

Tunisia: Scant Help to Bring Home ISIS Members' Children

200 Held in Squalid Camps and Prisons in Libya, Syria, Iraq

(Tunis) – [Tunisian](#) officials have been dragging their feet on helping bring home Tunisian children held without charge in foreign camps and prisons for families of Islamic State (also known as ISIS) members, Human Rights Watch said today. Most of the children are held with their mothers, but at least six are orphans.

In rare calls and letters to family members, mothers of the children described living in overcrowded prison cells in Libya or tent camps in northeast Syria with acute shortages of food, clothing, and medicine. Two Tunisia-based family members said the mothers told them that some women and children – they did not say how many – had been beaten by interrogators, sometimes repeatedly, in al-Jawiyyah, a prison in Misrata, Libya, and that some detainees, including children, were severely withdrawn and spoke of wanting to kill themselves.

“Legitimate security concerns are no license for governments to abandon young children and other nationals held without charge in squalid camps and prisons abroad,” said [Letta Tayler](#), senior terrorism and counterterrorism researcher at Human Rights Watch. “Tunisian children are stuck in these camps with no education, no future, and no way out while their government seems to barely lift a finger to help them.”

In December 2018, Human Rights Watch interviewed Tunisian family members of 13 women and 35 children detained in Libya and Syria as well as government officials, human rights activists, lawyers, journalists, Western diplomats, and United Nations representatives. In July and September 2018, Human Rights Watch visited the three camps in northeast Syria controlled by US-backed Kurdish authorities detaining Tunisians and other foreign women and children linked to ISIS members.

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A woman walks with a child in Roj camp, which holds foreign wives and children of Islamic State (ISIS) members, in northeast Syria, September 2018.

While Tunisia is not the only country stalling on helping its stranded women and children to come home, and many of the others have significantly greater resources, Tunisia has one of the largest contingents. About 200 children and 100 women claiming Tunisian nationality have been held abroad

without charge for up to two years as ISIS family members, most in Syria and neighboring Libya and some in Iraq, Tunisia's Ministry of Women and Children told Human Rights Watch. Many of the children are age six or younger, and bringing home their mothers as well may be in their best interest.

Other countries should similarly help bring home children stranded in Iraq, Libya, and Syria after their parents joined the extremist armed group. Most younger children were born in ISIS-held areas or brought there by their parents.

Nearly all family members interviewed said they had received no replies to letters and documents they had sent to the Foreign Affairs Ministry, the president, and other officials beseeching them to help bring the women and children home. "We went to everyone, but no one responded," said Hamda Laouini, whose daughter, daughter-in-law, and four grandchildren are detained in Ain Issa camp in northeast Syria.

"For God's sake, save the children from destruction," one mother detained in a Libyan prison wrote to a family member in a 2018 letter shared with Human Rights Watch. "They are slipping [emotionally] from our hands."

Authorities [in northeast Syria](#) and [Libya](#) have asked home countries to take back the women and children, saying they do not plan to prosecute them. Iraq has prosecuted foreign adults and children as young as nine for links to ISIS – often in procedures that [fail fair trial standards](#) – but has also [asked countries](#) to take back the children. Although inconsistent in their approach, at least nine countries have repatriated about 200 children and women detained in Iraq, Libya, and northeast Syria, showing that it is possible.

In a written response to requests for comment, the Tunisian Foreign Affairs Ministry said that "Tunisia attaches special importance" to the cases of the detained children as part of its "firm belief in human rights." But so far Tunisia has helped bring only three of these children home, from Libya. In January, Tunisia also [reportedly agreed](#) to bring home six orphans living in a Red Crescent shelter in Libya by mid-February.

The Foreign Ministry response also said the government would not turn away detainees whose citizenship is established, noting that the Tunisian Constitution prohibits denying or revoking citizenship or preventing citizens from returning home. While Human Rights Watch found no evidence that Tunisia was turning away citizens at its borders, most if not all of the detainees have no way to

leave locked camps and prisons to reach Tunisian consulates or borders, some of which are hundreds of kilometers away and on the other side of conflict zones, without their governments' intervention.

International human rights law provides that everyone has the right to a nationality and that no one shall be arbitrarily deprived of theirs. Countries have a responsibility to ensure that children are not deprived of this right. This obligation extends to children born abroad to one of their nationals and who would otherwise be stateless. Countries must ensure acquisition of nationality by an otherwise stateless child "as soon as possible," the UN Human Rights Committee has said.

Countries including Tunisia should ensure that all child nationals detained abroad solely because they are the sons and daughters of alleged or confirmed ISIS members are swiftly and safely brought home unless they fear ill-treatment upon return, Human Rights Watch said. If mothers are held without charge, children should not be sent home without them, absent compelling evidence that such separation is in the best interests of the child.

If Tunisia and other home countries deem the mothers to be security risks, they can screen and, if appropriate, monitor or prosecute them upon repatriation in line with fair trial standards. However, they should not interfere with the right of everyone to enter, and return to, the country of their nationality. Children will have more access to mothers serving prison sentences at home than they will if their mothers are held abroad.

Upon return, nationals should be provided rehabilitation and reintegration services. Children should be treated first and foremost as victims and should not be prosecuted for links to groups such as ISIS absent evidence of violent acts. Detention of children should be an exceptional measure of last resort and for the shortest appropriate duration, in line with juvenile justice standards. Donors should prioritize assistance to countries such as Tunisia to ensure they have the capacity to screen and reintegrate returnees.

"These children and even their mothers cannot leave locked camps and prisons and make their way home on their own any more than fish can swim across the desert," Tayler said. "Leaving family members to languish without charge in foreign camps and prisons will compound their suffering and risk fueling further grievances."

Children Stranded Abroad

An estimated 2,000 children and 1,000 women from 46 nationalities are detained in [prisons in Iraq](#) and [Libya](#) and three camps [northeast Syria](#) – Roj, Ain Issa, and al-Hol – for family ties to foreign ISIS

suspects or members. A majority, according to Human Rights Watch research, have not been charged with any crime. But most countries [have balked](#) at helping them come home, claiming they may be security threats or that verifying their nationalities may be difficult. Many of the women and children's husbands and fathers are imprisoned, missing, or dead.

Most of the detained women and children were captured or surrendered as ISIS retreated from Sirte, Libya in December 2016; Mosul, Iraq in July 2017; and Raqqa, Syria in October 2017.

Dozens of countries with greater financial resources than [cash-strapped](#) Tunisia are also stalling on bringing home wives and children of ISIS members. The Belgian government said in December that it would [appeal a court order](#) to repatriate six Belgian children and their two mothers from al-Hol camp.

Of more than 200 women and children transferred out of prisons and camps so far, most were brought home by [Russia](#), [Kazakhstan](#), [Uzbekistan](#), [Indonesia](#), [Egypt](#), and [Sudan](#). [Germany](#), [France](#), and the [United States](#) have brought home only a few each. France in October 2018 said it [may repatriate](#) additional children from northeast Syria, and in January said it would accept but [prosecute adult French ISIS members](#) if they are deported or otherwise come home. In January, two children from Trinidad were released from Roj camp in a [rescue involving Roger Walters](#), co-founder of the rock band Pink Floyd.

Tunisians in Camps and Prisons

Tunisian authorities say that just under 3,000 of their nationals have joined ISIS abroad. Two Western diplomats told Human Rights Watch they believe the number is far higher, with up to 6,500 Tunisians having traveled to Syria and another 1,000 to 1,500 to Libya. Either way, it is one of the world's highest rates per capita. The numbers reportedly include [as many as 1,000 women](#), although there are no breakdowns between women who joined ISIS and those who accompanied spouses.

Tunisia also is estimated to have one of the highest number of ISIS members who surrendered or returned home on their own – about 900, according to government officials. Two Western diplomats told Human Rights Watch they believe the number is closer to 1,500.

The country has been under a state of emergency since 2015, when ISIS and other extremist armed groups began a series of mass attacks on civilians as well as security targets. Perpetrators in two of the highest-profile ISIS attacks, on the [Bardo Museum](#) in Tunis and [a coastal resort in Sousse](#) in 2015, [reportedly trained](#) in Libya. A [female suicide bomber](#) who in October wounded 26 people, most of them police officers, in central Tunis had sworn allegiance to ISIS but had not traveled abroad.

In 2016, President Béji Caïd Essebsi proposed an amnesty for returning ISIS fighters and their families but [quickly retreated](#) in the face of negative media commentary and street protests.

Tunisia has only allowed the repatriation of three children, who had been detained in a Libyan prison for ISIS members' families, according to government officials, family members, and human rights activists. Libyan [media reported](#) that Tunisian authorities said they will bring home six orphans after the Red Crescent Society of Misrata, which is caring for the children, on January 17 [called on Tunisia](#) to repatriate them within one month.

Officials with the Tunisian Ministry of Women and Children said that about 100 women and 200 children are detained abroad as ISIS family members, but referred Human Rights Watch to the Foreign Affairs and Interior ministries for specific numbers and breakdowns. Neither ministry responded to Human Rights Watch requests for data.

The non-governmental Rescue Association of Tunisians Trapped Abroad (RATTA) has collected information on 116 Tunisian detainees – 93 children and 23 women – of whom it says more than half are in Libya, nearly one-third are in Syria, and the rest are in Iraq, Turkey or elsewhere. Nearly half the children tracked by RATTA are no more than two years old and four-fifths are no older than six.

Confirming the detainees' nationalities can be a complex process. Tunisian citizenship can be transferred through a father or a mother. However, many detainees, particularly the children born in former ISIS territory, lack proof of identity or potentially have a second nationality through one foreign parent. Many countries including Tunisia have severed [diplomatic relations](#) with Syria. The Kurdish-led coalition controlling camps in northeast Syria is not an internationally recognized government. In Libya, two governments vie for legitimacy and different militias control the prisons detaining the women and children.

In April 2017, in an apparent effort to bring home children detained in Libya, an official Tunisian delegation visited representatives of the internationally recognized Government of National Accord (GNA) in Tripoli. The delegation brought DNA kits to help determine the children's identities but never used them after the Libyan and Tunisian authorities failed to agree on terms for the transfer, three Tunisian government officials told Human Rights Watch.

The Tripoli-based GNA wanted the Tunisians to bring home the women, the children, and at least 80 corpses in a morgue that they said were dead Tunisian ISIS fighters, but the Tunisians were at most willing to bring back the children as a first step, fearing the mothers were a greater security risk, the

government officials said. Only one mother detained in Libya is known to have agreed to be separated from her Tunisian children.

Mohammed Ben Rejeb, the president of RATTA, accused the Tunisian authorities of insisting on bringing home children first as a ruse to stall on repatriating any of them. “The Tunisian government doesn’t want to bring back the children or their mothers,” he said.

Desperate for a solution, four Tunisian families paid a Libyan lawyer 2,000 Libyan dinars (US\$1,440) per child to get five children out of Libya. But the lawyer has only been able to help release two siblings, whom the Tunisian government let come home in November.

An April 2018 report by the [UN human rights office described](#) Mitiga prison in Tripoli and al-Jawiyyah prison in Misrata as “facilities notorious for endemic torture and other human rights violations or abuses,” including against women and children. The report did not make reference to detainees related to ISIS members. Mitiga and al-Jawiyyah prisons hold at least 53 Tunisians – 29 children and 24 women – according to Tunisian family members, human rights activists, and journalists.

Libyan authorities did not respond to more recent requests by a Human Rights Watch researcher to visit Mitiga, run by the Special Deterrence Force allied with the Tripoli-based GNA, and al-Jawiyyah, nominally run by the GNA Judicial Police. Human Rights Watch was also denied access in September 2018 to the shelter run by the Red Crescent Society in Misrata.

The Families’ Accounts

Most of the family members who spoke with Human Rights Watch in Tunisia said their female relatives were duped by recruiters or seduced or coerced by husbands, but others said the women went willingly.

Human Rights Watch is not in a position to assess these women’s motivations. [Studies on recruitment](#) include coercion and the desire to keep families intact as reasons that women have joined ISIS abroad, but they also list factors such as ideological motivations and desire for adventure. UN [binding resolutions](#) and [principles](#) for country responses to groups like ISIS note that women and children related to armed extremists may be perpetrators, supporters, or victims of terrorism.

“She was very obedient,” Hamida Hamouda said of her illiterate daughter-in-law, now detained with four children at Ain Issa camp. Two women detainees were child brides when they left with their husbands for Syria, family members said.

Zohra al-Hammi said four female relatives, now detained with five children in Roj camp, left with or followed their husbands to Syria in 2015 to keep their families intact. “Forty-five days later, they called and said, ‘We want to come back,’” she said, but Turkish border guards would not let them cross out of Syria.

Whatever the women’s motivations, relatives in Tunisia said the children stuck abroad from their families were brought by their parents to ISIS territories or were born there. Moncef Abidi said his sister Wahida and her Tunisian husband initially had legitimate jobs when the couple moved in 2013 to Libya. But two years later, the husband joined ISIS. Wahida called the family in tears, desperate to return to Tunisia with her son, Baraa, but said her husband told her, “If you go, our son stays with me,” Abidi said.

In 2016, during clashes between armed groups in the coastal city of Sabratha, Baraa’s father was killed and a bullet tore through Baraa’s back and out of his stomach. Baraa, now four, has had five operations and needs one more that cannot be performed in Libya, Abidi said.

Baraa and Wahida are detained together at Mitiga prison. The Special Deterrence Force reunited the mother and child but only after Baraa had spent four months in a hospital. The militia disseminated a [video of the reunion](#), which shows Wahida, crying hysterically and Baraa, then a toddler, looking alternately frightened and dazed. “Can I please hug him – is that okay?” she asks. It is one of [several videos](#) that the Special Deterrence Force and GNA have released about the detained Tunisian women and children that appeared aimed at blaming Tunisia for the impasse on their repatriation.

Abidi said he has repeatedly appealed to the Tunisian authorities to let Baraa come home. “He is just a little boy,” Abidi said. “Why should he be punished for the crimes of his father?”

The family members’ descriptions of dire living conditions in the three northeast Syrian camps were consistent with Human Rights Watch findings in 2018 at these sites, where the Syrian Democratic Forces are holding up to [1,750 foreign women and children](#), including at least 150 Tunisians. Specialist health care, medicine, and food including infant formula were scarce and counseling and rehabilitation programs non-existent, female detainees told Human Rights Watch. Some women said that their interrogators, usually women, beat them during their initial questioning in detention facilities, before they were transferred to the camps.

Conditions in Al-Hol camp are “critical” and at least 29 children and newborns are reported to have died there or en route since early December, mainly from hypothermia, [the World Health Organization said](#).

“I am hungry, I am hungry,” Bornia Mathlouthi said her 7-year-old grandson cried in December, when Mathlouthi spoke by phone with her daughter-in-law and three grandchildren in al-Hol camp. Two months ago, a sand storm destroyed the tent that housed the family, Mathlouthi said. All the children can do to pass time, she said, is “play with dirt and stones.”

“The children were hungry and pale and so was their mother,” said Chahiba Ghanmi, who visited her daughter-in-law and two grandchildren in al-Jawiyyah prison in 2018. “The mother says they only survive on spaghetti in water. I gave Ahmed a candy and a cake. He had no idea what they were. He ate the candy with the wrapping still on it.”

The camps in northeast Syria and prisons in Libya also sell food but at exorbitant prices and families are not always able to send money, the Tunisian relatives said.

In addition to Baraa in Libya, two children stranded in Syria need surgery, Tunisian family members told Human Rights Watch. One is a 10-year-old boy whose face was disfigured from a cooking-gas canister explosion in a tent in Roj camp. The other is a 4-year-old boy living with his Syrian mother in a camp for displaced Syrians in Aziz, who has a hole in his skull from a bombing attack. That boy’s Tunisian father is dead.

Returned children

In its written response, the Foreign Ministry said it has confirmed “a number” of children as Tunisian through DNA testing and was rehabilitating them but did not elaborate. Human rights activists, family members, and other government officials said they only knew of three repatriated children.

One of them is Tamim, a 4-year-old orphan who made headlines when the authorities repatriated him from Libya in 2017. Tamim’s parents were killed in February 2016 during [US airstrikes](#) and ground fighting in Sabratha. His grandfather, Faouzi Trabelsi, said he went to Libya four times to seek his grandson’s repatriation before Tunisian authorities agreed to let the boy come home.

For his first month home, the authorities placed Tamim in a hospital ward for children who are orphaned or physically disabled. He received a month of medical and psychological care there but nothing since, his grandfather said.

The two other repatriated children, a 10-year-old boy and a 7-year-old girl whose mother remains detained in Misrata, receive counseling from a state-appointed psychologist, a family member told Human Rights Watch. All three repatriated children appear to be adjusting to life back in Tunisia, the family members said.

The Foreign Ministry said the government is also developing an array of prevention, rehabilitation, and reintegration programs to counter armed extremism. Western diplomats said the programs remain largely in the planning stage as Tunisia copes with [overcrowded prisons](#), [economic crisis](#) and [political turmoil](#).

Tunisia is “working to rehabilitate and reintegrate foreign terrorist fighters and their families” in line with UN Security Council resolutions such as [Resolution 2396](#) of 2017, the Foreign Ministry said. That binding resolution emphasizes the need for children’s “timely” reintegration and rehabilitation.

All family members interviewed in Tunisia by Human Rights Watch said they thought the best way to help the children recover from detention and life under ISIS would be for Tunisian authorities to bring them home and their mothers with them.

“She is still breastfeeding them, they cannot be parted,” said Mohammed Kilani of his daughter and her 2-year-old twins – two of four young children detained with her in Roj camp. “The children are innocent, they have done nothing wrong. If my daughter committed any crime let her come back and be prosecuted in her own country.”