



2.4.4 Return of persons with perceived affiliation to ISIL

2.4.4 Return of persons with perceived affiliation to ISIL

Returnees from Al-Hol detention camp in northeastern Syria and other IDP camps in Iraq undergo security screening⁶⁶⁸ by the National Security Service,⁶⁶⁹ which includes questionnaires and biometric checks against ISIL-affiliate databases. Authorities may deny return or arrest individuals flagged during screening under Iraq's Anti-Terrorism Law, despite concerns about database inaccuracies and false positives.⁶⁷⁰ After screening, authorities temporarily transfer individuals to the Al Amal Center (formerly Jeddah 1 Rehabilitation Center),⁶⁷¹ near Mosul. UN agencies and NGOs provide reintegration support in the Center,⁶⁷² including assistance with civil documentation, psychosocial care and vocational training.⁶⁷³

As of September 2024, Al Amal Center housed 2 223 people, mainly women and children. Since 2021, security forces arrested about 80 individuals charged with ISIL's affiliation, with reports of torture and enforced disappearance during interrogation. In October 2024, Amnesty International reported multiple cases of torture at Al Amal Center during interrogations conducted by Iraqi security forces, as well as reports of unfair trials under the Anti-Terrorism Law.⁶⁷⁴

Humanitarian needs at the Al Amal Center remained significant, especially in protection, legal aid, health, and education.⁶⁷⁵ A key issue is the lack of documentation⁶⁷⁶ which disproportionately affects female-headed households and their children.⁶⁷⁷ Documentation is essential for facilitating movement across checkpoints, for registration with authorities upon return⁶⁷⁸ and for accessing essential services.⁶⁷⁹ Persons with real or perceived ISIL links face difficulties obtaining civil documentation⁶⁸⁰ which increases risk of statelessness, particularly among youth. Fragile social cohesion and strained resources further heighten protection risks for both displaced and host communities⁶⁸¹ (See section [2.7. on Children](#)).

Despite the fast pace of returns from Syria's Al-Hol camp in Iraq,⁶⁸² reintegration remains difficult⁶⁸³ due to damaged housing, limited services, legal barriers⁶⁸⁴ and lack of civil documentation.⁶⁸⁵ Observers expressed concerns that fast camp closures may increase the vulnerability of residents and hinder long-term reintegration.⁶⁸⁶ Returning IDPs perceived as affiliated with groups like ISIL are subject to harassment, retaliation,⁶⁸⁷ stigma and discrimination.⁶⁸⁸ In some cases, hate speech and revenge attacks in the host communities are reported.⁶⁸⁹

Return often depends on the *kafala* system, based on Iraq's Criminal Procedure Code (1971). Under this system, a guarantor (*kafeel*), usually a tribal leader, official, or male relative, attests to the individual's disassociation from ISIL and agrees to report any future suspicious activity, though without being legally liable.⁶⁹⁰ Although courts have ruled that security clearance is not a prerequisite for issuing civil documents, authorities commonly require clearance for parents, primarily fathers, before issuing legal identity documents, including for children.⁶⁹¹

Many women whose husbands are missing or accused of ISIL affiliation have reportedly chosen or been encouraged to initiate divorce and pursue the *tabriya* procedure.⁶⁹² Spouses of alleged ISIL members are generally required to undergo the so-called *tabriya* (denunciation)⁶⁹³ or *ikhbar* (notification) process⁶⁹⁴ in order to obtain a security clearance for themselves and their children. This process, which varies by court and jurisdiction, typically requires formally declaring the spouse's ISIL affiliation, renouncing the individual, and denying personal involvement.⁶⁹⁵ If the court accepts the declaration, judges issue certificates of innocence enabling women and their children to obtain security clearances and civil documentation. Authorities reportedly have eased strict application of this process.⁶⁹⁶ Judges often require additional evidence to establish paternity when fathers are suspected ISIL members, including DNA tests or court appearances, even if fathers are missing.⁶⁹⁷ When unable to prove paternity, women sometimes declare the child's paternal lineage as 'undetermined', a phenomenon surrounded by significant stigma.⁶⁹⁸

While intended to aid reintegration, *tabriya* can deepen stigma, especially for women and their children. In fact, in some cases, courts have used declarations as evidence of ISIL affiliation.⁶⁹⁹ The *tabriya* process remained 'inconsistent' and insufficient to obtain civil documentation for women and their children.⁷⁰⁰ (See [section 2.7 on Children](#)). Though not legally required, some tribes have linked *tabriya* to formal judicial processes through *ikhbar*.⁷⁰¹ For more information on tribal aspects related to the treatment of persons with perceived affiliation to ISIL, see the [EUAA COI Iraq: Arab tribes and customary law Report](#), April 2023.

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