



PRIORITIES FOR THE BRUSSELS VIII CONFERENCE

The Syria Justice and Accountability Centre
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Ahead of the 2024 Brussels VIII Conference, “[Supporting the future of Syria and the region](#),” the Syria Justice and Accountability Center (SJAC) is outlining its policy priorities for EU member states.

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ADDRESSING AL-HOL CAMP AND ISIS DETAINEES IN NORTHEAST SYRIA

Al-Hol and Roj camps in Northeast Syria host around 48,000 people, two-thirds of whom are children, detained by the SDF after they were displaced by the U.S.-led Global Coalition to Defeat ISIS. At the end of 2023, an estimated 18,000 Syrians, 21,000 Iraqis, and some other 9,000 foreigners hailing from 50-60 countries were held at al-Hol camp, while in Roj camp, an estimated 2,500 individuals are estimated to be held. While those in the camp are suspected of ISIS affiliation, they are being held indefinitely without charges or judicial proceedings. Additionally, between ten to twelve thousand men and boys are held in SDF prisons, accused of former ISIS affiliation but similarly held without charge.

EU governments have supported repatriating individuals detained at al-Hol camps and in detention centers in northeast Syria but have not made nearly enough progress. Moreover, such repatriations will not address the 18,000 Syrians currently in al-Hol, nor the thousands of Syrians in SDF detention centers. In 2023, around 150 Syrian families held in al-Hol were allowed to return to Al-Raqqa and Aleppo governorates after successful mediation with local tribes; however, these mediation processes must be done on a systemic basis, and scaled up to meet the need for repatriation, trials, and possible releases.

EU MEMBER STATES SHOULD:

- » Repatriate nationals living in al-Hol camp and SDF prisons. EU member states should take action to identify and repatriate foreign nationals and bring them back to the EU to face trial. Repatriation should also include men, who have often committed the most serious crimes.
- » Release information on foreign detainees. EU states should work with SDF to make information on the nationalities of detained foreigners available publicly.

- » Re-connect detainees with their families. Many detainees in al-Hol camp and SDF prisons have effectively been disappeared, with no contact with their families outside. EU member states should work with the SDF to facilitate access between detainees and their families, whether living in Syria, Iraq, or elsewhere. This work could be done by the ICRC, if it is granted full access to camps and detention facilities, including detention records.
- » Build capacity to begin trials and reintegration for Syrian detainees. Syrians detained in Northeast Syria must be tried, if there is evidence of wrongdoing, and reintegrated into local communities when appropriate. The AANES is currently receiving little support in addressing this problem, aside from funding to continue the policy of indefinite detention. EU member states should work with the AANES to build local capacity or provide direct support in ensuring fair trials for suspected ISIS affiliates. Those who are not guilty of crimes, or who have served a sentence, need to be reintegrated into their home communities. Ad hoc releases have happened, but these efforts need to be standardized and expanded. The basis for releasing individuals, and the process through which their innocence is determined must be transparent.

PREVENT FORCED RETURN FROM EU MEMBER STATES AND CEASE PUSHBACK POLICIES

For years, the EU has largely ignored calls to improve its policies towards refugees and asylum seekers, maintaining regressive policies designed to stop migrants from seeking safety in Europe. Frontex continues to violate human rights, forcing the return of sea migrants to Libya, and other reported abuses, as well as playing an active role in supporting pushbacks of migrants at land and maritime borders with Türkiye. EU countries, which aim to see less refugees arriving at their borders, have consistently looked the other way.

In the first half of 2023, 67,000 Syrians applied for asylum in the EU, the largest number since 2015-2016. However, European states are more reluctant than ever before to fulfill their responsibilities to protect refugees. In recent years, Denmark, Sweden, Poland, Hungary, and Romania have stripped Syrians of residency and work permits, arguing that conditions in Syria are appropriate for return. Other European states such as Greece, Bulgaria, and other Balkan countries have engaged in pushback policies that do not allow arrivals the chance to seek asylum.

Unfortunately, it is not safe for Syrian refugees to return to Syria where they will face arrest, torture, and other human rights violations upon return.

EU MEMBER STATES SHOULD:

- » EU member states that have revoked residency and work permits of Syrians should reverse these policies and acknowledge that Syria is not safe for return.
- » EU member states must cease pushback policies that violate international law by withholding provision of international aid, preventing asylum seekers from reaching safety, subjecting asylum seekers to cruel and inhumane treatment, and sending them back to their previous countries of transit or to other countries involuntarily.
- » States should condition aid to Lebanon and Türkiye based on their strict adherence to international law regarding refugee protection and non-refoulement. Türkiye and Lebanon should be pressured to cease policies and practices that facilitate unlawful raids of Syrian households and unlawful detentions of Syrian refugees.

POLITICAL SOLUTIONS TO ADDRESS ARBITRARY DETENTION AND ENFORCED DISAPPEARANCES IN SYRIA

Arbitrary detention and enforced disappearances remain routine in Syria. In June 2023, the UN General Assembly voted to establish a new mechanism, the Independent Institution on Missing Persons in the Syrian Arab Republic (IIMP), with a mandate to reveal the fates of missing persons in Syria and provide support to victims and families.

However, the IIMP will struggle to make progress in investigating the fates of those kidnapped by the government until it is able to access prisons and detention records inside the country. Moreover, the priority of the international community must be to ensure the immediate, safe release of detainees who are still alive. While the IIMP has only just begun its work, it seems unlikely that the mechanism will be well placed to take on this political challenge. While the IIMP begins investigations, EU member states and the broader international community should work to facilitate this work through obtaining cooperation with the Syrian government.

EU MEMBER STATES SHOULD:

- » Begin negotiations on detention and the access of IIMP into Syria outside of the current political track. Negotiation efforts under the UN Special Envoy have been effectively stalled for years. By separating the issue of detention from larger discussions on Resolution 2254, EU states may find an opening for progress.
- » Engage with allies of the Syrian government. As normalization of the Syrian government within the Arab world continues, governments such as the UAE could help EU states obtain human rights concessions.
- » Offer concrete incentives for the release of detainees. In the past, when the Syrian government has released small numbers of political detainees, the EU and allied states have largely been silent. If the Syrian government is going to make progress on this file, EU states will need to signal a willingness to offer concrete incentives for widespread, sustainable releases and reform of detention practices. Such concessions should potentially include sanctions relief.



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