilitation centers are then reportedly moved to adult detention facilities on the basis of age, rather than alleged criminality. As boys continue to be left to grow up in the detention camps, this problem will only be exacerbated.

19. In July 2021, Reprieve visited a juvenile "rehabilitation center" where over 100 adolescent boys are detained.²⁹ We met with several boys who had been separated from their mothers in the detention camps. The boys uniformly describe men entering their tents at night, when the family is asleep, and being taken. The boys did not know what was happening to them, why, or where they were being taken. One boy described the behaviour of security forces as "*aggressive*", while another said that "*it was scary*". Once they are moved, the boys have little to no contact with their family members in other places of detention. One boy told Reprieve that he has been separated from his mother for over a year and a half and has been permitted to see his mother and siblings only once. One 10 year-old-boy has not spoken to his mother since they were separated months prior.
20. However, multiple journalists have been permitted to interview the boys; it is highly questionable whether the boys are able to give informed consent in such circumstances and are aware of the potential repercussions of their participation. For instance, boys told Reprieve they were asked questions about whether they had participated in hostilities or witnessed atrocities. In some cases, the publication of this information may be legally prejudicial or imperil their chance of family reunification and/or repatriation.³⁰
21. The exact criteria by which boys are selected for separation is unclear. However, the SRCT has noted that this appalling practice is based on assumptions that these boys are "*inherently unworthy of the status of civilian, child or victim, and presumed by virtue of gender (male), religious affiliation (Muslim) and geography (Syria) to be a 'non-child' for the purposes of international law protection.*"³¹ These violent separations are discriminatory, arbitrary, a breach of family rights, and are contrary to the best interests of the child.

Threat of separations due to punitive State measures

22. At least 57 states have refused to repatriate or to assist their nationals detained in NES.³² These states have ignored the findings by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions and the SRCT that repatriation from NES is a positive implementation of Security Council Resolutions 2178 (2014) and 2396 (2017).³³ A blanket approach to non-repatriation has a disproportionate impact on children and fails to take into account their individual circumstances and best interests.
23. Moreover, a number of states, including the UK, have stripped their adult nationals detained in NES of citizenship. Moreover, when the UK began its policy of citizenship-stripping in 2016,³⁴ it targeted only those individuals still in NES. The UN CTED has found that it was particularly difficult for women, especially those with children, to escape ISIS.³⁵ As a result, the UK has penalized, rather than protected, the most vulnerable.

24. The result of these punitive approaches is that while the UK has refused to repatriate any British adult detained in NES, it is offering to separate children from their mothers in order to repatriate them. Reprieve is aware of at least four detained women who have been informed by the UK that it will consider repatriating their children without them. This suggests that the UK has made a policy choice to separate children from their mothers, rather than bring back the small number of British families detained in the camp as a unit.³⁶ In at least one case that Reprieve is aware of, children of the same family do not have the same nationality, as their mother was stripped of British citizenship before the youngest was born. Thus, the UK proposes to permanently separate children not only from their mothers, but also from their siblings. France also appears to be separating children from their mothers; in June 2020, it repatriated 10 children from the detention camps, however the mothers of two of these children remained behind and one child was reportedly separated from his/her siblings.³⁷ As the SRCT has noted, *“This inhuman choice between family separation and the vindication of citizenship is one that should not be accepted in civilized societies.”*³⁸
25. The refusal to repatriate mothers together with their children is an egregious violation of the right to family life and the best interests of the child.³⁹ Particularly in a context where children have been subjected to a range of traumatic events, separation from their only caregiver can have a range of emotional, physical, and cognitive effects. Any decision to separate children from their primary caregiver must be made by an appropriately qualified team and only be considered as a last resort. In the circumstances in which these children find themselves, it is beyond doubt that no such assessment can be meaningfully done.

IV. Violation of non-punishment principle and risks of re-trafficking of children

26. As the UN High Commissioner for Human Rights has noted, many of the individuals detained in NES *“have been trafficked or otherwise forced into marriage, sexual slavery and exploitation by UN-listed terrorist groups”*.⁴⁰ This is true of thousands of children detained in NES, an unknown number of whom *“were conceived from acts of rape and sexual coercion during the conflict, or forced marriage.”*⁴¹
27. It is well documented that as part of its ‘state-building’ strategy, ISIS created and operated structures which systematically enslaved and exploited hundreds of women and girls. The forced labour of women and girls, through childbirth, child-rearing and domestic servitude, was viewed by ISIS as necessary *“to fulfil domestic and supporting roles in the caliphate and to legitimise ISIS and their new state”*.⁴²
28. Reprieve has found that almost two-thirds of all British women detained in NES are potential victims of human trafficking.⁴³ Almost half of these women were children when they travelled to Syria.⁴⁴ One of Reprieve’s clients was just 12 years old when she was taken to Syria by an older male relative. In Syria, she was repeatedly raped, forced into marriage at the age 14, and had her first child conceived by rape by the age of 15.⁴⁵ Another girl who was transported to Syria as a child was forced to marry or else remain trapped as a servant in a married couple’s home. Her husband was violent and psychologically abusive, telling her on at least one occasion, *“I could murder you now and no one would know.”* He would also lock her in the house for long periods without food leading to bouts of

starvation.⁴⁶ Boys were also trafficked by ISIS, including for recruitment and use in hostilities.⁴⁷ However, given lack of access (detailed above) information on this is limited.

29. Despite states' positive obligation to both protect victims of trafficking and to investigate situations of potential trafficking,⁴⁸ many states have adopted punitive approaches in violation of the principle of non-punishment.⁴⁹ This is especially egregious in the case of child victims, who are particularly vulnerable and "*cannot be required to self-identify or be penalised for failing to do so*".⁵⁰ States have a "*strict obligation*" to repatriate victims of trafficking, but are seeking to avoid that obligation for their nationals detained in NES by failing to meet their obligations of identification, assistance, and protection of victims.⁵¹
30. Further, the indefinite, arbitrary detention of children and their caregivers heightens their vulnerability to re-trafficking. Against a background of human rights violations, abandonment by their home country and the message that they will never be able to live together a family unit is steadily increasing desperation in the detention camps. Reprieve has interviewed multiple mothers who fear repatriation as they believe they will be separated from their children without due process. In addition, extremely restrictive domestic legislation in many countries prevents family members from sending even small sums of money to their loved ones in NES without risk of criminal prosecution.⁵² As a result, many women in the camps are prevented from buying basic necessities for themselves and their children, including food, clothing, and medication.
31. These factors render women and children vulnerable to further exploitation and re-trafficking by ISIS factions operating in and around the detention camps, as ISIS seeks to reassert itself in the region.⁵³ Reports have already emerged of detained women "marrying" men they meet online, who then arrange for them to be smuggled out of the detention camps.⁵⁴

SECTION B. How can the best interests of children separated from their families in these situations be more effectively upheld without discrimination?

32. Reprieve recommends that through its various mechanisms, the UN Human Rights Council:
 - Continues to employ its mechanisms including the Special Procedures to advance international scrutiny on the obligations of states towards their citizens detained in NES.
 - Calls on states to facilitate the voluntary repatriation of their nationals without further delay. States should prioritize maintaining family unity and protect the best interests of the child.
 - Calls on states to review all policies that promote or encourage family separation and ensure that any decision to separate children from their primary caregiver must be made by an interdisciplinary team of appropriately qualified professionals experienced in making such assessments and should only be considered as a last resort.
 - Calls on the AANES to immediately release arbitrarily detained children and reunite them with their families, and to allow detention monitors full access to the facilities.
 - Calls on states providing funding for the construction and maintenance of detention facilities in NES to provide additional funding, expertise, and support to ensure they meet minimum detention standards, including for juveniles, as a matter of urgency.

- Calls on states to provide effective consular assistance to their nationals detained in NES to ensure their safety and wellbeing, in a way that takes into account the specific needs of children. This includes the provision of the necessary funds to purchase food, medicine, and clothing.
- Calls on states to reinstate the citizenship of all its nationals detained in NES and to end the discriminatory policy of citizenship-stripping.
- Calls on states to meet their obligations of investigation, assistance, and protection to potential victims of trafficking, even when those victims have been trafficked out of their jurisdiction.

¹ Human Rights Watch, *Thousands of Foreigners Unlawfully Held in NE Syria*, 23 March 2021 (HRW, *Thousands of Foreigners*), available at: <https://www.hrw.org/news/2021/03/23/thousands-foreigners-unlawfully-held-ne-syria?fbclid=IwAR0J-3FUAWG7VgSh6Q4rOU4bB5nZ1uYiixivW4IOHyQAzjwyD7CHQoRyvGk#>; Save the Children, *When am I going to Start to Live?: The Urgent Need to Repatriate Foreign Children Trapped in Al Hol and and Roj Camps*, 2021 (*When am I Going to Start to Live?*), p. 3, available at: <https://resourcecentre.savethechildren.net/document/when-am-i-going-start-live-urgent-need-repatriate-foreign-children-trapped-al-hol-and-roj/>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 13 August 2021, A/HRC/48/70 (Syria Col, 2021 Report), para. 110, available at: <https://www.ohchr.org/EN/HRBodies/HRC/IIICISyria/Pages/ReportoftheCommissionofInquirySyria-48thsession.aspx>.

² HRW, *Thousands of Foreigners*.

³ HRW, *Thousands of Foreigners*; Remarks by Fabrizio Carboni, ICRC Near and Middle East Regional Director, *Briefing on Humanitarian Situation of Stranded and Detained People in Northeast Syria*, 30 June 2021, available at: <https://www.icrc.org/en/document/remarks-fabrizio-carboni-icrc-near-and-middle-east-regional-director-record>. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (SRCT) has reported that the Guweiran military prison in Hasakeh holds approximately 700 boys aged between 10 and 17 years old; the Alaya Prison in Qamishli is holding approximately 32 boys between 12 and 15 years old; and the Houri Center is holding approximately 147 boys. See UN Special Procedures, *Position of the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism on the human rights of adolescents/juveniles being detained in North-East Syria*, May 2021 (*Position on rights of adolescents/juveniles*), fn. 2, available at: https://www.ohchr.org/Documents/Issues/Terrorism/SR/UNSRCT_Position_human-rights-of-boys-adolescents-2021_final.pdf.

⁴ UN Special Procedures, *Position on rights of adolescents/juveniles*, fn. 7.

⁵ Save the Children, *When am I Going to Start to Live?*, p. 3.

⁶ Submission by the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and the UN Special Rapporteur on arbitrary, summary and extra-judicial executions in the case of *H.F. and M.F. v. France* (Application no. 24384/19) before the European Court of Human Rights (*SR SUMEX and SRCT ECHR Submission*), para. 25, available at: https://www.ohchr.org/Documents/Issues/Terrorism/SR/Final-Amicus_Brief_SRCT_SRSsummex.pdf; UN Special procedures, *Extra-territorial jurisdiction of States over children and their guardians in camps, prisons, or elsewhere in the northern Syrian Arab Republic: Legal Analysis*, available at: <https://www.ohchr.org/Documents/Issues/Executions/UNSRsPublicJurisdictionAnalysis2020.pdf> (*Legal Analysis*).

⁷ Syria Col, 2021 Report, para. 116; Syria Col, *Detention Report*, para. 95; Save the Children, *When am I Going to Start to Live?*; Rights and Security International, *Abandoned to Torture: Dehumanizing Rights Violations against Children and Women in northeast Syria*, 2021 (*Abandoned to Torture*), available at: https://www.rightsandsecurity.org/assets/downloads/Abandoned_to_Torture_-_Final_Report.pdf. Conditions in

the detention camps have been described in devastating terms by the SRCT. See, UN Special Procedures, *Position on rights of adolescents/juveniles*, p. 2.

⁸ Save the Children, *When am I Going to Start to Live?*, p. 11. See also, The Times, *Soon they will be old enough to carry a gun: the lost children of ISIS*, 28 September 2021, available at: <https://www.thetimes.co.uk/article/soon-they-will-be-old-enough-to-carry-a-gun-the-lost-children-of-isis-gw9rk35qw>; The Washington Post, *Syrian detention camp rocked by dozens of killings blamed on Islamic State women*, 19 September 2021, available at: <https://www.washingtonpost.com/world/2021/09/19/syria-isis-al-hol-camp/>; HRW, *Thousands of Foreigners*, reporting that “more than 700 detainees in al-Hol and Roj – at least half of them children – have died in the past two years.”

⁹ Save the Children reports that “Fire-related injuries is the most common recorded cause of death for children in Al Hol, leading to the deaths of 13 children from January to September 2021”, while in Al Roj Camp, “In 2020, three children died and two were critically injured in two separate incidents after heaters exploded and started fires.” Save the Children, *When am I Going to Start to Live?*, p. 12.

¹⁰ Save the Children, *When am I Going to Start to Live?*; Rights and Security International, *Abandoned to Torture*.

¹¹ See, for instance, SBS News, *Australian children as young as seven having suicidal thoughts after years in Syrian camps*, 23 September 2021, available at: <https://www.sbs.com.au/news/australian-children-as-young-as-seven-having-suicidal-thoughts-after-years-in-syrian-camps/b396f210-1378-42a1-8f80-39f670b57cd8>.

¹² UN Special Procedures, *Position on rights of adolescents/juveniles*, p. 3.

¹³ Information held on file by Reprieve. See also Rights and Security International, *Abandoned to Torture*; Save the Children, *When am I Going to Start to Live?*

¹⁴ See Articles 2 and 17, International Convention for the Protection of All Persons from Enforced Disappearance.

¹⁵ UN Special Procedures, *Position on rights of adolescents/juveniles*, p. 3.

¹⁶ Syria Col, *Detention Report*, paras. 95-96.

¹⁷ Human Rights Committee, *General Comment No. 35: Article 9 (Liberty and security of person)*, 16 December 2014, CCRP/C/GC/35, para. 16. available at:

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fGC%2f35&Lang=en.

¹⁸ Article 2(2), Convention on the Rights of the Child.

¹⁹ UN Office of Counter-Terrorism, *Children Affected by the Foreign-Fighter Phenomenon: Ensuring A Child Rights Based Approach*, para. 52, available at: <https://www.un.org/counterterrorism/handbook-children-affected-foreign-fighter-phenomenon-ensuring-child-rights-based-approach>.

²⁰ UN Special Procedures, *Position on rights of adolescents/juveniles*, p. 9.

²¹ Principle 3.6, *The Paris Principles: Principles and Guidelines on Children Associated with Armed Forces or Armed Groups*, February 2007.

²² Rule 13.1, UN Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”), 29 November 1985.

²³ Fionnuala Ní Aoláin, *Gendering the Boy Child in the Context of Counterterrorism: The Situation of Boys in Northeast Syria*, 8 June 2021, Just Security, available at: <https://www.justsecurity.org/76810/gendering-the-boy-child-in-the-context-of-counterterrorism-the-situation-of-boys-in-northeast-syria/>.

²⁴ See Article 9.

²⁵ The AANES has confirmed this practice. See North Press Agency, *AANES confirmed Red Cross report on ISIS children detained in northeast Syria*, 2 July 2021, available at: <https://npasyria.com/en/61730/>.

²⁶ Rights and Security International, *Europe’s Guantanamo: The Indefinite Detention of European Women and Children in North East Syria*, February 2021, para. 58, available at:

<https://www.rightsandsecurity.org/impact/entry/europes-guantanamo-report>.

²⁷ Information held on file at Reprieve.

²⁸ Rights and Security International, *Abandoned to Torture*, para. 108.

²⁹ While the AANES refers to these centers as juvenile rehabilitation facilities, Reprieve notes the SRCT’s opinion that “[t]here is no legal or policy basis to describe any such site as a ‘rehabilitation’ facility, and its existence stands in per se contravention of the human rights and humanitarian law duties due to highly vulnerable children in a situation of conflict.” UN Special Procedures, *Position on rights of adolescents/juveniles*, p. 4.

³⁰ In this respect, see Rule 8, Beijing Rules.

³¹ UN Special Procedures, *Position on rights of adolescents/juveniles*, pp. 3, 6.

³² OHCHR, *Syria: UN experts urge 57 States to repatriate women and children from squalid camps*, 8 February 2021, available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26730&LangID=E>.

³³ UN Special Procedures, *Legal Analysis*, para. 2.

³⁴ The Guardian, *Who has been stripped of UK citizenship before Shamima Begum?*, 20 February 2019, available at: <https://www.theguardian.com/uk-news/2019/feb/20/who-has-been-stripped-of-uk-citizenship-before-shamima-begum>.

³⁵ UN Counter-Terrorism Committee Executive Directorate, *Gender Dimensions of the Response to Returning Foreign Terrorist Fighters: Research Perspectives*, February 2019, available at: <https://www.un.org/securitycouncil/ctc/content/gender-dimensions-response-returning-foreign-terrorist-fighters-research-perspectives>.

³⁶ Reprieve's investigations indicate that only approximately 15 to 20 British family units are detained in NES. Reprieve, *Trafficked to ISIS: British families detained in Syria after being trafficked to the Islamic State*, 2021 (*Trafficking Report*), available at: <https://reprieve.org/uk/2021/04/30/trafficked-to-syria/>; information held on file at Reprieve.

³⁷ Human Rights Watch, *France Repatriates More Children from northeast Syria*, 24 June 2020, available at: <https://www.hrw.org/news/2020/06/24/france-repatriates-more-children-northeast-syria>.

³⁸ UN Special Procedures, *Position on rights of adolescents/juveniles*, p. 12.

³⁹ See, *SR SUMEX and SRCT ECHR Submission*, para. 32.

⁴⁰ OHCHR, *Bachelet urges States to help their nationals stranded in Syrian camps*, 22 June 2020, available at: <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25986&LangID=E>

⁴¹ UN Special Procedures, *Position on rights of adolescents/juveniles*, p. 5.

⁴² Emma van den Aakster, *ISIS, Radicalization and the Gendered Online Jihad*, 22 May 2020, available at: <https://www.e-ir.info/2020/05/22/isis-radicalization-and-the-gendered-online-jihad/>. See also Lauren Shapiro & Marie-Helen Maras, *Women's Radicalization to Religious Terrorism: An Examination of ISIS Cases in the United States*, *Studies in Conflict & Terrorism*, 42(1), 88-119.

⁴³ Reprieve, *Trafficking Report*.

⁴⁴ Reprieve, *Trafficking Report*.

⁴⁵ Information held on file at Reprieve.

⁴⁶ Information held on file at Reprieve.

⁴⁷ See UN General Assembly, *Report by the Special Rapporteur on trafficking in persons, especially women and children*, Siobhán Mullally, 3 August 2021, A/76/263 (*SRTP Report*), paras. 27-31, available at: <https://undocs.org/A/76/263>.

⁴⁸ *SRTP Report*, para. 28.

⁴⁹ The non-punishment principle is aimed at ensuring that a victim of trafficking is not punished for unlawful acts committed as a consequence of trafficking. See UN General Assembly, *Report by the Special Rapporteur on trafficking in persons, especially women and children*, Siobhán Mullally: *Implementation of the Non-Punishment Principle*, 17 May 2021, A/HRC/47/34, para. 18, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/108/00/PDF/G2110800.pdf?OpenElement>.

⁵⁰ *SRTP Report*, para. 28.

⁵¹ Article 8(1), Protocol to Prevent, Suppress and Punish Trafficking in Persons; *SRTP Report*, para. 50.

⁵² See, for instance, UK Terrorism Act, 2000, available at: <https://www.legislation.gov.uk/ukpga/2000/11/contents>.

⁵³ VOA, *Defeat IS Coalition Worries About Resurgence*, 30 March 2021, available at: <https://www.voanews.com/middle-east/defeat-coalition-worries-about-resurgence>.

⁵⁴ The Guardian, *How Women of ISIS in Syrian Camps are Marrying their Way to Freedom*, 2 July 2021, available at: <https://www.theguardian.com/world/2021/jul/02/women-isis-syrian-camps-marrying-way-to-freedom>.