



WAR
child

BEING 'A FORCE FOR GOOD'

How the UK can tackle Child Recruitment and Use by Armed Forces and Armed Groups

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EXECUTIVE SUMMARY

The recruitment of girls and boys by armed forces and armed groups and their use in hostilities is among the most egregious violations against children in armed conflict. It is also one of the most widespread, affecting tens of thousands of children across the globe at any given time.¹ Not only is the deployment of children into combat unlawful, but their use facilitates multiple other human-rights abuses, including killing, maiming and sexual violence. It also denies affected children the right to education, health, a family life and other fundamental rights.

Despite international efforts to end the practice, it continues in most situations of armed conflict, destroying the lives of countless children, while also undermining international peace and security. In an era of global terrorism, this has direct implications for the UK, both because British children are among those who have been recruited by armed groups, and because of the broader implications of child recruitment and use globally for national security.

This report looks at how the UK government applies its legal obligations and commitments to prevent child recruitment and use, and how it supports the recovery and reintegration of released children.² Fundamental to this is the principle that children associated with armed forces and armed groups (CAAFAG) are, first and foremost, victims of serious violations of international humanitarian and human rights law, who are entitled to assistance for their release and reintegration. This applies equally to British children who have been recruited by armed groups, as it does to children who are nationals of conflict-affected countries.

In practice, UK government approaches to CAAFAG are inconsistent and sometimes contradictory. The UK government has been a stalwart supporter of the UN Security Council's children and armed conflict (CAAC) agenda, of which ending the recruitment and use of children is a core aim. It is also party to the key international treaties on child rights. But in terms of implementation, the picture is mixed. There are positive examples of UK support for furthering protection for children who have been or are at risk of recruitment and use. There are, however, missed opportunities and examples where UK responses to CAAFAG are directly at odds with its legal obligations and political commitments. As such, the government's stated commitment to "end all violations against children in armed conflict" and its aspiration to be a "force for good" in the world is undermined.³

1. See UNICEF, [Children Recruited by Armed Forces or Armed Groups](#), accessed 23 June, 2022.

2. This report is the third in War Child's series, Being a 'Force for Good' on Children and Armed Conflict (CAAC). The two previous reports are available at [Our Policies and Reports – War Child](#)

3. See [Response to a Question by David Jones MP on Children and Armed Conflict by Vicky Ford, Parliamentary Under-Secretary Foreign, Commonwealth and Development Office \(FCDO\)](#), 15 December, 2021.

These contradictions are most starkly illustrated when it comes to the government's role and responsibilities in protecting British children recruited – or who are at risk of being recruited – by armed groups. The continued reluctance to repatriate British children and their families detained in northeast Syria because of their alleged association with the Islamic State (IS) runs counter to legal obligations to protect children affected by armed conflict. So far, ten children are known to have been repatriated. This leaves another estimated 30-60 British boys and girls languishing in camps or other places of detention in the region, where their lives and well-being are at daily risk. It also leaves behind young British adults who were unlawfully recruited by IS when they were children. Some have been stripped of their British citizenship, resulting in profoundly negative implications for both them and their children, including exposing them to the danger of recruitment and use by armed actors.

By prioritising the return of certain categories of children (nine out of the 10 children are believed to have been orphans or unaccompanied children), the UK is reinforcing deeply damaging global trends in which unlawful distinctions are made between CAAFAG who are perceived as victims in need of protection, and CAAFAG who are regarded as threats to security and/or treated as criminals.

The response to British nationals in northeast Syria appears to be symptomatic of over-securitised approaches to children who have been or are at risk of recruitment by non-state armed groups. The government's Prevent strategy, designed to stop people from joining or supporting "terrorist groups", has drawn particular criticism for its disproportionate impact on children in general – and on Muslim and Asian children, and children with mental-health problems in particular – as well as its infringement of children's fundamental rights.⁴

Given the controversy surrounding this strategy domestically, it is concerning that the UK's approach to countering "terrorism" and "violent extremism" is being exported to other countries where child rights and child protection frameworks may be weak. According to publicly available information, training and other capacity building have been provided to partner countries "across Africa and the Middle East" to identify and prevent "radicalisation" and recruitment by "terrorist" groups via the "International Prevent Programme."⁵ Without careful assessment in close consultation with child protection experts and independent monitoring, such interventions could put children's rights and well-being at risk in these countries. They may even inflame tensions that could increase, rather than reduce, children's vulnerability to recruitment by armed groups.

Contradictions are also evident in the role of the British Armed Forces in responding to and protecting CAAFAG in the context of its military operations and via its overseas military-support relationships. Encounters with CAAFAG, who are entitled to special protections under international human rights and humanitarian law, create particular legal, moral and practical dilemmas for armed forces. Although important advances have been made in incorporating protections for children and others into British military doctrine and training, implementation remains at a relatively early stage. Specific requirements under the Ministry of Defence's (MoD) new policy on Human Security in Defence (December 2021) that "all reasonable steps" are taken to ensure that the UK military does not

train or partner with militaries that use children in hostilities, or detain them solely for their membership armed groups,⁶ have yet to be fully realised. In the meantime, the UK's authority to promote best practices by partner forces is undermined by policies which permit the enlistment of 16-year-olds into the British Armed Forces, and doctrine that denies captured children from 15 years upwards the same special protections afforded to younger children, including their swift handover to child protection experts.⁷

Both as a State and donor with significant interests and influence in many conflict-affected countries, the UK also has a vital role to play in supporting broader global efforts to ensure the release and reintegration of CAAFAG in accordance with international legal standards and best practice. There are positive examples of the UK's role here, including its support for the adoption in September 2022 of a protocol for the handover to civilian child protection experts of children allegedly associated with Boko Haram and other armed groups captured by the Nigerian army, and previous funding for programmes for the "rehabilitation" and reintegration of women and children associated with armed groups in Nigeria.

However, there is more the UK government can do in Nigeria and elsewhere. In Iraq, for example, there is a need to push back against the high numbers of children detained solely on the basis of their real or perceived association with IS, to encourage the release of those who are arbitrarily detained, and to ensure that any child who is detained is treated in accordance with juvenile justice standards, and that their recovery and reintegration is prioritised. Concerted support is also needed for the development and implementation of national-policy frameworks so that the tens of thousands of other Iraqi children who were caught up in armed conflict receive the long-term support needed to ensure their effective reintegration, regardless of what armed group they (or their parents) may have been affiliated with, or which ethnic or religious group they belong to. Likewise, in northeast Syria, concerted efforts and funding are needed to support the release and reintegration of tens of thousands of Syrian and other children, who are living in camps or are otherwise detained alongside the British children.

At a moment when the need to protect children from involvement in armed conflict has never been greater in Iraq, Nigeria, northeast Syria and beyond, there are worrying signs that the UK's commitment to this agenda may be waning. Since April 2021, it has made swingeing funding cuts to the very institutions that lead global efforts to prevent and respond to child recruitment and use – notably the Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG CAAC) and UNICEF. Humanitarian assistance to conflict-affected countries where child recruitment and use is a significant problem has been slashed, as have key thematic budgets such as education, despite the fact that education has a proven role to play in protecting children from recruitment and in supporting released CAAFAG to overcome the traumas associated with it.

The full impact of these cuts is, as yet, unclear. However, there is little doubt that the cumulative effect will increase children's vulnerability to recruitment and use by armed forces and armed groups. Simultaneously, the capacity of child protection actors to prevent it will be reduced, as will their ability to support the release and reintegration of girls and boys who fall victim to exploitation by parties to armed conflict.

4. See, for example, Child Rights International Network (CRIN), [Preventing Safeguarding: The Prevent Strategy and Children's Rights](#), 2022; Prevent Watch, [The People's Review of Prevent](#), 2022; Medact, [Racism, Mental Health & Pre-Crime Policing: The Ethics of Vulnerability Support Hubs](#), 19 May, 2021; and People's Review of Prevent, 2022.

5. UK Government, [Conflict Stability and Security Fund, Annual Report 2020 to 2021](#), 15 December, 2021.

6. MoD, [Joint Services Publication \(JSP\) 985 Human Security in Defence Volume 1: Incorporating Human Security in the Way We Operate](#), Version 1.0, December 2021.

7. MoD, [Joint Doctrine Publication \(JDP\) 1-10 on Captured Persons](#), Fourth Edition, September 2020.

SUMMARY OF RECOMMENDATIONS

The UK must take a more integrated, cross-government approach to CAAC. Specifically, in relation to CAAFAG, this means considering how children and their rights are impacted by policies in areas such as: counter-terrorism and countering violent extremism; stabilisation and development support to conflict-affected and fragile States; military-support relationships; and diplomatic, political and other engagement with national authorities in relevant countries.

In support of these broader recommendations, War Child believes that greater priority must be given to:

Ensuring the protection of British children associated with – or at risk of association with – armed groups.

- All British children and their families detained in northeast Syria should be repatriated without delay. Young adults who were recruited by IS as children should be recognised, first and foremost, as victims of violations under international law, and provided with specialised age- and gender-appropriate support for their return, recovery and reintegration. This should include reinstatement of citizenship where it has been withdrawn.
- Urgent steps should be taken to address concerns that the Prevent strategy undermines children's rights. Approaches to protecting British children from unlawful recruitment by domestic or international armed groups should be rethought; the rights and best interests of the child should be a primary consideration; and there should be no discriminatory or stigmatising impact on any child or group of children.
- An urgent review, in close consultation with child rights and child protection experts, should be conducted, looking at the UK's support for countering "terrorism" and "violent extremism" in partner States to ensure that it does not put children's rights or best interests at risk in these countries.

Opposing the arbitrary detention of CAAFAG and supporting efforts to ensure that detained children are treated in accordance with international child rights standards.

- The detention, prosecution or punishment of CAAFAG solely on the basis of their association with armed forces or armed groups should be publicly and categorically opposed.
- States where CAAFAG are detained by security forces should be proactively encouraged and supported to adopt handover protocols to facilitate children's swift and safe transfer to civilian child protection actors for appropriate support services including, but not limited to, reintegration.
- Where CAAFAG are accused of serious crimes under international law, political, financial and technical support should be provided. This would hopefully encourage and support national authorities to adhere to international juvenile justice standards, such as only pursuing prosecutions in exceptional circumstances, and using detention as a measure of last resort, for the shortest period of time, and making available non-judicial alternatives to judicial proceedings and institutional care.

Ensuring the UK military responds to CAAFAG in a child rights-compliant manner.

- A commitment to using all necessary resources to achieve the full and rapid integration of doctrine on human security in defence across all military operations, including provisions relating to CAAC, should be made.
- Robust processes should be put in place, including conditionalities to ensure that the UK does not partner with overseas militaries that recruit or use children, or that arbitrarily detain them on the basis of their real or alleged association with armed groups or forces.
- Adopting legislation that would codify, and thereby ensure, the consistent prioritisation of UK responsibilities to support international humanitarian and human-rights law, in the context of its military-support relationships, should be considered.
- Policies and doctrine should be revised in accordance with recommendations by the UN Committee on the Rights of the Child (CRC): a) to raise the minimum age for enlistment to 18 years and b) for all captured children under the age of 18 to benefit from special protection in line with international humanitarian and human-rights law.

Enhancing support for global CAAFAG reintegration efforts.

- Coordination with like-minded States and donors should take place in order to support authorities in conflict-affected countries. Comprehensive policies should be developed for the release and reintegration of all CAAFAG, in compliance with international child rights standards.
- Coordination with other donors should occur to ensure the availability of sufficient long-term, flexible funding for community-based, gender- and age-appropriate CAAFAG reintegration programmes, and factor children's reintegration into support for stabilisation, development, transitional justice and other relevant programmes.

Reversing CAAC funding cuts.

- All cuts to overseas aid budgets that impact negatively on global efforts to end and prevent the recruitment and use of children by armed forces and armed groups and support the recovery and reintegration of former CAAFAG should be reversed including by reinstating funding to OSRSG CAAC and UNICEF.

ACRONYMS

AANES	Autonomous Administration in North and East Syria
CAAC	Children and armed conflict
CAAFAG	Children associated with armed forces and armed groups
CAR	Central African Republic
CRC	Convention on the Rights of the Child
CSSF	Conflict, Stability and Security Fund
DDR	Disarmament, demobilisation and reintegration
DRC	Democratic Republic of Congo
FCDO	Foreign, Commonwealth & Development Office
ICRC	International Committee of the Red Cross
IHL	International humanitarian law
IHRL	International human rights law
IS	Islamic State
HS	Human Security
KRI	Kurdistan Region of Iraq
LRA	Lord's Resistance Army
LTTE	Liberation Tigers of Tamil Eelam
OPAC	Optional Protocol to the CRC on the Involvement of Children in Armed Conflict
OSRSG CAAC	Office of the Special Representative of the Secretary-General for Children and Armed Conflict
MoD	Ministry of Defence
NGO	Non-governmental organisation
RUF	Revolutionary United Front
SDF	Syrian Democratic Forces
SDGs	Sustainable Development Goals
SOPs	Standard Operating Procedures
UN	United Nations
UNSC	United Nations Security Council
UNSC Working Group CAAC	UN Security Council Working Group on Children Armed Conflict

INTRODUCTION

The recruitment of girls and boys by armed forces and armed groups and their use in hostilities represents one of the most egregious violations against children in armed conflict. It is also one of the most widespread, affecting tens of thousands of children across the globe at any given time.⁸ Not only is the act of deploying children into combat unlawful, but their association with fighting forces, whether as combatants or in other roles such as spies, porters, cooks, domestic servants or “wives”, facilitates other human-rights abuses, including sexual violence, killing and maiming, arbitrary detention and torture. It also denies affected children other fundamental rights that are enshrined in the United Nations (UN) Convention on the Rights of the Child (CRC), including the right to education, health and a family life.

The involvement of children in armed conflict has long been recognised as undermining international peace, security and the attainment of the Sustainable Development Goals (SDGs). In an era of global terrorism, it also has direct implications for the UK, both because British children are among those who have been recruited by armed groups, and because of the broader implications of child recruitment and use globally for national security and for the safety of UK citizens abroad.

This report looks at how the UK government applies its legal obligations and commitments to prevent child recruitment and use, plus how it supports their release and reintegration.⁹ It addresses three main themes:

- The government's role and responsibilities in protecting British children who have been – or who are at risk of being – recruited by armed groups.
- The role of the British Armed Forces in ensuring the protection of CAAFAG in the context of its military operations and via its overseas military-support relationships.
- The UK's broader role in supporting global efforts to ensure the release and reintegration of CAAFAG, in accordance with international legal standards and best practice.

It draws on examples from Iraq, Nigeria and northeast Syria, selected because they illustrate a wide range of challenges involved in preventing child recruitment/use and in achieving successful reintegration, and because of the differing and sometimes contradictory approaches the UK has taken towards CAAFAG in them.

8. See UNICEF, [Children Recruited by Armed Forces or Armed Groups](#), accessed 23 June 2022.

9. The two previous reports are available at [Our Policies and Reports – War Child](#).

Highlighting both strengths and weaknesses of the UK's responses, the report identifies opportunities and recommendations on how the government can enhance its support for global efforts to protect children from exploitation by armed actors. It is based on a review of relevant secondary sources and consultations/interviews conducted between March and May 2022 with experts working on CAAFAG-related issues with the UN and national or international NGOs.¹⁰ Written questions were sent to the Foreign, Commonwealth & Development Office (FCDO) and the MoD, and their responses are reflected in the report, as is feedback provided by the FCDO, Home Office and MoD on a draft version of the report that was shared with them in August 2022. Two expert roundtables (one internal and one external) were held in August 2022 to validate findings and put them into recommendations.

Note on terminology:

“Terrorism” and “violent extremism” have no internationally accepted definition and are often used interchangeably. In this report, they are referred to in inverted commas to indicate that their use does not reflect a judgement by War Child. In all cases, these terms include groups designated by the UN as “terrorists”. Rather than characterising children associated with such groups as “extremist” or “terrorist”, the phrase “recruitment and use of children by armed groups in violation of applicable international law” is used.

CAAFAG refers to any person below 18 years of age recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child who is taking, or has taken, a direct part in hostilities. (See Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups¹¹). The term “child soldiers” is used by some stakeholders and appears in this report when quoting them.

10. A total of 31 interviews took place with 48 experts. They included staff at War Child headquarters and in-country programmes, UN child rights and protection experts, representatives of I/NGOs working on CAAFAG detention and reintegration-related issues internationally and in Iraq, Nigeria and northeast Syria, NGOs and experts working on UK domestic policies and practice on protecting children from unlawful recruitment by armed groups, and experts on human security in the context of defence/military operations.

11. [The Paris Principles 31.01.07 English.doc \(unicef.org\)](#)

THE CAAFAG CHALLENGE IN CONTEMPORARY CONFLICTS

Of the six grave violations against children in armed conflict that are monitored and reported on under the UN Security Council's CAAC agenda, the recruitment and use of children, along with killing and maiming of children, accounts for a combined 73% of all verified violations since 2005.¹² Although acknowledged as representing only a small proportion of the real figures, the number of cases

verified by the UN are, nevertheless, staggering – with over 93,000 cases of child recruitment and use recorded between 2005 and 2020.¹³

In 2020, there were 8,595 verified cases – the highest-ever number recorded by the UN in a single year – and, worryingly, the figures remain persistently high. Over 6,300 cases of child recruitment and use were verified in 2021.¹⁴ This is despite the extensive international legal framework prohibiting the involvement of children in armed conflict.¹⁵

The recent uptick has been attributed in part to the socio-economic impact of the Covid-19 pandemic, which has aggravated existing vulnerabilities to military recruitment and use, while at the same time hampering children's access to education, health and protection services.¹⁶ It also relates to increasingly complex conflict environments in which wars last longer, are frequently fought in and around civilian populations, and typically involve multiple State and non-state armed actors.

The proliferation of non-state armed groups and, in particular, the emergence of “violent extremist groups” has also brought into stark relief some of the challenges involved in responding appropriately to child recruitment and use. Armed groups such as IS and its affiliates, or

Boko Haram in Nigeria and Al-Shabaab in Somalia, have preyed upon vulnerable children using various techniques, including force, ideological manipulation and indoctrination, economic incentives and online grooming.

The gender dimension of child recruitment and use

In 2020, the UN found that 85% of reported incidents of child recruitment and use in situations of armed conflict were committed against boys, while other studies have found girls to be equally at risk of recruitment and use, although often for different purposes.

Boys are more likely to receive military training, hold weapons and be used as combatants. Girls may also be used in combat but are often recruited as cooks, domestic servants or “wives” or sex slaves, although boys are also vulnerable to sexual violence in the ranks of armed forces and armed groups.

See OSRSG CAAC, [The Gender Dimensions of Grave Violations Against Children In Armed Conflict](#), 2022 and All Survivors Project, [Checklist on Preventing and Addressing Conflict-related Sexual Violence against Men and Boys](#), 2019.

12. UNICEF, [25 Years of Children and Armed Conflict: Taking Action to Protect Children in War](#), June 2022. The six grave violations are: the recruitment or use of children; killing and maiming; attacks on schools and hospitals; rape and other forms of sexual violence; abduction; and denial of humanitarian access.

13. UNICEF, Children Recruited by Armed Forces or Armed Groups.

14. UN Secretary-General Annual Report on Children and Armed Conflict, UN Doc. A/76/871-S/2022/493, 23 June 2022.

15. The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC) prohibits all recruitment of children under the age of 18 by non-state armed groups and requires States to ensure that children under age 18 are not compulsorily recruited into their armed forces, and to raise the minimum age for voluntary recruitment to above age 15 (in practice 16 years). Many States have set the age of enlistment at 18 and the UK remains one of a diminishing number that has not yet done so. See CRIN, [Submission to the Select Committee on the Armed Forces Bill](#), 2021.

16. UN Secretary-General Annual Report on Children and Armed Conflict, UN Doc. A/75/873-S/2021/437, 6 May 2021.

Recruitment of boys and girls occurs across borders – oftentimes exploiting disaffection with national authorities, poverty and other grievances. These and other armed groups have used children in many different roles, including to conduct suicide attacks, take part in patrols, man checkpoints, guard prisoners and gather intelligence. They have also been used for other military support, in domestic roles and as sex slaves.¹⁷

Responses to the very real threats posed by such groups have resulted in the introduction of a range of measures, including counter-terrorism regulations and laws that criminalise terrorist-related acts, counter-terrorism donor agreement clauses, and terrorist-listing mechanisms aimed at restricting finance and other forms of assistance to designated groups.

Such measures have, inadvertently or otherwise, been highly detrimental for children.¹⁸ Among other things, they have led to a trend in which children's involvement in armed conflict is no longer consistently approached as a form of exploitation and a serious violation of international law. Rather, children are increasingly treated as complicit in acts of violence or "extremism" by virtue of their, often tenuous, association with armed groups, and therefore "undeserving" of the rights and special protections afforded to them under international standards.

In practice, this has resulted in a distinction being made between children depending on where and with which armed actors they are associated. Those recruited by armed groups in what are regarded as more "traditional" conflicts, such as in the Central African Republic (CAR), the Democratic Republic of the Congo (DRC) and South Sudan – or who are associated with State armed forces – are more likely to be treated in accordance with international standards and best practice (that is, they are recognised as victims and provided with support for their release and reintegration).

Conversely, children associated with IS and other "terrorist" or "violent extremist" groups are more commonly seen as security threats and/or treated as criminals. As a result, growing numbers of children are incarcerated, in some cases in connection with genuine crimes committed as CAAFAG, but more often simply because of their real or assumed association with such groups.

This "double standard" approach belies what is known about children's association with fighting forces. In fact, there is little new about the exploitation of children by parties to armed conflict. Armed actors such as the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka and the Revolutionary United Front (RUF) in Sierra Leone recruited and deployed thousands of children in past hostilities. The Lord's Resistance Army (LRA) continues the abduction of children, for which it first became notorious over 20 years ago in Uganda. Such groups have also used children to conduct acts of extreme violence, like suicide bombings in the case of the LTTE, and to kill families, friends and fellow members of the groups in the case of the RUF and LRA.¹⁹

Significant continuity has been found between the reasons for children's involvement in today's conflicts and in previous wars. A recent study of child recruitment by armed groups in Syria, Iraq, Mali and Nigeria identified many overlapping factors influencing children's association with groups labelled as "terrorist" and groups such as the LRA, LTTE and RUF. Factors included physical and food security, family and financial incentives, coercion, status, and identity. The study found that ideology played a far less important role than often assumed.²⁰

This is not to underplay the complex challenges involved in responding to children associated with "violent extremist" or "terrorist" groups, or to exclude the possibility that some may be responsible for committing serious crimes, for which international law allows for detention as a measure of last resort, for the shortest period of time, and for prosecution in line with international juvenile justice standards.²¹ However, as well as being harmful to individual boys and girls, failure to take account of and address the causes and consequences of children's involvement in armed conflict, and/or putting security concerns ahead of child rights and children's best interests, can lead to flawed – and even counterproductive – interventions that may fuel the very grievances that armed groups exploit to recruit children.

UK SUPPORT FOR THE UN SECURITY COUNCIL'S EFFORTS TO END AND PREVENT CHILD RECRUITMENT AND USE

In a recent response to a parliamentary question on what steps have been taken to hold to account those responsible for the recruitment and use of children in conflict, the government responded that it is "firmly committed to ending all violations against children in armed conflict."²²

The response went on to set out various actions taken by the UK as a permanent member of the UN Security Council (UNSC) and of the UNSC Working Group on Children and Armed Conflict (UNSC Working Group CAAC) to end child recruitment and use. These included ensuring that child protection is a key part of UNSC discussions in relevant countries, and is addressed by UN peacekeeping and other UN field operations. Issuing "calls and concrete requests" to – and exerting diplomatic pressure on – governments and armed groups to agree action plans to end child recruitment and use was also undertaken, as was providing appropriate assistance for CAAFAG reintegration.

17. Although declining in number, State armed forces continue to unlawfully recruit and use children in countries such as Myanmar, Somalia, South Sudan and Yemen.

18. For further information on the impact of counter-terror measures on children see Watchlist on Children and Armed Conflict and Fordham University, [Denial of Humanitarian Access for Children: Legal, Policy, and Operational Challenges](#), June 2022; Watchlist, [Countering Terrorism and Violent Extremism: the Erosion of Children's Rights in Armed Conflict](#), January 2020; and CRIN, [Caught in the Crossfire? An International Survey of Anti-Terrorism Legislation and its Impact on Children](#), November 2018.

19. For further information see [Comprehensive Report of the Office of the United Nations High Commissioner for Human Rights on Sri Lanka](#), UN Doc. A/HRC/30/61, 28 December 2015; Sierra Leone Truth and Reconciliation Commission, [Witness to Truth Final Report](#), 2005; UN Secretary-General Report on Children and Armed Conflict in the Central African Republic, UN Doc. S/2021/882, 15 October 2021; and Invisible Children, [Crisis Tracker](#), accessed 31 August 2022.

20. United Nations University (UNU), [Cradled by Conflict, Child Involvement in Contemporary Conflict](#), 2018.

21. In general, prosecutions of CAAFAG should only take place in exceptional circumstances and only where there is compelling evidence that the child has committed a war crime or other serious crime involving physical or sexual violence. Any such prosecution should be conducted in compliance with juvenile justice standards, their unlawful recruitment and use considered a mitigating factor in sentencing, and emphasis placed on seeking alternatives to detention, and supporting their rehabilitation and reintegration.

22. [Response to a Question by David Jones MP on Children and Armed Conflict by Vicky Ford, Parliamentary Under-Secretary Foreign, Commonwealth and Development Office](#), 15 December 2021.

It is undeniable that the UK has played an important role in supporting the UNSC's CAAC agenda, of which ending child recruitment and use is a core aim.²³ It is generally regarded as a "good ally" on the issue by the UN and other stakeholders in New York, and has acted as convenor of important conversations on strengthening responses, including to CAAFAG, under the CAAC agenda.²⁴

Successive UK-supported UNSC resolutions on CAAC have condemned child recruitment and use, and called for action to curb it.²⁵ As a member of the UNSC Working Group CAAC, the UK has also supported robust conclusions and other responses to child recruitment and use in country-specific situations.²⁶ Additionally, it has traditionally been a strong supporter of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG CAAC), whose role includes advocating for – and engaging with – parties to armed conflict to agree and implement action plans to end child recruitment and use, and to release children already in the ranks of fighting forces.²⁷

As important as support for such initiatives is, they represent only part of the action that is needed to end the scourge of children's involvement in armed conflict, and to ensure those already associated with armed actors receive the support they need.

In order for the UK to contribute more comprehensively, War Child has previously argued for a radical rethink of the UK government's approach to CAAC. The charity wants the issue to be taken from one that is primarily progressed through UNSC-related CAAC architecture (as reflected in the government's response to the parliamentary question above) to one that is mainstreamed into other relevant areas of the government's foreign, security, defence and international development policies. The creation of the FCDO, under which the CAAC portfolio now sits within a new Office for Conflict, Stabilisation and Mediation, provides a platform for this more integrated approach within foreign policy and development, but needs to be further extended so that it is government-wide.²⁸

Specifically in relation to CAAFAG, this means considering how children and their rights are impacted by policies and actions in areas from counter-terrorism and countering violent extremism, through to overseas military-support relationships²⁹ and other engagement with relevant national authorities. As part of this, consideration must be given to the causes and consequences of children's association with fighting forces and how failure to embed child rights and protection into relevant policies could contribute to grievances that fuel conflict, and may therefore perpetuate patterns of child recruitment, re-recruitment and use.

Underpinning this is the principle that CAAFAG should be recognised, first and foremost, as victims of serious human-rights violations. They are entitled to – and should receive – assistance for their release and reintegration. This applies equally to all children, including British children who have been unlawfully recruited by armed groups, and boys and girls who are nationals of – or living in – countries affected by armed conflict.

In practice, this principle is sometimes ignored by the government, resulting in inconsistent actions when it comes to CAAFAG. At times, these actions seem to reflect the worrying trend in which unlawful and unhelpful distinctions are made between CAAFAG as victims in need of protection and CAAFAG as threats to security and/or as criminals.

23. The UNSC CAAC mandate was established by UN General Assembly resolution 51/77 (1997). For further information on the mandate and its development, see OSRSG CAAC, [25 Years to Better Protect Children Affected by Armed Conflict](#)

24. For example, the UK – in association with Save the Children, War Child, OSRSG CAAC and the Norwegian government – hosted a three-day event in April 2022, [Preparing the Children and Armed Conflict Agenda for the Future](#) that brought together key CAAC stakeholders and conflict-affected youth.

25. Thirteen resolutions on CAAC have been adopted by the UNSC since 1996. They are available at [Library – Office of the Special Representative of the Secretary-General for Children and Armed Conflict \(un.org\)](#).

26. The UNSC Working Group on CAAC reviews reports on grave violations against children in armed conflict committed by parties that are listed in the annexes to the Secretary-General's annual report and recommends action to end/prevent such violations from occurring. For further details, see [Working Group on Children and Armed Conflict | United Nations Security Council](#).

27. Further information on agreed action plans and their implementation status is available at [Action Plans – Office of the Special Representative of the Secretary-General for Children and Armed Conflict \(un.org\)](#).

28. The FCDO is the product of the merger of the former Foreign and Commonwealth Office (FCO) and the Department for International Development (DFID) that was announced by the government in June 2020. For previous recommendations by War Child on the need for a government-wide strategy on CAAC and enhanced coordination between the government departments, see [Being a 'Force for Good' – How the UK Government can Better Protect Children in Armed Conflict](#), 1 October 2020.

29. "Military-support relationships" refers to support that increases the capacity of a party to conduct armed conflict including political support, training, advising, accompaniment and other forms of partnered military operations, and armed transfers. See International Committee of the Red Cross (ICRC), [Allies, Partners and Proxies: Managing Support Relationships in Armed Conflict to Reduce the Human Cost of War](#), 1 April 2021.



1. PROTECTING BRITISH CHILDREN ASSOCIATED WITH/AT RISK OF ASSOCIATION WITH ARMED GROUPS

1.1 UK RESPONSES TO BRITISH CHILDREN DETAINED IN NORTHEAST SYRIA

Inconsistencies in UK government approaches are most apparent in the contrasting positions it has taken in support of the UNSC CAAC agenda and its response to British children who became caught up in armed conflict in Iraq and Syria.

UK-supported UNSC resolutions have emphasised the primary status of CAAFAG as victims, and called for a “focus on family and community-based reintegration”, declaring that “no child should be deprived of his or her liberty unlawfully or arbitrarily.”³⁰ Likewise, the UNSC Working Group CAAC draws conclusions on country situations that consistently underscore the principle that children should be treated primarily as victims, and have raised concerns where children are deprived of their liberty due to their (or their parents’) alleged or actual association with armed groups.³¹

These principles espoused by the UK in its role at the UNSC reflect legal obligations contained in child rights treaties that it has ratified and CAAC-related political commitments that it has endorsed (see box below). Yet when it comes to British children held in camps and other detention facilities in northeast Syria because of their or their parents’ alleged affiliation with IS, or young British adults who were unlawfully recruited by IS as children, the government has been resistant to recognise them as victims or, with few exceptions, repatriate them to the UK.

UK legal obligations and commitments to CAAFAG

- Under the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC), the UK is required to take measures to ensure that children are not used in hostilities and to prevent all recruitment of under-18s by non-state armed groups.
- The CRC and International Labour Organisation (ILO) Convention No. 182 on the Worst Forms of Child Labour require State parties to protect children from exploitation and other conflict-related harms, including preventing their military recruitment and use.

30. See, for example, UNSC Resolution 2427 (2018).

31. See, for example, UNSC Working Group CAAC Conclusions on Children and Armed Conflict in South Sudan, UN Doc. S/AC.51/2021/1, 12 May 2021, para 5(g); Nigeria, S/AC.51/2020/8, 31 December 2020; the Philippines, UN Doc. S/AC.51/2020/9, 31 December 2021; Mali, UN Doc. S/AC.51/2020/11, 17 December 2020; DRC, UN Doc. S/AC.51/2020/10, 10 December 2020; Sudan, UN Doc. S/AC.51/2020/7, 15 October 2020; Iraq, UN Doc. S/AC.51/2020/4, 24 July 2020; CAR, UN Doc. S/AC.51/2020/3, 17 June 2020; Afghanistan, UN Doc. S/AC.51/2020/2, 5 June 2020; and Yemen, UN Doc. S/AC.51/2020/1, 8 April 2020. All available at [Library – Office of the Special Representative of the Secretary-General for Children and Armed Conflict \(un.org\)](https://www.un.org/children/library/).

UK legal obligations and commitments to CAAFAG (continued)

- The CRC and OPAC require State parties to provide appropriate assistance to support the physical and psychological recovery and reintegration of child victims of armed conflict/CAAFAG. OPAC also requires State parties to provide international assistance to prevent the unlawful recruitment and use of children and to support their recovery and reintegration.
- Under the CRC and Principles and Guidelines on Children Associated with Armed Forces and Armed Groups (Paris Principles), even when a child is suspected of committing a serious crime during their association with armed forces or armed groups, detention shall only take place as a measure of last resort, for the shortest period of time, and in line with international child justice standards, with measures, where possible, of dealing with children without resorting to judicial proceedings.
- Under the Paris Principles, children should never be prosecuted or punished, or threatened with prosecution or punishment, solely for their membership of an armed force or armed group.

Between 30 and 60 British children are thought to be among around 62,000 people (mainly women and children) still held in Al Hol and Roj camps in northeast Syria, where they have been since the fall of the IS “caliphate” in 2019.³² Many of the children were born in the camps, were brought to the region by their parents or were trafficked. The camp population also includes a number of British women, most of whom are believed to be victims of trafficking. Around half of them, were under 18 at the time they left the UK – and should therefore be considered victims of recruitment by an armed group in violation of applicable international law.³³

The poor conditions in these camps – such as severe overcrowding, restrictions on freedom of movement, inadequate shelter, and limited access to food, water, healthcare, education and other basic services – have been widely reported on.³⁴ Disease, including Covid-19, spread rapidly in this environment, and children have died of preventable diseases, malnutrition and dehydration. Violence is also rife and reported to be increasing amidst rising tensions in the camps. In 2021,

74 children reportedly died in Al Hol, eight of whom were murdered.³⁵ In 2022, shootings and other violent incidents have resulted in further deaths and injuries of women and children, including foreign nationals.³⁶

Children in these camps also face many other dangers, including sexual and gender-based violence and other forms of physical, mental or psychological abuse. Indeed, the situation is so grave that the International Committee of the Red Cross (ICRC) has described it as representing “one of the largest, if not the largest, child protection crisis with which we are confronted today.”³⁷

British children are also believed to be among hundreds of boys held in detention facilities in the region.³⁸ Among these is Al Sina’a military prison in Hasakah, which came under sustained attack by IS for 10 days in January 2022. At the time, an estimated 700-850 boys between the ages of 12 and 18 years old were in the facility, including 150 third-country nationals. There is conflicting information about the fate of these children, and concerns have been expressed that some were injured, while others remain unaccounted for.³⁹

Conditions in Al-Sina’a and other detention facilities are reported to be very poor.⁴⁰ In addition to concerns about physical conditions, informants interviewed for this report emphasised the high rates of communicable diseases, including tuberculosis, among detained boys.

Whether in camps or other detention facilities, British nationals are being held in northeast Syria without adequate legal basis, which should be considered unlawful. Among them are girls and boys who were taken to Syria or Iraq by their parents, or who were conceived through acts of rape or sexual coercion and who are, in effect, being punished for the actions of their parents, or for the circumstances of their birth. As noted above, they also include women who were victims of unlawful recruitment as children in the UK by IS.

32. These are estimated figures based on information from various sources, including the All-Parliamentary Group (APPG) on Trafficked Britons in Syria Inquiry, [Submission of Written Evidence by Save the Children](#), November 2021; Reprieve, [Trafficked to Syria: British Families Detained in Syria After Being Trafficked to Islamic State](#), 30 April 2021; and Rights and Security International (RSI), [UK Failing to Prevent Torture of Citizens in Northeast Syria, Despite Global Move to Protect Vulnerable People](#), 13 July 2022.

33. Reprieve, [Trafficked to Syria](#), 30 April 2021.

34. See, for example, Save the Children, [When Am I Going to Start to Live?: The Urgent Need to Repatriate Foreign Children Trapped in Al Hol and Roj Camps](#), 2021; RSI, [Abandoned to Torture: Dehumanising Rights Violations Against Children and Women in Northeast Syria](#), 13 October 2021; Reprieve, [Trafficked to Syria](#), 30 April, 2021; Human Rights Watch (HRW), [Thousands of Foreigners Unlawfully Held in NE Syria](#), 23 March 2021; and UNICEF, [UNICEF Urges Repatriation of All Children in Syria's Al-Hol Camp Following Deadly Fire](#), 28 February 2021.

35. Save the Children, [Speed Up Repatriations or Foreign Children Could be Stuck in Northeast Syria Camps for up to 30 years, Warns Save the Children](#), 23 March 2022.

36. See Save the Children, [Speed Up Repatriations or Foreign Children Could be Stuck in Northeast Syria Camps for up to 30 years, Warns Save the Children](#), 23 March 2022; The Syrian Observatory for Human Rights (SOHR), [Al-Hawl Camp: Nearly 15 Women and Children Killed and Wounded in Violent Clashes Between Military Forces and ISIS Cells](#), 29 March 2022; and SOHR, [Repatriation Key to Curbing Violence at Syria's Al-Hol Camp](#), 5 August 2022.

37. ICRC, [Syria: ICRC President Urges New Approach by International Community After Decade of Brutal Crisis](#), 29 March 2021.

38. The presence of British children in prisons could not be verified. It is unclear if the UK government has access to this information, but it is expected that it would be making proactive efforts to establish this either way in order to inform responses.

39. UNICEF, [Nearly 850 Children at Immediate Risk as Violence Continues in Northeast Syria](#), 24 January 2022; Save the Children, [Calls To Evacuate 700 Boys From Syria's Guweiran Prison Due To Intense Fighting](#), 24 January 2022; and the Office for the High Commissioner for Human Rights (OHCHR), [Syria: UN Experts Profoundly Concerned for Missing and Injured Children After January Attack on ISIL Prison](#), 1 April 2022.

40. See [Position of the UN Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms While Countering Terrorism \(Hereafter UN Special Rapporteur on Counter-Terrorism and Human Rights\) on the Human Rights of Adolescents/Juveniles being Detained in Northeast Syria](#), May 2021.

1.2 UNHEEDED CALLS TO REPATRIATE BRITISH CHILDREN

There have been repeated and increasingly urgent calls on governments with nationals in northeast Syria to repatriate them. The local authorities (the Autonomous Administration of North and East Syria/AANES and Syrian Democratic Forces/SDF) have appealed to the UK and other States to take back their citizens.⁴¹ The UN Secretary-General, his Special Representative for CAAC, the UN High Commissioner for Human Rights, and numerous UN human-rights and child protection experts have also urged States to make arrangements for repatriations, as have the ICRC, child protection agencies and human-rights groups.⁴²

Although progress remains slow, more States are beginning to heed these calls – between January 2018 and the end of 2021, 1,454 children had been repatriated to 22 countries.⁴³ In 2022, returns have included: 11 Dutch children and their mothers,⁴⁴ two Swedish children and their mothers,⁴⁵ 22 German children and 10 women,⁴⁶ nine Albanian children and their mothers,⁴⁷ 16 Belgian children and their mothers,⁴⁸ 75 French children and 31 women,⁴⁹ 146 Tajik women and children,⁵⁰ along with hundreds of Iraqi families.⁵¹

To date, the UK is known to have repatriated just ten children (one in October 2022, three in October 2021, one in September 2020 and three in November 2019).⁵² With the exception of the October 2022 repatriation, most, if not all, were orphans or unaccompanied – a child separated from both parents and who is not being cared for by an adult.

The government has said that it is “sympathetic to the plight of unaccompanied minors and orphans” and will seek to facilitate their return on a “case-by-case basis” because it is the “right thing to do.”⁵³ While positive that the extreme vulnerability of children living in camps without parents or guardians is recognised, the rights and well-being of all children, including British children, detained in the region are at daily risk. By singling out one group, the UK government is creating artificial distinctions between children who are deserving of rights and those who are not.

The “right thing to do” would be to repatriate all British children along with their parents or guardians without further delay. The UK’s responsibility to do so is clear. In a recent decision relating to young French children in northeast Syria, the Committee on the Rights of the Child found that France has the responsibility and power to protect the French children in the Syrian camps against an imminent risk to their lives by taking action to repatriate them. It explained that the CRC “does not limit a State’s jurisdiction to territory” and “a State may have jurisdiction in respect of acts that are performed, or that produce effects, outside its national borders.” The children in question were deemed to fall under French jurisdiction because France had “the capability and the power” to protect their rights by acting to repatriate them, or by providing other consular services.⁵⁴ The UK similarly has the capacity to protect British children in this situation of extreme vulnerability by repatriating them.

Based on a broad analysis of applicable international law, UN independent experts have similarly argued that States that have functional control over the human rights of children and their guardians in the camps, prisons and other detention facilities in northeast Syria have positive obligations to prevent violations of those rights. Under this legal framework, the UK arguably has positive obligations to British children, their guardians, and young adults who were recruited as children, because of their relationship with local authorities and their ability to repatriate British nationals and protect their rights.⁵⁵

The fact that the UK has provided financial and other assistance to build and manage detention facilities in the region in which British nationals may be being held simply reinforces these responsibilities, in addition to raising questions about the UK’s complicity in contributing to a situation in which children’s rights are being violated.⁵⁶

That repatriations are possible is also clear. The UK has already demonstrated that it can organise returns, and civilian delegations from other countries have been able to access their nationals to organise repatriations of large numbers of children with their parents or guardians, with the support of the local authorities and other international actors present in the region.⁵⁷

41. Royal United Services Institute (RUSI), [Resolving the Stalemate: Foreign Fighters and Family Members in Syria](#), 16 December 2021.

42. See, for example, UN Secretary-General Annual Report on Children and Armed Conflict, UN Doc. A/75/873–S/2021/43, 6 May 2021; UNICEF, [UNICEF Urges Repatriation of All Children in Syria’s Al-Hol Camp Following Deadly Fire](#), 28 February 2021; OSRSG CAAC, [SRSF Gamba Statement at the Arria Formula Meeting on the Repatriation of Children](#), 9 February 2021; ICRC, [Twelve Issues: What States can Do to Improve Respect for International Humanitarian Law \(IHL\) in 2022](#), 21 March 2022.

43. Fourteenth report of the Secretary-General on the threat posed by ISIL (Da’esh) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat, UN Doc. S/2022/63, 28 January 2022.

44. Save the Children, [Tweet](#), 3 February 2022.

45. RUDAW, [Swedish Nationals Repatriated from Al-Hol](#), 16 March 2022.

46. SOHR, [Repatriation of Foreigners | Autonomous Administration Hands Over 22 Children and Ten Women of ISIS Families to German Delegation](#), 31 March 2022.

47. Bo Victor Nylund, UNICEF in Syria, [Tweet](#), 30 May 2022.

48. Bo Victor Nylund, UNICEF in Syria, [Tweet](#), 21 June 2022.

49. RFI, [Rapatriement des Familles Françaises de Jihadistes Détenués en Syrie: la Fin du «Cas par Cas»?](#), 7 July 2022. The Independent, France repatriates 55 citizens including 40 children from Syrian camps in major operation, 20 October 2022

50. SOHR, [Repatriation Key to Curbing Violence at Syria’s Al-Hol Camp](#), 5 August 2022

51. SOHR, [Hundreds of Iraqis Repatriated from Syria](#), 4 March 2022.

52. RSI, [Global Repatriations Tracker](#), accessed 19 August 2022.

53. UK Mission in Geneva, [Note Verbale No. 084](#), 16 April 2021 in response to communication from the Special Rapporteur on counter-terrorism and human rights, 26 January 2021.

54. See also [H.F. and Others v. France \[GC\] \(coe.int\)](#), 14 September 2022 where the Court gave recognition to some positive obligations which are tied to the age, health and safety of the children involved. The ruling applies to all 46 Council of Europe Member States which are now obliged to bring their own practices and procedures in line with these requirements. Also see Office of the High Commissioner for Human Rights, [France Violated Rights of French Children Detained in Syria by Failing to Repatriate Them](#), UN Committee Finds, 24 February 2022 (relating to a [Decision Adopted by the Committee on the Rights of the Child Under the Optional Protocol to the CRC on Communications Procedure](#) on 23 February 2022). See also the Committee’s decision of 2 November 2020. UN Doc. CRC/C/85/D/79/2019–CRC/C/85/D/109/2019. The children on behalf of whom the application was brought included some who were born in France and taken by parents to join the “caliphate” and support IS in Iraq and Syria, while others were born in IS-controlled areas. In assessing the “power and capability” of France to repatriate these children, the Committee addressed three factors in particular: France’s rapport with the local authorities, the willingness of the local authorities to cooperate, and the fact that France had already repatriated children from the camps – all of which also apply to the UK.

55. The Special Rapporteur on counter-terrorism and human rights and the Special Rapporteur on extrajudicial, summary or arbitrary execution, [Extra-Territorial Jurisdiction of States Over Children and Their Guardians in Camps, Prisons, or Elsewhere in the Northern Syrian Arab Republic](#). In this report, the rapporteurs explain, “Whether a State has ... [de facto] control is a question of fact. Relevant factors are likely to include the proximity between the acts of the State and the alleged violation, the degree and extent of cooperation, engagement and communications with the authorities detaining children and their guardians, the extent to which the home State is able to put an end to the violation of the individual’s rights by exercising or refusing any positive interventions to protect and promote the rights of their nationals, and the extent to which another State or non-state actor has control over the rights.”

56. In a [letter](#) to the UK government dated 1 February 2022, a group of UN special rapporteurs outlined that under Article 2 of the International Covenant on Civil and Political Rights (ICCPR), States “undertake to respect and ensure” the realisation of rights in the Covenant and that actions of the State that contribute to the violation of fundamental rights create responsibilities that are subject to the State’s jurisdiction.

57. For example, in October 2021 the German Foreign Minister thanked the US for assistance in the repatriation of German children and their mothers. Federal Foreign Office, [Foreign Minister Maas on the Repatriation Operation from North-east Syria](#), 7 October 2021.

Likewise, other States have demonstrated that concerns around risks to national security can be managed by putting in place domestic arrangements to address the challenges involved in bringing back children and their guardians, who may have been members of IS or exposed to radical ideologies. Because these require coordinated, multi-disciplinary approaches, such arrangements are necessarily resource-intensive, but are well within the capabilities of relevant UK domestic services and agencies.

By way of example, the UN has recently reported on the successful repatriation of more than 600 people, including 413 children, to Kazakhstan in the last three years. Of the returnees, 31 men and 18 women were reported to have been convicted for participating in IS activities, while the remainder spent time in rehabilitation centres where psychologists, theologians, religious scholars and other specialists supported their transition to civilian life. Children attended temporary schools and kindergartens in these centres before returning to live with relatives or friends.⁵⁸

Closer to home, countries including Finland,⁵⁹ Germany and the Netherlands have put in place some multi-disciplinary arrangements to support the reintegration of repatriated children and their guardians. These have included detailed risk assessments, close supervision, and the possibility of prosecution of adults where appropriate. However, they are heavily weighted towards supporting returned children to overcome the physical and mental traumas that they have endured, and facilitating their reintegration.⁶⁰

In the Netherlands, when five women together with their 11 children were repatriated in February 2022, the women were detained and transferred to terrorism detention facilities, while an individual return plan is reported to have been developed for each child, consisting of four pillars – custody, security risk, care and education. Initially, the children were placed in a specialised youth care facility for a three-month observation period, where their needs were assessed, and risks and protection concerns identified. Thereafter, they were placed with extended families wherever possible, with foster families or in care facilities if appropriate family support was not available.⁶¹ At least 75 children with Dutch nationality were known to be detained in NES at the end of 2021.⁶²

Despite the political sensitivities around returns, the need to balance the best interests of the child with national security concerns has been explicitly recognised by some governments. For example, following the return to Germany of 23 children and eight of their mothers from Roj camp in October 2021, the German Foreign Minister stated that “the children are in no way responsible for their circumstances” and should be enabled to “grow up in a safe and appropriate

environment”.⁶³ The Finnish government reportedly determined that separating children from their mothers is not in the best interest of the child and has repatriated adults along with Finnish children.⁶⁴

In contrast, the dominant discourse in the UK remains one of blame, in which children are punished for the actions of their parents, and where their return is made virtually impossible by the government’s refusal to repatriate mothers or caregivers, and/or by stripping them of their citizenship. Both have profoundly negative implications for the rights of those individuals and affected children, including potentially rendering them stateless and at heightened risk of other human-rights violations, including recruitment and use by armed actors.⁶⁵

This approach is at direct odds with the UK government’s stated commitment to protecting children’s rights in armed conflict. It also has the unfortunate effect of undermining the UK’s moral authority on the issue of CAAFAG globally, damaging its reputation as a defender of human rights.

NEGLECTING THE RIGHTS OF BRITISH CHILDREN IN NORTHEAST SYRIA – PART OF A BROADER PATTERN?

1.3

The UK government’s response to British children and other nationals detained in northeast Syria appears to be symptomatic of broader problematic responses to children at risk of unlawful recruitment by non-state armed groups, including “violent extremist groups”, where there have been consistent concerns that child rights and children’s best interests have taken second place to national security priorities.

In particular, there are longstanding concerns about the Prevent programme – a key element of the UK’s counter-terrorism strategy designed to prevent people from joining “terrorist” groups or supporting “terrorism”, and the related legal duty of institutions to identify children at risk of radicalisation.⁶⁶ According to the government, “UK government’s Prevent Duty aims to prevent people from being drawn into terrorism, without undermining children’s rights.”⁶⁷ Nevertheless, criticisms of the programme include its disproportionate impact on children and infringement to their fundamental rights – like rights to non-discrimination, privacy, and freedom of expression, religion and assembly. Critics also argue that the strategy is overly focused on security rather than on safeguarding children’s welfare and best interests, and that the duty of schools and other institutions and public services to identify children at risk of being drawn into “terrorism” is a conflict of interests that can undermine children’s access to essential services.⁶⁸

63. German Federal Foreign Office, [Foreign Minister Maas on the Repatriation Operation from North-east Syria](#), 7 October 2021.

64. For details of applicable standards and concerns around the withdrawal of citizenship on adults and their children in northeast Syria, see UN Special Rapporteur on counter-terrorism and human rights, [The Human Rights Consequences of Citizenship Stripping in the Context of Counter-Terrorism with a Particular Application to North-East Syria](#) February 2022, and for the legal framework on and impact of statelessness on children more generally, see [Institute on Statelessness and Inclusion](#).

65. Reprieve, [Trafficked to Syria](#), 20 April 2021. According to this report, the UK government has made citizenship deprivation orders in respect of at least 19 British adults in northeast Syria

66. See [Home Office, Factsheet: Prevent and Channel – 2021](#), 18 October 2021.

67. [The UK’s Response to the UN Committee’s List of Issues on the Rights of the Child](#), 16 June 2022.

68. CRIN, [Preventing Safeguarding: The Prevent Strategy and Children’s Rights](#), 2022; Prevent Watch, [The People’s Review of Prevent](#), 2022; Medact, [Racism, Mental Health & Pre-Crime Policing: the Ethics of Vulnerability Support Hubs](#), 19 May 2021.

58. UN News, [The Bittersweet Taste of Home: Former ISIL Wife Returns to Kazakhstan](#), 13 February 2022.

59. Finland violated rights of Finnish children detained in northern Syria by failing to repatriate them, UN committee finds | OHCHR, October 2022. The UN Committee on the Rights of the Child urged Finland to take urgent action to repatriate its remaining three child victims. In the interim, it asked Finland to take additional measures to mitigate the risks to life, survival and development of the child victims while they remain in northeast Syria..

60. Save the Children, [When Am I Going to Start to Live?](#), 2021.

61. International Centre for Counter-Terrorism, Tanya Mehra, [The Repatriation of Five Women and Eleven Children from Syria: A Turning Point in the Netherlands?](#), 11 February 2022. For further information on modalities used by different states to support the recovery and reintegration of children repatriated from NES see CRIN, [Research Guide on the Rehabilitation and Reintegration of Returnees from North East Syria](#), September 2022

62. Save the Children, [When Am I Going to Start to Live?](#), 2021.

According to the Child Rights International Network (CRIN), an average of 3,000 children have been referred each year since “Prevent Duty” was introduced in 2015, among which there are disproportionately high numbers of children who are Muslim, of Asian ethnicity, or who have mental health problems. Government feedback on the draft report noted that Prevent is not a criminal sanction or punishment, it does not treat people as suspects or place them under surveillance, and that Prevent duty should not be used to suppress freedom of speech or shut down debate.⁶⁹ However, CRIN and others have described Prevent as operating in a “pre-criminal space” in which children are monitored for signs of “radicalism” or “extremism”, and under which lawful and non-violent ideas and behaviours can result in children being referred, typically to the police, to decide if they should be referred for further assessment and support.

Whether or not children are referred onwards (and many cases are not), even the original referral can stigmatise children and alienate their families and communities. Many analysts consider that this can make it harder to reach vulnerable children and may contribute to creating conditions in which they are at greater risk of recruitment by armed groups.⁷⁰

1.4 IS THE UK AT RISK OF EXPORTING APPROACHES TO CAAFAG THAT PUT CHILD RIGHTS IN JEOPARDY?

As an early adopter of domestic counter-terrorism strategies, the UK’s experience has become influential in the development of strategies and plans by other countries, and it is now exporting its approach, including in the form of financial, technical and operational assistance.

According to the Conflict Stability and Security Fund (CSSF) 2020/21 Annual Report, under the rubric of the “International Prevent Programme,” partner countries are being supported “to develop the capacity to identify, support and safeguard individuals who are at risk of radicalisation and recruitment leading to terrorism.” In 2020, this involved training over 100 practitioners “to deliver early interventions in countries across Africa and the Middle East.” It also included support to the development and adoption by “one partner government of an early intervention warning system to identify and refer individuals at risk to multi-agency intervention panels, which provide counselling, faith guidance and personal and vocational skills development.”⁷¹

There is limited publicly available information on where support is provided and none on how assessments of potential impacts on child rights/child protection are conducted, although the FCDO written response to War Child noted that “all CSSF projects are subject to rigorous human-rights assessment and due diligence

prior to implementation”.⁷² However, given the many concerns relating to the impact of Prevent on children and their rights domestically, there is a need for extreme caution in exporting similar policies and practices to complex conflict or fragile settings. In these contexts, child protection frameworks may be weak and/or counter-terror/counter violent extremism laws and strategies may be used to justify the silencing of dissenting voices or targeting of minority communities, both of which could undermine children’s rights and exacerbate the very tensions that can make them vulnerable to unlawful recruitment in the first place.

The lack of transparency around the International Prevent Programme is, in itself, cause for concern as it precludes the possibility of independent monitoring of the interventions, including how context-specific risks to child rights and well-being are factored into project design and implementation, or how the projects relate to the broader spectrum of interconnected interventions that are necessary to protect children from unlawful recruitment and use by armed groups.⁷³

Recommendations on the government’s role in protecting British children associated with/at risk of association with armed groups and its International Prevent Programme

- All British children, regardless of their status (i.e. whether or not they are unaccompanied or orphaned), held in camps or other detention facilities in northeast Syria should be treated as victims of armed conflict and immediately repatriated. Children should not be separated from their parents. In cases where it is necessary to separate a repatriated child, safe communication and links to their parents and/or other family members should be maintained at all times.
- British adults who were recruited by IS as children, or who are otherwise associated with the group through family or other relationships, should be recognised, first and foremost, as victims of violations of international humanitarian law (IHL) and international human-rights law (IHRL) and provided with specialised support for their return, recovery and reintegration. This should include reinstatement of citizenship where it has been withdrawn. Where there is evidence that the individual may have been responsible for committing serious crimes, beyond mere association with IS, they should be brought to justice in the UK in accordance with international standards for fair trial, in which their unlawful recruitment is considered a mitigating factor in any judicial proceedings. Urgent steps should be taken to address concerns that the Prevent strategy undermines children’s rights. Approaches to protecting British children from unlawful recruitment by domestic or international armed groups need to be rethought so that the rights and best interests of the child are a primary consideration and there is no discriminatory or stigmatising impact on any child or group of children.

69. HMG Informal Feedback on War Child’s Report, August 2022.

70. See, for example, CRIN, Preventing Safeguarding, 2022; Medact, Racism, Mental Health & Pre-Crime Policing: the Ethics of Vulnerability Support Hubs, 19 May 2021; Home Affairs Committee, Countering Extremism Enquiry Final Report: [Radicalisation: the Counter-Narrative and Identifying the Tipping Point](#), 19 July 2016. In January 2019, the government announced an [Independent Review of Prevent](#), which is scheduled to publish its report in late 2022. The [review was boycotted](#) by 17 NGOs and civil society organisations, who were concerned about the independence of the government-appointed reviewer.

71. [Conflict Stability and Security Fund, Annual Report 2020 to 2021](#), 15 December 2021.

72. All support for security and justice sectors to other countries are subject to the Overseas Security and Justice Assessment (OSJA), a process for assessing human-rights risks involved in providing such assistance. In its previous reports in this series, War Child has questioned OSJA’s efficacy in guaranteeing that assistance does not impact negatively on the rights and protection of children in recipient countries.

73. The UN Special Rapporteur on counter-terrorism and human rights has cautioned against the simplistic deployment of policies aimed at preventing and countering violent extremism in complex conflict and fragile settings in lieu of the broader spectrum of interconnected interventions that are needed. See Human Rights Impact of Policies and Practices Aimed at Preventing and Countering Violent Extremism, UN Doc. A/HRC/43/46, 21 February 2021.

- Due to concerns about the UK's domestic Prevent strategy, UK support for other States to prevent their citizens, including children, from joining "violent extremist groups" should be reviewed to ensure that it does not risk undermining children's rights in recipient countries. As part of this process, the government should provide information on which countries – and to which authorities – such support is being provided. Processes for meaningful consultation with child rights/child protection experts and other relevant local non-governmental stakeholders should be established to design and implement programmes, and robust monitoring processes should be put in place (also in consultation with relevant non-governmental actors) to ensure that children's rights and best interests are protected.



2. THE UK MILITARY'S ROLE IN PROTECTING CAAFAG

The risks and opportunities involved in responding appropriately to CAAFAG gives rise to a range of legal and moral dilemmas, as well as practical challenges for military forces. This applies to the British Armed Forces who may encounter children, including CAAFAG, during their own operations, and to foreign militaries that the UK trains or otherwise supports. Indeed, the UK's extensive overseas military-support relationships entail both responsibilities and opportunities for strengthening compliance by partner forces with international standards and best practices on the prevention of unlawful military recruitment and use of children and the treatment of captured children.⁷⁴

2.1 ENSURING COMPLIANCE WITH INTERNATIONAL STANDARDS ON THE TREATMENT OF CAAFAG BY UK MILITARY PARTNERS

With regard to military-support relationships, UNSC Resolution 2427 (2018) explicitly calls on UN member States undertaking security sector reforms to mainstream child protection and to take fully into account the specific needs of girls and boys. Child protection should be incorporated into military training, as should standard operating procedures (SOPs) such as the handling of captured children. In previous reports in this series, War Child has called for child protection to be embedded into the heart of all UK military-support relationships. Support should be contingent on partner forces' commitment to – and performance on – child protection and respect for international law, and practical training on child protection standards and best practice should be integrated into all training for overseas forces.⁷⁵

The risks and responsibilities in relation to CAAFAG are partially acknowledged in the new MoD Joint Service Publication on Human Security (HS) in Defence (JSP 985), which requires that "all reasonable steps" are taken "to ensure we do not undertake training or partnering with units employing children in active combat roles or those that detain children solely for membership, perceived or actual, of armed groups."⁷⁶

Published in December 2021, JSP985 represents an important milestone in the MoD/ Armed Forces' thinking on integrating HS, including CAAC, into military operations.⁷⁷ In its written response to questions from War Child, the MoD explained that while implementation remains at an early stage, work is underway and structures have been set up to ensure its full integration across operations, although the response also stressed that achieving the ambitions outlined in JSP 985 "will require support from Defence's senior leadership and adequate resources."⁷⁸

74. For further information about UK military-support relationships and CAAC, see War Child, [Being 'A Force for Good': How the UK's Military Partnerships can Better Protect Children in Conflict](#), October 2021.

75. For detailed recommendations by War Child on integrating child rights into UK military-support relationships, see ['Being A Force for Good': How the UK's Military Partnerships can Better Protect Children in Conflict](#), October 2021.

76. MoD, [JSP 985 Human Security in Defence Volume 1: Incorporating Human Security in the Way We Operate](#), Version 1.0 Dec 2021.

77. MoD, Written response to War Child questions, 23 May 2022.

78. According to the MoD's written response, at Head Office level the MoD is analysing how to integrate HS considerations within analysis, policy, strategic planning and force generation; HS focal points located in each single Service and UK Strategic Command are developing implementation plans; there is an ongoing review of Service-level doctrine and standard operating procedures to ensure alignment with JSP 985 and to develop new guidance where necessary; and an "operational working group" has been established by Permanent Joint Headquarters (PJHQ) to collaborate with stakeholders across Defence to ensure consistency and coherence of the application of JSP 985 across operations.

In the meantime, existing processes to manage the risks associated with military training and other assistance to partner forces are not always sufficiently robust. In fact, the UK continues to partner with some forces that arbitrarily detain CAAFAG, and – in some cases – has provided material and other support to situations where children are unlawfully detained (see below).⁷⁹

There are, nevertheless, some encouraging signs that the detention of CAAFAG and broader concerns relating to military-support relationships are beginning to be addressed. In its written response, the MoD noted that in recognition of the importance of this issue, its Human Security Policy Team are planning to conduct "dedicated research into the human security risks associated with the use of partner forces" that will include "consultations with civil society and academic experts to build understanding of this field and what more can be done to mitigate risks." The MoD response also stressed that the aim of providing assistance to overseas partners is to "strengthen compliance with human rights and international humanitarian law in the countries we engage with."⁸⁰ However, as set out below, its authority to do so is sometimes undermined by its own policies and doctrine.

2.2 STRENGTHENING UK MILITARY DOCTRINE AND PRACTICE ON CAPTURED CAAFAG

On CAAFAG, UK policies on the age of recruitment and doctrine on detention of captured children are contrary to best practice and, as such, set a bad example to partner forces. In particular, the UK remains one of a diminishing number of countries that permits the enlistment of 16-year-olds into the armed forces.⁸¹ Additionally, under British military doctrine, captured children over the age of 15 years are excluded from the special protections afforded to younger children.

Unlike JSP 985, under which a child is defined as "a human being below the age of 18 years," the MoD Joint Doctrine Publication (JDP) 1-10 on Captured Persons distinguishes between "children" (below 15 years) and "juveniles" (15- to 17-year-olds). Under the JDP, only those that fall into the former category are entitled to special protection – that is, that they should not be held in captivity unless they present an imminent danger and, if they are detained, it should be for the shortest possible period of time, held separately from adults and they must not be tactically questioned or interrogated. Under the JDP, a girl or boy of 15 to 17 years may be detained, questioned to establish their age/identity, and potentially subjected to tactical interrogation.⁸²

79. The ICRC has highlighted arrest and detention-related activities as being "among the most challenging and contentious issues in [military] partnered relationships, for both legal and practical reasons," and has provided detailed guidance on how to mitigate them. See ICRC, [Preventing Civilian Harm in Partnered Military Operations: A Commander's Handbook](#), 2022.

80. MoD, Written response to War Child questions, 23 May 2022.

81. For further information on concerns about the age of military recruitment in the UK, see CRIN, Military Enlistment, <https://home.crin.org/issues/military-enlistment>, accessed 31 August 2022, and on the way in which recruitment of children by State armed forces violates child rights, Child Soldiers International, [Why 18 Matters: A Rights-Based Analysis of Child Recruitment](#), 2018.

82. MoD, [JDP 1-10 on Captured Persons](#), Fourth Edition, September 2020. See Section 4 – Special Treatment for Certain Groups of Captured Persons, Children and Juveniles.

In the view of the MoD, this is not inconsistent with international humanitarian law (IHL).⁸³ However, the distinction made between the treatment of “children” and “juveniles” is out of step with international human rights standards and best practice on the treatment of CAAFAG, which outline protection measures that apply equally to all children below the age of 18.⁸⁴ Even though JDP 1-10 states that UK forces will establish a policy for handling juveniles for each operation that conforms with human-rights law and humanitarian principles, as it currently stands, the doctrine risks depriving children aged 15, 16 and 17 of some of the protections that might otherwise be afforded them under human-rights law and guidance.⁸⁵ The UN Committee on the Rights of the Child has therefore recommended the revision of JDP 1-10 to ensure that all detained children under the age of 18 benefit from special protection.⁸⁶

In fact, British Armed Forces already apply this higher standard when participating in UN peacekeeping operations, in which UN SOPs on handling detention apply. Under these, primary consideration must be given to the best interest of the child, and any child detained by UN personnel must be handed over to the host State’s child protection authorities or to humanitarian child protection actors for interim care within 48 hours of being apprehended.⁸⁷

Recent training of British troops ahead of deployment to the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) has included scenario-based training on encounters with CAAFAG in preparation for an environment in which the recruitment and use of children by armed groups and the Malian armed forces remains a problem, and where the protection of children is a MINUSMA-mandated task.⁸⁸ As noted by the MoD, human security training for British peacekeepers has evolved in recent years, with the CAAC-related elements benefitting from technical input by child protection NGOs.⁸⁹ The MoD also informed War Child that only one “CAAFAG incident” has occurred during the UK’s deployment to Mali, during which the child was handed over to designated authorities for disarmament, demobilisation and reintegration (DDR).⁹⁰

83. According to the MoD’s written response to War Child questions (23 May 2022), the distinction between “children” and “juveniles” is based on Additional Protocol I to the Geneva Conventions. Specifically, “Additional Protocol I, Art 77 relates to protection of children. Article 77(2) draws out two distinct groups: ‘children who have not attained the age of fifteen years’ and ‘persons who have attained the age of fifteen years but who have not attained the age of eighteen years’. It is this distinction that has formed the basis of the JDP 1-10 definitions of captured juveniles and captured children.”

84. IHL complements the protections afforded to children under IHL.

85. This includes, for example, commitments to only detain children as a measure of last resort, for the shortest period of time (CRC art. 37(b)) and to refrain from conducting interviews with children for military purposes (which could itself amount to military use of a child by the government) (Paris Principles para. 7.25).

86. UN Committee on the Rights of the Child, Concluding Observations: United Kingdom and Northern Ireland, UN Doc. CRC/C/OPAC/GBR/CO/1, 17 April 2008, paras 28-29 and UN Doc. CRC/C/GBR/CO/5, 12 July 2016, paras 86-87.

87. UN, [Standard Operating Procedure – The Handling of Detention in United Nations Peacekeeping Operations and Special Political Missions, Annex B Special Considerations for Children](#), 1 January 2021.

88. UN Secretary-General Report on Children and Armed Conflict in Mali, UN Doc. S/2020/1105, 11 November 2020 and UN Secretary-General Reports on Children and Armed Conflict 2021 and 2022.

89. MoD, Comments on draft report, August 2022.

90. MoD, Written response to War Child questions, 23 May 2022.

Child protection and military experts consulted for this report were positive about the inclusion of CAAFAG scenarios in peacekeeper pre-deployment training exercises. However, they also stressed the importance of building child rights/child protection-related issues into regular mandatory training in order that they become “baked-in” to the thinking, rather than as a pre-deployment addition to regular training. Again, according to the MoD’s written response, things are beginning to move in that direction. It noted that UK troops are now “familiarised to encounters with CAAFAG” through annual ‘Law of Armed Conflict’ training/testing and that there are plans to ensure that by the end of 2022, “human security awareness training is made available for all defence personnel. This will include a component on CAAC and, within this, CAAFAG.”⁹¹

Informants also stressed the importance of planning for encounters with CAAFAG and other children to better support decision-making and appropriate responses in what are often rapidly moving and confusing situations, where it may be difficult to determine ages or assess the role, and therefore the risk, that a child might or might not present. The need to do this in real time was particularly underscored and questions were raised about the adequacy of the current model in which Human Security Advisors (military personnel who receive in-depth training on HS and who are responsible for assisting planning functions in incorporating HS considerations into military planning and operations) only occasionally accompany patrols. Given that it is on patrol that encounters with children are most likely to occur, this needs to be addressed.⁹²

The MoD’s written response noted that in Mali all UK troops would be familiar with CAAC/CAAFAG issues through their pre-deployment training and exercises, and that troops tasked with engaging with the population receive “Human Security Engagement Training which focuses on ‘soft skills’ and sensitive questioning techniques as well as theatre specific human security issues.” It also noted separately that patrols have real-time capabilities to “reach-back” for any support needed with on-the-ground situations and that Human Security Advisers are available via radio contact with base to provide real-time guidance should a CAAFAG-issue arise.⁹³

Although this is positive, it falls short of the commitment made by the UK under the 2017 Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers to appoint child protection focal points throughout its peacekeeping military-command structures.⁹⁴ One informant likened this to infantry advanced medics who are not qualified doctors but receive additional training to enable them to assess, treat and/or refer injured persons for additional care. In the same way, a child protection focal point at patrol level would ensure the presence of someone with responsibility for – and enhanced training on – responding in situ to children, including CAAFAG.

91. According to the response, “the course design and development is expected to be completed by late 2022, with troops from all three services able to access this by the end of 2022. This will be rolled out in the forthcoming year with the aim that all troops will have received this as standard.”

92. Similar concerns have been raised in previous War Child reports in this series.

93. MoD, Comments on draft report, August 2022.

94. See [Vancouver Principles](#), Principle 4.

2.3 RECOMMENDATIONS ON THE UK'S MILITARY ROLE OF PROTECTING CAAFAG

- The MoD should commit to using all necessary resources for achieving the accelerated integration of JSP 985 across all military operations, including guidance relating to CAAC.
- In accordance with JSP 985, robust processes should be put in place to ensure that the UK forces do not partner with overseas militaries that recruit and use children, or arbitrarily detain them, including solely for their association with armed groups or forces. More broadly, consideration should be given to adopting legislation that would codify and thereby ensure the consistent prioritisation of UK responsibilities to support IHL and IHRL in the context of its military-support relationships.⁹⁵
- The UK should support overseas partners to develop child rights-compliant doctrine and SOPs, including on preventing child recruitment and use, and on the handling of captured CAAFAG, and training should be provided on good detention practices.
- British Armed Forces policies and doctrine should be revised in accordance with recommendations by the Committee on the Rights of the Child: a) to raise the minimum age for military enlistment to 18 years and b) for all captured children under the age of 18 to benefit from special protection under Joint Doctrine Publication 1-10: Captured Persons in line with IHL and IHRL.
- In accordance with commitments under the Vancouver Principles, dedicated child protection focal points should be included in UK deployments of UN peacekeeping operations, as well as to other situations where UK forces may encounter children, including CAAFAG.

95. For example, in the USA, the Leahy Laws require vetting of partner forces to ensure that security assistance is not provided where there are credible allegations of gross violations of human rights, and the Child Soldiers Prevention Act restricts certain types of security assistance to countries whose armed forces recruit and use children in hostilities.



3. THE UK'S ROLE IN SUPPORTING GLOBAL CAAFAG RELEASE AND REINTEGRATION

Primary responsibility for CAAFAG release and reintegration rests with the State in whose jurisdiction the child is. Nevertheless, under OPAC the UK is required to cooperate to support rehabilitation and social reintegration internationally, including through technical cooperation and financial assistance (OPAC Article 7). The CRC also requires State parties to take appropriate measures "to promote physical and psychological recovery and social reintegration of a child victim" of armed conflicts, and calls for international cooperation in this regard (CRC Articles 39 & 4 respectively).

There are many ways in which these obligations can be realised, both in relation to CAAFAG who are captured and detained, and for the much larger numbers of children who are released from – or otherwise separated from – armed forces or groups. It also makes good strategic sense to do so.

“Reintegrating child soldiers is a strategic investment for government, donors and agencies... The degree to which a country is successful in reintegrating children and providing livelihoods and security for former child soldiers directly affects its ability to foster political stability and social and economic recovery.”

UN Global Coalition for Reintegration of Child Soldiers,

[Reframing Child Reintegration: From humanitarian action to development, prevention, peacebuilding and beyond, 2020.](#)

While every child's experience differs according to age, gender and other factors, their involvement in armed conflict can leave deep and long-lasting scars, such as physical injuries, poor health, complex trauma, and lost opportunities, often as a result of missed education. Depending on the context, many also suffer stigma, discrimination and rejection. Their recovery and reintegration therefore often involve long and complex journeys, requiring interventions at multiple levels, over an extended period of time, involving many different stakeholders. Programming and funding needs to extend beyond humanitarian assistance and requires proactive interventions across the Humanitarian-Development-Peace Nexus, in order to mitigate the drivers of conflict, reduce risk, and strengthen the resilience of individuals and societies.⁹⁶

Barriers to successful CAAFAG reintegration

Insufficient funding

Poor-quality programming overly focused on short-term interventions

Lack of community-based and community-led interventions that address root causes of recruitment

Weak institutional capacity

Exclusion of children as active agents of change/participation of children

Legal and political classifications (such as "terrorist") that deny some children reintegration support

War Child has previously highlighted barriers to successful reintegration (see left) and called for policy-makers, donors and practitioners to "rethink child soldiers" by supporting long-term (three to five years) community-based/led reintegration programming, in which children affected by armed conflict and their communities are consulted and participate; institutional capacity for child protection is strengthened; and improved outcomes for individual children, as well as more sustainable recruitment prevention and peace-building outcomes, are delivered.⁹⁷

3.1 REVERSING GLOBAL TRENDS TOWARDS DETAINING CAAFAG

In northeast Syria and beyond, the UK has an important role in pushing back against global trends of detaining CAAFAG and in supporting the reintegration of children who have been detained on account of their association with armed groups. The numbers of such children have increased dramatically over the last decade,

reaching an estimated 35,000 in 2018.⁹⁸ In 2021, the UN recorded the conflict-related detention of at least 2,864 children, in addition to the tens of thousands of girls and boys still held in camps in northeast Syria.⁹⁹

Many, possibly the majority, of these children are detained not because they have committed a crime but because they are, or are perceived to be, associated with opposing forces. This can be for reasons as nebulous as that they are of fighting age, belong to ethnic, religious or other communities perceived to be sympathetic to opposition forces, or because their family members are affiliated with such forces. The proliferation of counter-terrorism strategies and accompanying legislation classifying association with groups designated as terrorist, or activities as serious offences, has also led to increased numbers of under-18s being detained under national security laws.

“Children detained in the context of armed conflict often find themselves in a cycle of violence. First, armed groups illegally recruit them, usually through force, coercion or deception. Second, government authorities then detain them for suspected association with those very groups, often subjecting them to ill-treatment, which can make them susceptible to re-recruitment.”

UN Global Study on Children Deprived of their Liberty, 2019.

97. War Child, [Rethink Child Soldiers: A New Approach to the Reintegration of All Children Associated with Armed Forces and Armed Groups](#), 11 July 2019.

98. UN Global Study on Children Deprived of their Liberty, UN Doc. A/74/136, 11 July 2019. The figure included an estimated 29,000 foreign children of alleged IS fighters detained in camps in Iraq and northeast Syria.

99. UN Secretary-General Annual Report on Children and Armed Conflict, UN Doc. A/76/871-S/2022/493, 23 June 2022.

96. See Global Coalition for Reintegration of Child Soldiers, [Reframing Child Reintegration: From Humanitarian Action to Development, Prevention, Peacebuilding and Beyond](#), September 2020.

Conditions of detention are often deplorable. Detained boys and girls are frequently exposed to torture and other forms of ill-treatment, sexual violence, unfair trials and, in some countries, the death penalty.¹⁰⁰ This is not only harmful to individual children but, by reinforcing discrimination, exclusion and stigmatisation, can also be counterproductive for broader security, stabilisation and development objectives.

3.2 UK SUPPORT FOR CAAFAG HANDOVER PROTOCOLS IN NIGERIA

Among the tools for protecting captured CAAFAG are agreements to swiftly transfer children captured by State security forces or non-state armed groups to child protection actors for appropriate support services, including reintegration assistance. These agreements, known as handover protocols, have been signed in a number of countries where they have contributed to protecting children from human-rights violations associated with military detention, by providing a rapid and critical referral pathway for reintegration.¹⁰¹

SOPs for the handover of CAAFAG and for the protection of children in the course of military operations are expressly called for in UNSC Resolution 2427. As a member of the UNSC Working Group on CAAC, the UK has also supported recommendations to governments in countries where CAAFAG are detained by State security forces to agree and/or implement existing handover protocols.¹⁰²

Nigeria is among these countries, where the adoption of a handover protocol was called for in response to the detention of thousands of children for suspected association with Boko Haram – a group that has become notorious for its abduction and forcible conscription of girls and boys, using them in combat roles (such as planting improvised explosive devices, as suicide bombers and as spies), in support roles, and for sexual purposes.¹⁰³

According to UN figures, more than 3,600 boys and girls were detained by the Nigerian military between January 2013 and March 2019, having been captured during military operations, caught up in security sweeps, or having escaped. In many cases, they were very young, and often their links to Boko Haram were remote or non-existent. They were held in military barracks, often for months or years, without access to their families, child protection experts or judicial processes, and where inhumane detention conditions put their health and lives at risk.¹⁰⁴

UN verified CAAFAG detentions 2021

Countries in bold = Handover protocols agreed or other procedures (such as SOPs) for the handover of captured children exist or are being negotiated.

Afghanistan: 334 (as of mid-August 2021)	Libya: 125
Burkina Faso: 18	Mali: 7
Cameroon: 5	Myanmar: 87
CAR: 8	Nigeria: 45
DRC: 160	Philippines: 24
India: 33	Somalia: 195
Iraq: 1,267	Syrian Arab Republic: 62
Israel: 637	NE Syria: 800+
Lebanon: 3	Yemen: 10

Although over 1,800 children were released between 2017 and 2020, the practice of military detention of children for their alleged association with Boko Haram continues – possibly at a reduced level¹⁰⁵. Negotiations for the adoption of a handover protocol were ongoing and in September 2022, the government of Nigeria, the UN system in Nigeria and UNICEF secured the protocol for children encountered in the course of armed conflict in Nigeria and the Lake Chad Basin Region. The British High Commission in Nigeria was reported to have been actively involved in supporting the adoption of the protocol, and the issue was raised during the inaugural dialogue of the UK-Nigeria Security and Defence Partnership earlier in the year.¹⁰⁶

Informants were keen that the UK continues its efforts to support the implementation of the protocol. It was also suggested that the UK could amplify its efforts on this and broader CAAFAG/CAAC-related issues through participating in (or even chairing) the country-based Group

of Friends (GoF) of CAAC that is in the process of being established in Nigeria.¹⁰⁷

The UK has diplomatic missions, as well as security and other relationships, in many of the countries in which the UN documented the detention of children associated with parties to armed conflict and/or under national security legislation in 2021 (see UN verified CAAFAG detentions). In these, and other, situations where CAAFAG are detained, support for the adoption and/or implementation of handover protocols should be regarded as a routine component of UK strategies to strengthen protection for children affected by armed conflict. Either as part of a local GoF of CAAC where they exist, or bilaterally, the UK's diplomatic presence can be used to raise the need for handover protocols with national government counterparts, and to help facilitate access to government actors for child protection or other negotiators. Military, security and other relationships can also be leveraged to put pressure on – and to support – national authorities to agree and implement protocols.

100. See Watchlist, Countering Terrorism and Violent Extremism: The Erosion of Children's Rights in Armed Conflict, January 2020.

101. For further details about where protocols have been agreed and guidance on them, see Watchlist, A Path to Reintegration: The Role of Handover Protocols in Protecting the Rights of Children, December 2020, and Watchlist and Alliance for Child Protection in Humanitarian Action, [Operational Guidance: Negotiating and Implementing Handover Protocols](#), March 2022.

102. See, for example, UNSC Working Group on CAAC conclusions on South Sudan (March 2021), Nigeria (December 2020), Mali (December 2020), DRC (December 2020), Sudan (October 2020), CAR (June 2020) and Syria (July 2019). All conclusions available at [Library – Office of the Special Representative of the Secretary-General for Children and Armed Conflict \(un.org\)](#).

103. UN Secretary-General Report on Children and Armed Conflict in Nigeria, UN Doc. S/2020/652, 6 July 2020.

104. In 2020, Amnesty International (AI) reported that there had been "likely more than 10,000" deaths in military custody, of which many were children, as a result of severe overcrowding, inhumane sanitation, extreme heat, and insufficient food and water. AI, Nigeria: ["We Dried Our Tears": Addressing the Toll on Children of Northeast Nigeria's Conflict](#), 27 May 2020. See also HRW, ["They Didn't Know if I was Alive or Dead": Military Detention of Children for Suspected Boko Haram Involvement in Northeast Nigeria](#), 10 September 2019, and Watchlist, ["Who Will Care for Us?": Grave Violations against Children in Northeastern Nigeria](#), September 2014.

105. UN Secretary-General Report on Children and Armed Conflict in Nigeria, UN Doc. S/2020/652, 6 July 2020 and UN Secretary-General Annual Reports on Children and Armed Conflict 2021 and 2022.

106. In the final communiqué following the meeting, the UK government welcomed Nigeria's efforts to formalise the handover protocol, encouraged its prompt finalisation and offered to explore opportunities to support its implementation. See [UK-Nigeria Security and Defence Partnership Dialogue Communiqué](#), February 2022.

107. GoF of CAAC are informal platforms that bring together concerned UN member States and UN stakeholders in support of the CAAC agenda. GoF exist in Geneva, at the African Union, in Afghanistan, Colombia, the DRC, Mali, the Philippines, Somalia, South Sudan, Sudan, Syria, and Yemen, where they have supported UN-led efforts to prevent and end grave violations against children, including through advocacy and bilateral dialogue and mobilising resources. For further information, see UNICEF, [25 Years of Children and Armed Conflict: Taking Action to Protect Children in War](#), June 2022.

108. The numbers for detained children in the text box are based on information contained in the UN Secretary-General's 2022 Annual Report on CAAC. The handover protocol agreed in CAR is no longer applicable because one of the main signatories, Sangaris (the French military mission in CAR) has since left the country, although efforts are reportedly underway to update it. Handover protocols have also been agreed in Chad, Niger and Uganda, and UNICEF is also reported to be negotiating with authorities in Mozambique to adopt one.

3.3 UK FUNDING FOR CHILD DETENTION FACILITIES IN NORTHEAST SYRIA

In contrast to its role in Nigeria, UK funding for the expansion of detention facilities in northeast Syria is at direct odds with the government's stated commitment to be a protector of child rights in armed conflict.

The UK involvement in supporting the detention regime in northeast Syria is linked to its role as a member of the US-led Global Coalition to Defeat ISIL, which is reported to have provided significant stabilisation assistance to local authorities, including training, and offering riot and other equipment, to increase prison security.¹⁰⁹ The UK's contribution is reported to include US \$20 million (approximately £16.5 million) for the expansion of Al Sina'a prison (reportedly doubling its capacity to 10,000 people), which it has justified on the basis of addressing severe overcrowding and otherwise bringing facilities up to "Red Cross standards."¹¹⁰ IS members and "their sons" are reported to be among those transferred to the new Al Sina'a wing following the IS assault on the prison in January 2022.¹¹¹ It is not known how many children are detained in the new wing and/or whether British children are among them.

Construction a new juvenile rehabilitation centre was also underway, although at the time of writing, it remained empty.¹¹² When opened, this facility will be in addition to two existing juvenile rehabilitation centres - the Houry Centre in Tel Maruf which is reported to hold 110 boys between the ages of 12 and 18 years, and Halat for under-12s.

Conditions in the existing rehabilitation centres are reported to be an improvement on the camps and prisons, and children held in them have access to education and other services. However, this does not include the comprehensive support and case management needed to achieve their release and reintegration. Ultimately, it represents another form of detention in which most boys have gone through no judicial process and for many of which there is no exit, other than to prison once they turn 18 years old.¹¹³

Well-run, well-resourced juvenile interim care centres, to which child protection organisations have regular access and, are able to provide independent oversight, could represent a pragmatic, stopgap response to immediate concerns around the protection of highly vulnerable children. However, children's presence in such facilities should be for the shortest possible period of time pending durable solutions for their release and reintegration – including being reunited with their families and the repatriation of foreign nationals. Achieving this will require significant funding and other support from the UK and other stakeholders. Local authorities are neither able – nor should be expected – to carry the full burden of resolving this child rights crisis.

109. [Communication to UK Government from UN Special Rapporteur on Counter-Terror and Human Rights and other UN Human Rights Council Mandate Holders](#), 1 February 2022.

110. [Communication to UK Government from UN Special Rapporteur on Counter-Terror and Human Rights and other UN Human Rights Council Mandate Holders](#), 1 February 2022.

111. SOHR, [Prisoner Transport, SDF Transports 1,200 Non-Syrian ISIS Members and Leaders to New Prison Set Up by Western State, East of Al-Hasakah](#), 14 March 2022.

112. According to one person interviewed for this report, the UK has provided some funding for this centre, but War Child was not able to confirm this.

113. According to Save the Children, Syrian boys in Houry go through a local judicial process, serve a fixed sentence and are then released to their families, but no such process exists for Iraqi boys or those from other countries. See [When Am I Going to Start to Live?](#), 2021.

In the meantime, any support for facilities in which children are indefinitely detained without recourse to legal processes, and where the emphasis is on security and containment rather than release and reintegration, is both legally and morally problematic, and ultimately unsustainable.¹¹⁴ In the view of UN human-rights and child rights experts, the UK's financial and other support to detention facilities also raises "serious questions" around its "responsibility" and "complicity" in the "facilitation, sustainment and continuation of the serious human-rights violations that are taking place in prisons and detention centres".¹¹⁵

According to security experts, the unresolved issue of detentions in northeast Syria is also fuelling growing levels of insecurity in the region. For example, the Royal United Services Institute (RUSI) has warned that failure to act will result in "generational consequences for global peace, security and prosperity," and has called for "global leadership, resolve and courage" to address the situation.¹¹⁶ The UK has an important role to play here but must first put its own house in order by repatriating British nationals and avoiding ad hoc interventions that contribute to, rather than reduce, harm.

3.4 IS THERE POTENTIAL FOR THE UK TO DO MORE TO PROTECT CHILDREN FROM ARBITRARY DETENTION IN IRAQ?

While the numbers of incarcerated CAAFAG in Iraq are lower than in northeast Syria, the issue is in many ways equally sensitive and equally in need of international cooperation and support to resolve.

Since 2014, Iraqi and Kurdish authorities have arrested thousands of children on suspicion of IS membership. According to UN figures, as of December 2021, 1,267 children were in detention on national-security-related charges, including for their actual or alleged association with armed groups, primarily IS.¹¹⁷ The vast majority of detained children are boys (1,251), and most are Sunni Arabs from former IS-controlled areas. Among the detainees, there are reported to be at least 185 foreign children.¹¹⁸ According to one informant interviewed for this report, they may include British children, although this could not be confirmed.¹¹⁹

114. While recognising that institutional care can sometimes be necessary, War Child's experience globally shows that rehabilitation centres for CAAFAG and other vulnerable children bring a high risk of institutionalisation. Furthermore, the quality of care needed to support the children in such institutions is often not available in conflict-affected settings.

115. Communication to UK Government from UN Special Rapporteur on Counter-Terror and Human Rights and other UN Human Rights Council mandate holders, 1 February 2022.

116. RUSI, [Resolving the Stalemate](#), 16 December 2021.

117. UN Secretary-General Annual Report on Children and Armed Conflict, 2022. According to Terre des Hommes (TdH), a survey in December 2020 found that at least 2,344 minors were detained in official prisons in Iraq for association with IS, but information was lacking for many prisons/detention facilities. See TdH, [Outside the Field of View: IS-Associated Children and Adolescents in Iraq](#).

118. HRW, [Submission to the Committee Against Torture and Other Cruel, Inhuman, or Degrading Punishment Ahead of the Review of the Republic of Iraq](#), 7 April 2022.

119. The UN verified the detention of 35 foreign children in 2021. See UN Secretary-General Report on Children and Armed Conflict in Iraq, UN Doc. S/2022/46, 26 January 2022.

Regardless of whether they have participated in violent crimes (and many have not), these children are treated as criminals, and the low age of criminal responsibility in Iraq and the Kurdistan Region of Iraq (KRI) (nine and 11 years old, respectively) has enabled their prosecution under national security legislation, for which convictions are often secured on the basis of confessions extracted under torture.¹²⁰ They are detained in conditions which have been described as “harsh and life-threatening”¹²¹ – child rights/protection experts in Iraq interviewed for this report particularly highlighted severe overcrowding and inadequate healthcare as among the most pressing concerns.

Notwithstanding the imperative of holding members of IS and other perpetrators to account for crimes committed in the context of the recent and previous armed conflicts in Iraq, the arrest and detention of children and others for their alleged association with IS has been described as resembling “collective punishment for certain (predominantly Sunni) communities.”¹²² This practice was widely regarded by informants as aggravating, rather than relieving, root causes of conflict in the country, and thereby undermined stabilisation efforts.

Insufficient services for detained children, and lack of follow-up support for them on release, further exacerbate instability by hampering their chances of reintegration.¹²³ Individuals imprisoned as children because of their alleged affiliation with IS face challenges such as community hostility if they try to return to their place of origin, and possible re-imprisonment if they do not have civil documents (which many do not). In the meantime, they have no access to basic services like food and shelter, and no prospect of earning a livelihood. Several interviewees expressed fear that the young people who were incarcerated as minors in both KRI and Baghdad-controlled Iraq will create a rich pool of future recruits for IS and other armed groups if the situation is not addressed.¹²⁴

In its most recent conclusions on Iraq, the UNSC Working Group on CAAC called on the Iraqi government to consider non-judicial measures as alternatives to prosecution and detention that focus on the reintegration of children formerly associated with armed forces and armed groups.¹²⁵ However, whereas there is a degree of coordination among the international community within Iraq to support broader reintegration efforts (see below), according to informants interviewed for this study, there is a tendency to shy away from engagement on the more sensitive issue of CAAFAG incarceration.

In its feedback, the FCDO noted that the UK regularly raises concerns around detention, fair trial and treatment of children at the most senior levels within the Iraqi government and works with government ministries, the judiciary, and international partners to support the government to improve detention conditions,



human-rights standards and reintegration of juveniles following their release.¹²⁶ It is important that it continues to do so and that it explores ways to support (politically, technically and financially) the accelerated implementation by the Iraqi government of UNSC Working Group recommendations in order to reduce levels of incarceration of CAAFAG, ensure that the rights of those who are detained are respected, and that any child who is or has been detained is provided with tailored, gender-sensitive, long-term support for their reintegration.

3.5 UK SUPPORT FOR BROADER CAAFAG REINTEGRATION EFFORTS

In Iraq, Nigeria and northeast Syria, as in many other situations of armed conflict, there are also much larger populations of children in need of reintegration support. It is beyond the scope of this report to look at CAAFAG reintegration arrangements in the three countries in-depth, or the full scope of UK contributions to them. However, the three contexts highlight some of the challenges involved and areas where UK support could contribute to overcoming them. Although each has their own specificities, several general priorities emerged from interviews with experts in the three countries:

- The need for comprehensive national-level, child rights-compliant policy frameworks that treat each child equally and prioritise their best interests, regardless of which armed actor they may be associated with, or their ethnicity, religion or other identifying factors.
- The importance of context-specific, gender-sensitive, survivor-centred, long-term support for reintegration programmes that enable national authorities, the UN and other child protection stakeholders to respond to the differing, and often very complex, needs of individual boys and girls. Support should also be provided to their families and communities. Being able to adapt quickly is also key, should conditions on the ground change.
- The need for unified approaches to CAAFAG reintegration that are linked to broader child protection, education, livelihood and other services, that include support for other vulnerable children and affected communities, and are built into stabilisation and transitional justice processes, as well as wider peace, security and development objectives.

120. United Nations Assistance Mission for Iraq (UNAMI) and OHCHR, [Human Rights in the Administration of Justice in Iraq: Trials Under the Anti-Terrorism Laws and Implications for Justice, Accountability and Social Cohesion in the Aftermath of ISIL](#), January 2020; and HRW, [“Everyone Must Confess”: Abuses Against Children Suspected of ISIS Affiliation in Iraq](#), 6 March 2019.

121. US Department of State, [Country Reports on Human Rights Practices: Iraq](#), 2021.

122. UNAMI and OHCHR, [Human Rights in the Administration of Justice in Iraq](#), January 2020.

123. For detailed information on support for child detainees in Iraq, see TdH, [Outside the Field of View](#), 2021.

124. Baghdad-controlled Iraq and KRI have separate judicial systems with their own counter-terrorism laws. Sunni Arab men who served prison time or were acquitted in KRI for IS connections risk rearrest or retaliation if they try to reunite with their families in areas controlled by Baghdad. See HRW, [Iraq/Kurdistan Region: Former ISIS Suspects Stuck in Limbo](#), 28 October 2021.

125. UN Security Council, Working Group on CAAC Conclusions on children and armed conflict in Iraq, UN Doc. S/AC.51/2020/4, 24 July 2020.

126. FCDO, Written response to War Child questions, 30 May 2022, and HMG informal feedback on the draft report, August 2022.

3.6 CAAFAG REINTEGRATION IN IRAQ – THE NEED FOR A COMPREHENSIVE APPROACH

In addition to IS, children were also recruited and used in hostilities by other armed actors during the 2014-2017 conflict in Iraq. These include the Popular Mobilization Forces (PMF), which fought against IS alongside Iraqi government forces and are now integrated into them, and pro-government militias.

Many children were forced to fight, and all witnessed/suffered unspeakable levels of violence and trauma, yet responses to them have differed. Children from minority groups, such as Yazidi girls and boys, who were abducted by or forced to join IS, have generally been viewed as victims and allowed to return to their homes (albeit without adequate support), as have children associated with the PMF.¹²⁷ Sunni Arab children affiliated with or living in IS-controlled areas have, on the other hand, been imprisoned (as above) or confined to camps for internally displaced persons (IDPs) which, because of limits on residents' freedom of movement, have been described as functioning at times more like "open-air prisons."¹²⁸ The abrupt closure of most of the camps by the Iraqi government in late 2020/early 2021 resulted in tens of thousands of people, including children, being left homeless and in poverty.¹²⁹

Five years on from the end of the conflict, there remains no overarching national strategy to guide the response to CAAFAG reintegration in Iraq. At the time of writing, an action plan to end and prevent the recruitment and use of children was reported to be close to being agreed between the Iraqi government and the UN. However, several informants questioned its relevance because it focuses only on child recruitment/use by the PMF – with efforts to broaden its scope to include issues relating to CAAFAG reintegration more generally reportedly having been rejected by the Iraqi government.¹³⁰

To the extent that reintegration support for children is available, it is primarily provided by humanitarian actors. One informant described I/NGO CAAFAG reintegration programmes as being "ad hoc, short-term and of limited reach" and, as such, inadequate for addressing the vast numbers of children or the scale and complexity of their needs, or the needs of the communities into which they will be reintegrated. Nor do they adequately address the fact that, for some, returning to places of origin may not be a viable option.

The FCDO's 2020 Human Rights and Democracy Report acknowledges these challenges, noting that "a significant number of IDPs in camps were unable to return to their areas of origin because of a lack of adequate shelter or livelihood opportunities, and faced significant barriers to returning, without access to the right documentation or security clearances."¹³¹ These are complex problems requiring long-term solutions. For example, lack of civil documents such as birth certificates, ID and nationality certificates remains a major obstacle to returns because without them checkpoints cannot be crossed, basic services like education cannot be accessed, and there is a risk of arrest/detention. However, obtaining such documents is complicated and often involves approaches to multiple different authorities, which is logistically and financially difficult for most people.¹³² Many informants were concerned that as humanitarian funding for Iraq winds down, the already limited funds available for addressing these, and other, reintegration challenges will dry up.

Adding to these challenges is the repatriation of an estimated 30,000 Iraqis, mostly Sunni Arabs and mostly women and children, from camps in northeast Syria which, to its credit, the Iraqi government has begun.¹³³ On arrival in Iraq, returnees are sent to "Jeddah camp" near Mosul, where they are held for at least several months before being allowed to return to their homes. However, the camp only has capacity for 500 families, and communities around the camp and in places of origin are reported to be hostile to returnees, who are perceived as IS affiliates. Informants for this report, while supportive of returns, warned of the potentially destabilising effects unless policy frameworks, processes and resources are put in place to support them. One informant noted that for children, many of whom have grown up in camps in northeast Syria and some who were born there, there is a risk that one place of detention will be exchanged for another.

According to the FCDO's 2021 Human Rights Report, "the UK continues to lobby the Iraqi Government and work closely with the UN to seek safe, durable solutions for IDPs."¹³⁴ The UK has also provided £278 million in humanitarian and £130 million in stabilisation assistance since 2014, that includes support to addressing barriers to return and reintegration, including civil documentation. It is engaging with the UN and Iraqi government on the Global Framework on United Nations Support on Syria and Iraq Third Country National Returnees, and has funded a series of workshops through the International Organisation of Migration (IOM) to bring together experts and policy makers to discuss screening, rehabilitation, and reintegration of returnees, including children from northeast Syria.¹³⁵ This is a significant contribution, but the investment could be undermined if CAAFAG

127. The Yazidi Survivors Bill, adopted on 1 March 2021 by the Iraqi Council of Representatives, aims to provide survivors from Yazidi and some other minority groups with reparations and reintegration assistance, but many child victims of IS, including survivors of sexual violence, are excluded from assistance under this law. See Watchlist, Bridging the Gap: [Bringing the Response to Children Formerly Associated with ISIL in Iraq in Line with International Child Protection Standards](#), March 2021, and Al Jazeera, "No one cares": [ISIL's "Invisible" Victims](#), 8 March 2022.

128. HRW, [Iraq: Camp Expulsions Leave Families Homeless, Vulnerable](#), 2 December 2020.

129. Between October 2020 and March 2021, the closure by the government of 16 out of 18 camps for IDPs and reclassification of two formal camps as informal sites resulted in the departure of 46,940 persons. Twenty-five camps for IDPs in KRI, hosting 86,641 children, remained open at the end of 2021. See UN Secretary-General Report on Children and Armed Conflict in Iraq, UN Doc. S/2022/46, 26 January 2022.

130. The PMF is listed for child recruitment and use in the annexes of the UN Secretary-General's annual reports on children and armed conflict. Because the PMF was integrated into the Iraqi State security forces, the Iraqi government was required to agree a time-bound action plan to prevent and end the practice and in order for it to be delisted. According to the UN Secretary-General's 2021 Annual Report on CAAC, it was "envisioned that the draft action plan will provide support for the reintegration of children who have been released from armed actors" more generally, but the government is reported to have refused to agree to this.

131. FCDO, [Human Rights and Democracy Report: 2020](#), 8 July 2021.

132. According to UNHCR, over one million Iraqis lack one core legal document, over 500,000 lack at least two core documents and over 250,000 lack at least three or more core documents. UNHCR, [Iraq: Civil and Identity Documentation – 2021: The Year in View](#).

133. Iraqis in northeast Syria arrived at different stages of the conflict, some fleeing IS advances and others arriving in early 2019 after the fall of Baghouz, the last IS-controlled stronghold in eastern Syria. Informal returns have taken place for some time, but the first official returns took place in May 2021. As of April 2022, 449 families (1,779 individuals) had been repatriated from Al Hol camp in northeast Syria. Informant interview, 28 April 2022.

134. FCDO, [Human Rights and Democracy Report: 2020](#), 8 July 2021.

135. FCDO, Written response to War Child questions, 30 May 2022, and HMG informal feedback on draft report, August 2022. The [Global Framework](#) was launched in September 2021 and is designed to respond to and assist the protection needs of children and adults returning from northeast Syria requiring protection, and to support requesting member States to promote security and address accountability through prosecution, rehabilitation and reintegration processes.

reintegration is not fully funded and otherwise effectively addressed. Informants warned of the risk that children could be pushed towards armed groups in the absence of other options – in an increasingly volatile security environment there are already unconfirmed reports of child recruitment by community militias and by IS, which remains active in Iraq.

There was consensus among interviewed child rights and protection experts in Iraq that the UK has an important role to play as a leading member of the international community in the country. This included using its influence to push back against approaches that have created a “hierarchy of victims” in which treatment of CAAFAG varies depending on the child’s ethnic or religious origin and/or the armed actor that they are allegedly associated with. This has facilitated discussions with the government and other stakeholders on sensitive issues around CAAFAG detention and reintegration, helping to sustain the momentum for the return of Iraqi children and their families from northeast Syria, providing funding and technical support, and insisting on child rights-compliant approaches to returns and reintegration. Continued funding is also essential to assist children in recovering and to provide them with education, vocational training and job opportunities to enable their reintegration and disrupt drivers of recruitment and instability.

3.7 CAAFAG REINTEGRATION IN NIGERIA: THE MOMENT FOR MORE – NOT LESS – INVESTMENT

The CAAFAG reintegration landscape in Nigeria is equally complex and is compounded by ongoing insecurity. Both Boko Haram and the Civilian Joint Task Force (CJTF), a community-based self-defence force that fights alongside the Nigerian Security Forces against Boko Haram, have been “listed” in the annexes of the UN Secretary-General annual reports on CAAC for recruitment and use of children. However, the routes out of armed conflict for children associated with the two groups are very different.

In the case of the CJTF, an action plan was agreed with the UN in 2017 to end and prevent child recruitment and use. More than 2,000 under-18s were subsequently released from CJTF ranks and are reported to have taken part in ceremonies conducted by community leaders before being returned to their families. According to UNICEF, released children and their families have also benefitted from an array of services, including psychosocial support and community-based socio-economic reintegration.¹³⁶ The CJTF was “delisted” in 2021, having been assessed by the UN to have released all under-18s from its ranks and stopped any further recruitment of children. Nevertheless, informants spoke of the need for ongoing support, such as the establishment of, and capacity building for, child protection desks in each of the 24 CJTF units.

The reintegration journey for the thousands of children who are, or are perceived to be, affiliated with Boko Haram is a much more complex one. As noted above, many have been detained by the Nigerian military. On release, these children are processed through transit centres, along with other children who have escaped or are otherwise separated from the group.

The original facility, Bulumkutu Interim Care Centre, opened in 2016 and provides “rehabilitation care” for women and children, which includes profiling, civil documentation, psychosocial services, family tracing, care planning and management support. As of May 2022, over 4,000 girls and boys had passed through it,¹³⁷ but mass defections from Boko Haram (at least 50,000 people), following the death in mid-2021 of its leader, have placed huge strains on its resources.¹³⁸ Two new transit centres, Haj and Sokari, have been set up in response, but neither yet has the capacity to provide the level or quality of services needed to fully support children’s recovery and reintegration needs. Child protection concerns have also arisen in Bulumkutu and the other transit centres as defecting adult male fighters have been held with women and children.

While additional funding is needed to ensure that released children receive the appropriate interim care in the transit centres, informants stressed the equal importance of working with communities to support acceptance of affiliates (albeit forced or circumstantial) of a group that has often been responsible for atrocities against them, and of providing reintegration and follow-up support for returning children. As one informant noted, “You cannot just tell communities that the children are victims and expect them to welcome them back.” Rather, long and painstaking processes are needed to promote and support community acceptance that must be linked to broader justice, stabilisation and development processes. Because communities have also been decimated by the conflict, there is often little for former CAAFAG to return to. Without locally based opportunities to catch up on missed education or earn a living, some may be drawn back into Boko Haram or other armed groups.

According to one informant, there is a tendency for international donors to direct funding towards shorter-term “de-radicalisation” and “rehabilitation” programmes rather than longer-term – but even more necessary – community-based reintegration programmes. The UK has been an exception in that it has funded both, but in the context of recent aid cuts (see Negative impacts of UK aid cuts on CAAFAG), it is reported to have discontinued funding to a CSSF flagship project that supported the reintegration and trauma recovery of women and children associated with Boko Haram.¹³⁹

136. UNICEF, 25 Years of Children and Armed Conflict: Taking Action to Protect Children, June 2022.

137. UN News, [Recognize ‘Enormous Challenges’ Facing Northern Nigeria to Forge New Hope, Guterres Urges](#), 4 May 2022.

138. HumAngle, [Boko Haram Strongman, Shekau, Dead as ISWAP Fighters Capture Sambisa Forest](#), 20 May 2021.

139. Conciliation Resources, International Alert and Saferworld, [Arbitrary Cuts to Aid ‘Downgrade’ Vital Peacebuilding in Fragile States](#), June 2021.

The UK nevertheless continues to play an important role in coordinating action on CAAFAG and other DDR-related issues in its role as co-chair of the International Support Group to the Regional Strategy for Stabilisation, Recovery and Resilience of the Boko Haram-affected regions of the Lake Chad Basin. Recently, this has included an FCDO-supported conference, bringing together high-level stakeholders to strengthen DDR and survivor-centred justice processes and mobilise international community support for them. Among the meeting outcomes was agreement that “all DDR and transitional justice approaches need to be inclusive of women, children, different ethnic and religious communities and marginalised groups.”¹⁴⁰ These and other coordination activities are vital, but the UK also needs to match them with continued funding for the programmes needed to realise such aspirations.

3.8 CAAFAG REINTEGRATION IN NORTHEAST SYRIA FOR IS-AFFILIATED CHILDREN AND BEYOND

In addition to the thousands of foreign children being held in northeast Syria, there are also many more Syrian children detained in camps, rehabilitation centres and prisons who need to be released, reunited with their families or provided with reintegration support.

In the short-term, there is a pressing need for funding to ameliorate appalling conditions in camps and for child protection and other humanitarian actors to provide life-saving support to all detained children. According to the FCDO’s written response, the UK was planning to scale up humanitarian assistance for minors in detention in northeast Syria in 2022 and is working with the UN and other members of the international community to address conditions in Al Hol camp, including to improve humanitarian-service provision and civil-military liaison.¹⁴¹ While this may be positive, such support must not simply perpetuate the indefinite detention of children.

In parallel, informants highlighted the need for the UK to support its military partner in the region, the SDF, in its efforts to ensure that children are not recruited by it. An action plan to end the recruitment and use of children has already been signed by the SDF (in July 2019) and, in 2020, a roadmap was agreed with the UN to accelerate its implementation. Some progress is already evident – by the end of 2020, 150 children were reported to have been “disengaged” from SDF ranks and 908 who were seeking to enlist “screened out.”¹⁴² A further 182 children were reportedly released from the SDF in 2021. Nine child protection offices and a child protection HQ have been set up within the SDF to receive complaints of unlawful recruitment and conduct age assessments and disciplinary measures introduced against SDF personnel who violate commitments under the action plan.¹⁴³

140. Wilton Park, [Lake Chad Basin: Developing Comprehensive Regional Solutions](#), March 2022.

141. FCDO, Written response to War Child questions, 30 May 2022.

142. UN Secretary-General Annual Report on Children and Armed Conflict, UN Doc. A/75/873–S/2021/437, 6 May 2021.

143. UN Secretary-General Annual Report on Children and Armed Conflict, UN Doc. A/76/871–S/2022/493, 23 June 2022.

Child protection experts working in northeast Syria interviewed for this report stressed the importance of holistic responses to CAAFAG that tackle the whole problem, not just small parts of it. In addition to supporting solutions for IS-related children, they therefore also highlighted the need for UK support (funding and technical) to the SDF to strengthen its capacity and thereby enable it to speed up its efforts to implement its action plan to prevent and end the recruitment and use of children.

3.9 NEGATIVE IMPACTS OF UK AID CUTS ON CAAFAG

CAAFAG reintegration has long been recognised as a severely underfunded area of work.¹⁴⁴ However, because it involves many different interventions by an array of different stakeholders, it is difficult to put a definitive figure on global reintegration funding needs. It is equally difficult to accurately determine the precise UK contribution to global reintegration funding. In part, this is because funding can be channelled via many different routes,¹⁴⁵ but also because support for reintegration (and, equally importantly, prevention of recruitment) encompasses many different approaches and sectors. For example, education, child protection, public health, poverty reduction, livelihood support, peacebuilding and stabilisation can all directly or indirectly contribute to building protective environments in which a child’s vulnerability to unlawful recruitment or re-recruitment is reduced, and the chances of successful recovery and reintegration of released CAAFAG enhanced.¹⁴⁶

However, what is clear is that CAAC in general, and CAAFAG specifically, are among the casualties of UK funding cuts, resulting from the government’s 2021 decision to reduce the foreign-aid budget from 0.7% to 0.5% of national income.¹⁴⁷

There have been swingeing cuts to the two UN institutions that lead global efforts to prevent and respond to child recruitment and use. In April 2021, the government informed UNICEF – the leading UN operational agency for the protection of children – that it intended to reduce its core funding to the agency by approximately 60%. At the time, UNICEF warned that cuts to this budget, which allows it to respond rapidly to the most pressing child protection emergencies, would have “serious consequences for children.”¹⁴⁸

144. At the Paris Principles 10th Anniversary Ministerial Meeting in 2017, attended by 73 UN member States, “participants recognized the need to considerably increase resources for children affected by armed conflict and their access to those resources, and to allow for predictable, consistent and long-term multi-sectoral finance for reintegration programmes.” See International Protect Children from War Conference, Conclusions, 21 February 2017.

145. Existing multilateral and bilateral CAAFAG reintegration financing instruments and mechanisms are mapped in UN Global Coalition on Reintegration of Child Soldiers, [Financing Support for Child Reintegration: Issues and Options Study](#), 2020.

146. For example, the £426 million worth of UK funding for multi-sectoral nutritional programming and protection projects in northeast Nigeria under its North-East Transition to Development Programme (2017-March 2022) directly and indirectly supported former CAAFAG.

147. A reduction from 0.7% to 0.5% in 2021 equated to a cut of £4.6 billion, or 30% relative to 2020. See Bond, [What do the Latest UK Aid Provisional Statistics Tell Us?](#), 13 April 2022.

148. [UNICEF Statement on UK Funding Cuts](#), 30 April 2021. UNICEF leads implementation of the UN’s CAAC agenda in countries affected by armed conflict, including by co-chairing the Country Task Forces on Monitoring and Reporting (CTFMRs), or their equivalent working groups in designated ‘situations of concern’, which are responsible for leading implementation of the UN-led Monitoring and Reporting Mechanism (MRM) on grave violations against children.

Simultaneously, the UK government ended all funding to the OSRSG CAAC. Previously, it was rightly proud of having been among the most generous funders to the work of the Office, having contributed a total of £1,850,000 between 2013-2021, including £550,000 in 2020/21.¹⁴⁹ This, according to informants, had enabled the Office to expand its work and multiply its impact.¹⁵⁰ Although new funders have been found by OSRSG CAAC to plug the gap, and the UK government contributed £250,000 to UNICEF for the UN-led Monitoring and Reporting Mechanism (MRM) in 2021/22,¹⁵¹ the cuts are a worrying sign of a wavering commitment to the CAAC agenda. This is all the more concerning given that the number of situations on the UN Security Council CAAC agenda continue to rise, with Ethiopia, Mozambique and Ukraine having recently been added to the 21 country situations and one region already on it.¹⁵²

The impact on children is compounded by the fact that some of the biggest cuts to UK humanitarian assistance have fallen on conflict-affected countries with high numbers of CAAFAG and/or children at risk of recruitment and use. Indeed, aid budgets to the seven countries with the highest number of UN-verified cases of child recruitment and use in 2020 have all suffered significant cuts.¹⁵³

Country	UN-verified cases of child recruitment and use, 2020	Aid 2020/21	Aid 2021/2022
DRC	3,265 (2,569 boys, 696 girls)	£121.22m	£56.3m
Somalia	1,716 (1,655 boys, 61 girls)	£121.15m	£71.2m
Syria	837 (797 boys, 40 girls)	£153.46m	£48m
Myanmar	790 (778 boys, 12 girls)	£91.98m	£49.5m
CAR	774 (524 boys, 250 girls)	£19,334m in 2020 to £0 in 2020/21	£0
Afghanistan	196 (all boys)	£153.67m	£145m
Yemen	163 (134 boys, 29 girls)	£220.58m	£82.4m

Key thematic budgets have also been slashed, including education – a core focus of global development efforts in the last decades to which the UK government has been a major donor. Although funding to the multilateral education programme Education Cannot Wait (ECW) – which supports children affected by conflict and humanitarian disasters – remains unchanged, overall budget reductions in aid to the sector have been significant.¹⁵⁵ According to the campaigning group ONE, 7.1 million children, including 3.7 million girls, are no longer receiving a decent education as a result of cuts to the overseas aid budget.¹⁵⁶ Although this is a global figure, it has fallen heavily on conflict-affected countries or neighbouring countries hosting large numbers of children forcibly displaced by armed conflict, such as Bangladesh, Ethiopia, South Sudan and Nigeria. As a result, tens of thousands of children may now be unable to access education and will thereby be denied the safe environment offered by schools, which not only provide education but also protection against recruitment and use – they are spaces where former CAAFAG can develop skills to help themselves overcome trauma and begin their lives again.

As noted above, cuts to the CSSF budget have directly impacted CAAFAG-reintegration projects. War Child’s own programmes in conflict-affected countries have also been severely affected by the cuts to aid spending. For example, an Aid Connect¹⁵⁷ funded programme in CAR that aimed to empower the poorest and most vulnerable children to find alternatives to the “worst forms of child labour” (of which child recruitment and use is one) was forced to close prematurely, raising fears that some children will resort to negative coping mechanisms such as joining armed groups.¹⁵⁸

While the full impact of the cuts is as yet unclear, based on the information that is available, the cumulative effect will inevitably increase the vulnerability of children to military recruitment and use. The capacity and reach of child protection actors to prevent it, and support the release and reintegration of those who fall victim to exploitation by parties to armed conflict, will be reduced.

At a time of growing global insecurity and spiralling humanitarian needs, more rather than less support is needed if children are to be protected from involvement in armed conflict. The goal is to enable girls and boys who have become victims of exploitation by fighting forces to reclaim their childhood and participate fully and positively in civilian life. If the UK is to act as a “force for good” in the world, it should be playing a leading role in these endeavours.

149. FCDO, Written response to War Child questions, 31 May 2022.

150. According to OSRSG CAAC, UK support made possible, among other things, staff field missions to accompany the SRSR for high-level engagement with parties to armed conflict or provide technical support to country-based teams involved in monitoring and reporting of child recruitment and use and other grave violations against children, plus other prevention and reintegration initiatives.

151. The FCDO noted in its written response that “the UK reduction in funding to the OSRSG CAAC in 2021-22 did not lead to a reduction in overall international funding for the Office, as the OSRSG CAAC received additional funding from other sources” and that the UK continues to work closely with OSRSG, co-organising the Wilton Park event on CAAC held in April 2022. See footnote 11 for information on the MRM.

152. UN Secretary-General Annual Report on Children and Armed Conflict, UN Doc. A/76/871-S/2022/493, 23 June 2022. The three countries were added because of the gravity of the impact of conflict on children in them.

153. Source for child recruitment/use figures UN Secretary-General 2021 Annual Report on Children and Armed Conflict. Source for aid figures unless otherwise stated, [FCDO Annual Report and Accounts, 2021/2022](#).

154. HMG, [Statistics on International Development: Final UK Aid Spend 2020](#).

155. According to a recent review of UK aid to education, the ECW fund has supported 4.6 million children in conflict zones to access education since 2016. See Independent Commission for Aid Impact (ICAI), [Assessing UK Aid’s Results in Education, Results Review, 27 April 2022](#).

156. ONE, [Impact of UK Aid Cuts](#). In its report on UK aid to education, the ICAI noted that the most significant cuts were to bilateral education programming, but that the FCDO had not supplied sufficient information to gain a comprehensive overview of the nature of the cuts in the whole portfolio. ICAI, [Assessing UK Aid’s Results in Education, Results Review, 27 April 2022](#).

157. UK Aid Connect is a fund designed to support consortia to create innovative solutions to complex development challenges that deliver real change to poor people’s lives. Further details available at [www.gov.uk/international-development-funding/uk-aid-connect](#).

158. War Child UK, Submission to International Development Committee, May 2022 – on file

3.10 RECOMMENDATIONS ON UK SUPPORT FOR GLOBAL CAAFAG RELEASE/REINTEGRATION EFFORTS

Reducing CAAFAG detention numbers:

- Publicly and categorically oppose the detention, prosecution or punishment of CAAFAG solely on the basis of their alleged association with armed forces or armed groups.
- Consistent with its positive role in supporting negotiations for a handover protocol in Nigeria, the government should systematically use its influence to encourage States where CAAFAG are detained by security forces to adopt protocols, or other procedures, to facilitate their swift and safe transfer to civilian child protection actors. In countries where the UK has military-support relationships, military assistance should be conditioned on the adoption of handover protocols.
- Where CAAFAG are accused of committing serious crimes under international law, the UK should provide financial and technical support to justice sectors in conflict-affected countries to ensure that judicial processes are conducted in accordance with juvenile justice standards. Detention should only be used as a measure of last resort and for the shortest time, and non-judicial alternatives to judicial proceedings and detention should be considered and prioritised.

Supporting CAAFAG reintegration:

- Coordinate with other donors to ensure the availability of long-term, flexible funding for CAAFAG-reintegration programmes across the Humanitarian-Development-Peace Nexus, and factor CAAFAG reintegration into support for broader stabilisation, development, transitional justice and other relevant assistance.
- Set up in-country forums for regular consultation with child rights/protection experts working with CAAFAG to inform and support the development of UK policy and action on CAAFAG release and reintegration that is tailored to and responds to context-specific needs and challenges.

Reversing funding cuts and investing in child protection in situations of armed conflict:

- Support greater investment in the effective implementation of the UN Security Council's CAAC agenda and the establishment of national-level child protection systems in conflict-affected countries. Support should also be there for the implementation of treaty obligations and commitments by relevant governments to protect children from involvement in armed conflict.
- Immediately reinstate funding to OSRSG CAAC and UNICEF, and reverse other cuts to overseas aid budgets that impact negatively on global efforts to end and prevent the recruitment and use of children by armed forces and armed groups. Funding should also be reinstated for CAAFAG reintegration programs.



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